



DEPARTMENT OF STATE

Washington, D.C. 20520

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August 9, 1969

MEMORANDUM

TO: The Acting Secretary

THRU: S/S

FROM: IO - Samuel De Palma

SUBJECT: Micronesia: Requested Comments on the Need of an Elected Governor and on L's Memorandum of August 8, 1969 on this subject: ACTION MEMORANDUM

DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY B.A. Bhatt DATE 4/10/87

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RDS  XDS  EXT. DATE OADR

TS AUTH. [Signature] REASON(S) E.O. 12356

ENDORSE EXISTING MARKINGS  SECS. 1, 3 (2) (X) (5)

DECLASSIFIED  RELEASABLE  FOI PART 3(b)

RELEASE DENIED

PA or FOI EXEMPTIONS B1, A5, B5

We agree with many points in the memorandum of August 8, 1969, from the Legal Advisor, Mr. Stevenson, to you, but are in substantial disagreement as to the tactics to be pursued by the Department at this time.

L's description of our obligations under the Trusteeship Agreement and the UN Charter is accurate--that we must be able to make a reasonable case in the United Nations that the Micronesians have freely chosen a new status of self-government. It is clear that an elected chief executive is an essential element in any self-governing status. However, we believe that the L memorandum overstates the importance of giving an elected governor full executive powers in two regards.

First, no matter how we define the new status of Micronesia--no matter how much self-government we provide--practical considerations preclude our granting, within the time frame we have set for ourselves, a status meeting absolute standards of self-government. Second, even if the Governor had full powers, the Department including L, has acknowledged that some other factors for full self-government cannot be satisfied. Specifically, fiscal controls will remain almost exclusively in the hands of the US Congress. Thus, in discussing the powers of the Governor we are not choosing between a full measure of self-government and something less. Nor can we ever fully satisfy UN opinion.

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B1, A's

B5

We find confusing the discussion in the L memorandum of the possibility of terminating the Trusteeship and then reporting on the Territory as a non-self-governing entity. If we must assert Micronesia has self-government to terminate the Agreement, we do not see how we could then acknowledge that the status was in fact non-self-governing.

B1, A  
B5

Question of Tactics

L believes that the Department should not at this time compromise its position; that, if an elected chief executive with full powers is (1) necessary fully to meet our obligations under the Trusteeship Agreement and (2) in no way a threat to basic US interests in the Territory, we should insist on such a provision from the start. We believe that such tactics now would be self-defeating.

We are now only in the first stage--the achievement of an agreement within the Executive Branch--of the formulation of Micronesia's new status. We must still achieve a three-way agreement between the US Executive, the Micronesians and the US Congress before we move in the UN on

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termination of the trusteeship. In this first stage, both State and Interior face serious problems. 6/1/53

Interior, on the other hand, is faced with the specter of the House Interior Committee and Congressman Aspinall. This is a problem distinct from opinion in the Congress as a whole, as described in the L memorandum. Aspinall is a real and very powerful force to be dealt with, and Interior's reluctance to take a position contrary to his known views at this time is understandable. This is particularly true since Interior believes that the Micronesians will be satisfied with a status consistent with Mr. Aspinall's desires (a view with which we disagree, but which only time will establish). Further we have concluded that Interior does not appreciate our potential difficulties, much less the risks of failure either in Micronesia or in New York--the latter is simply "a problem for State to handle." Consequently they see no need to compromise.

The State Department therefore can only hope to convince Interior that meeting what we estimate to be the minimum requirement to terminate the Trusteeship Agreement is possible without compromising the essentials of the Interior (and Aspinall's) position. IO believes that the position and tactics advocated by L will not enable us to reach any understanding with Interior and will in fact strengthen Interior's belief that we are only concerned with "our" problems, ignoring their interests and experience with Aspinall.

IO is not at all confident that Interior's reaction to the idea of an elected Governor with an advisor (consenter) will be much better. But we do believe that such an alternative provides us the chance to argue that the same controls existing under an appointed governor would remain, and that Congressman Aspinall could be shown, that, despite appearances the substance of the traditional system of handling territories was not being upset.

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RECOMMENDATION

That you authorize us to discuss with Interior the possibility of an elected governor with an Advisor having the power of advice and consent. If we are unable to obtain Interior's acceptance of this alternative or some variation of it we would propose that the definition of the Executive in the Organic Act be bracketed with both alternatives presented for consideration by the Under Secretaries Committee.

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

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