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September 3, 1970

MEMORANDUM

TO: EA - Mr. Marshall Green

THROUGH: EA - Mr. James Wilson  
EA - Ambassador Winthrop G. Brown

FROM: EA/ANZ - James V. Martin, Jr.

SUBJECT: Micronesia's Future Status  
-- INFORMATION MEMORANDUM

You inquired how IO would react to the suggestion that the U. S. might be able to break the deadlock in its negotiation with the Micronesians by implicitly offering them, along with Commonwealth status the right to opt at any time for full independence (a la Puerto Rico).

IO/UNP (Mr. Frisbie ) says IO would not have any problem with such an implicit understanding. But he believes the Micronesians would want the understanding to be fully explicit, spelled out in black and white. (He may be right.) IO/UNP also doubts that DOD would go along. His doubt in that respect is shared by Herbert Levin, FSO on the White House staff who sits on the committee dealing with Micronesia.

According to Mr. Levin, there is a legal view, held by some people in Interior and DOD, that President Eisenhower was acting ultravires in granting to Puerto Rico an option not accorded by the Congress.

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DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY B.H. BAAS DATE 3/25/87

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"The President hasn't the right to give away American territory acquired by conquest."

I do not suggest that it would be clear sailing -- merely that the concept may offer room to work out a solution, or a major part of one. Micronesia has all the makings of a nasty problem and Interior is going to need help.

EA/ANZ:JVMartin, Jr.:rlw

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