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July 13, 1972

**MEMORANDUM FOR CAPTAIN G. SCHULLER, ISA (EA&PR)**

**SUBJECT: Proposed Defense Powers - Micronesian Draft -  
July 12, 1972 - Trust Territories of the Pacific.**

You have requested our general comments concerning the above draft. At the outset it must be noted that these comments merely summarize the earlier positions we have taken and I have therefore avoided a detailed review.

1. Section 201. The language here is unsatisfactory because it requires the United States to act in conducting foreign affairs and defense powers in "close consultation" with Micronesia. Such a qualification, as already discussed, will prevent the needed freedom of the United States to act.

2. Section 202. The language in this section is unsatisfactory because it refers solely to "armed aggressions or threats thereof." The language which we have proposed is intended to provide the wider range of action which the United States is entitled and empowered to use in order to meet all its security requirements.

3. Section 203. The exclusive right to establish, use, and occupy and maintain military bases in the territory is inadequately covered in this Section. Furthermore, a provision calling for the consent of Micronesia provides an undesirable veto power in Micronesia. This language is contrary to a non-negotiable position of the United States.

4. Section 204. (a). Our language on termination is needed. The language here is clearly less extensive and contrary to our objectives.

5. Section 204 (d). The language here provides an undesirable standard, conditioning and in practice enabling the Micronesians to veto our acquisition of land and facilities.

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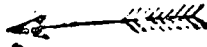
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For the above brief reasons, all of the Sections noted are unacceptable. Some are inconsistent with our non-negotiable positions. In each case the language proposed by the Department of Defense should be adopted.

Signed

Harry. H. Almond, Jr.  
Office of Assistant General Counsel  
International Affairs

cc: P. Barringer  
Col. A. L. Smith  
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