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August 22, 1969

TO : L - Mr. Stevenson
FROM : L/UNA - Stephen M. Boyd
SUBJECT: Micronesia - Defense Department Views on Elected Governor; Views of Justice Department

Yesterday I discussed an elected governor for Micronesia with two representatives of DOD - Harry Almond of the General Counsel's Office and Commander Edwin A. Kuhn, Office of the Secretary of Defense for International Security Affairs.

Both indicated that DOD is not wedded to an appointed governor as now provided in the Interior draft political status bill. They said DOD is presently not objecting to the appointed governor provision mainly because of Interior's assertion that an elected governor could not pass Congress; but an appointed governor is not a vital matter as far as Defense is concerned. In fact Commander Kuhn said there is a good deal of sympathy for an elected governor provision and that Defense could support an elected governor if it is desired by the Micronesians and if such a provision can be sold to Congress. Almond also is seriously concerned about the question of unilateral U.S. termination of the Trusteeship Agreement on a basis of other than self-government for Micronesia at the time of termination.

Kuhn indicated that what is of vital concern to Defense is ultimate federal protection in connection with land acquisition for bases and in preventing arbitrary or unreasonable local restrictions which could impede effective operation in the area.

Commander Kuhn also advised that Edgar Kaiser, special assistant to Secretary Hickel, will be passing through San Clemente around August 25 or 26 on his way back from the Trust Territory where he has been consulting Micronesians on

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their reaction to the original Interior draft organic act. Kuhn expressed the thought that it might be well for someone from State (perhaps even the Secretary) to be included in whatever briefing Kaiser gives to the President or others in California.

This morning Herman Marcuse of Justice, who has been attending the interagency drafting group, telephoned me to say that he and others in his Department were seriously concerned about the international implications of terminating the Trusteeship in a way likely to be condemned at the UN. He suggested that even Micronesian endorsement in a controlled referendum would not really help and cited Eastern European examples of how an annexed area can be brought to give the "right" answer in a plebiscite. Mr. Marcuse is preparing a memorandum for Mr. Rendquist on the subject hoping to persuade top Justice officials of the threat he sees to the United States' moral position if current Interior Department thinking prevails.

CC: L - Mr. Salans
IO/UNP - Mr. Gleysteen

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