

01
3-5

RICHARD H. WILMER
LLOYD N. CUTLER
JOHN H. PICKERING
MANUEL F. COHEN
HUGH R. H. SMITH
LOUIS F. OBERDORFER
J. ROGER WOLLENBERG
CHARLES C. GLOVER, III
MARSHALL HORNBLLOWER
HENRY T. RATHBUN
REUBEN CLARK
SAMUEL J. LANAHAN
WILLIAM R. PERLIK
SAMUEL A. STERN
ARNOLD M. LERMAN
ROBERT P. STRANAHAN, JR.
MAX O. TRUITT, JR.
JOEL ROSENBLUM
HOWARD P. WILLENS
ANDREW T. A. MACDONALD
ROBERT A. HAMMOND, III
DANIEL K. MAYERS
TIMOTHY B. DYK
DAVID R. ANDERSON
J. RODERICK HELLER, III
ARTHUR F. MATHEWS
JAMES S. CAMPBELL
EZEKIEL G. STODDARD
COUNSEL

WILMER, CUTLER & PICKERING

FARRAGUT BUILDING
900 17TH STREET, N. W.
WASHINGTON, D. C. 20006

CABLE ADDRESS: WICRING, WASH., D. C.
INTERNATIONAL TELEX: 440-239
TELEX: 89-2402
TELEPHONE 202-296-8800

EUROPEAN OFFICE
5, CHEAPSIDE
LONDON, EC2V 6AA, ENGLAND
TELEPHONE 01-236-2401
TELEX 851 883242
CABLE ADDRESS: WICRING, LONDON

PETER A. BELL
GILBERT C. BERKELEY, JR.
PETER D. BEWLEY
STEPHEN F. BLACK
TIMOTHY N. BLACK
MICHAEL L. BURACK
RICHARD W. CASS
BARRY O. CHASE
RAYMOND C. CLEVENGER, III
LOUIS R. COHEN
ROBERT A. GERARD
C. BOYDEN GRAY
RONALD J. GREENE
ROBERT C. HACKER
DAVID G. HANES
ALLEN H. HARRISON, JR.
CHARLES E. HILL
WILLIAM P. HOFFMAN, JR.
C. LORING JETTON, JR.
SALLY KATZEN
NEIL J. KING
MICHAEL R. KLEIN
JOHN H. KORNS
NOEL ANKETELL KRAMER
F. DAVID LAKE, JR.
JAY F. LAFIN
DANIEL MARCUS
ROBERT B. McCAW
A. DOUGLAS MELAMED
ROBERT R. MORRIS
DANIEL D. POLSBY
STEPHEN B. PRESSER
JAMES ROBERTSON
RONALD D. ROTUNDA
DANIEL C. SCHWARTZ
DEANNE C. SIEMER
THEODORE S. SIMS
MICHAEL J. WAGGONER
STEPHEN A. WEISWASSER
ALAN S. WEITZ
VAUGHN C. WILLIAMS
GARY D. WILSON
WALTER T. WINSLOW, JR.

January 16, 1973

Mr. Edward DLG. Pangelinan
Chairman
Marianas Political Status
Commission
P.O. Box 825
Saipan, Mariana Islands 96950

Dear Ed:

I am sorry to have delayed in writing you since my hurried trip to the Marianas last month. My return to the United States was most expeditious indeed and I encountered no difficulty in meeting my other commitments. I also had the pleasure of taking a two-week vacation with my family in the Caribbean over the Christmas and New Years holidays and am just now becoming accustomed to the return to the practice of law in 1973.

Based upon our several discussions in Saipan, I am proceeding along the following general lines:

(1) Jim Leonard and I have undertaken to visit as a team several of the United States representatives most actively involved in our negotiations. We had a preliminary meeting with Mr. Chapman at the Department of Interior in December and I am enclosing for your information a brief memorandum for the file

regarding the substance of that discussion. In addition, I am enclosing a memorandum of a meeting between one of my associates and Mr. de Graffenried. We have an appointment this week to meet with Mr. Wilson. I think that these meetings are useful as a mechanism for us to obtain as much relevant information as we can on an economical basis and to open up additional lines of communication through which we can assist you and the Commission in deciding upon appropriate strategies for subsequent negotiations. I will keep you informed regarding the substance of these discussions and any significant developments.

(2) We have begun our study of the alternative forms of association between the United States and the Marianas which should be considered by the Commission in advance of the next negotiations. In this connection we have obtained relevant materials from various Governmental sources as well as from Paul Warnke's office. It is my plan to develop detailed analyses of the relationships which currently exist between the United States and entities such as Puerto Rico, the Virgin Islands, Guam and American Samoa which can be circulated to you and members of the Commission in advance of our next meeting. With these materials in hand, the members of the Commission will be better able to focus in on the key differences which exist among these forms of association and develop some preliminary negotiating positions in advance of our working sessions with the United States delegation. I will plan to have some of these materials completed and available for your inspection during March.

(3) As our work progresses, I expect that some specific legal issues will require our attention. During our meeting with Mr. Chapman, for example, the question was raised whether the trusteeship could be terminated with respect to the Marianas alone, assuming that the remainder of the Trust Territory had not yet arrived at some satisfactory accommodation with the United States. If partial termination of the trusteeship is not a legal or practicable alternative, then it will be necessary for the Commission to consider carefully what alternative legal mechanisms are available to implement the results of any negotiations with the United States. We

have begun to give some preliminary consideration to this question and I will be preparing a memorandum for you on this subject.

I will be writing Jim White to keep in touch and request his assistance in obtaining for us certain publications which would help keep us abreast of current developments in the Marianas. Please let me know if there are any other specific assignments which you would like us to undertake in addition to the above.

Best personal regards.

Sincerely,



Howard P. Willens

Enclosure

03665