

While it is impossible to analyze this question completely without knowledge of the precise actions that might be taken and the circumstances surrounding them, we believe that certain broad protections would be available to the corporation under its contract with the United States and under the contract and due process clauses of the United States Constitution and the Trust Territory Code. We believe it unlikely that the United States -- or, without fair compensation, the Trust Territory -- could materially restrict the corporation's rights in the public land or its structure or operations in the manner and for the purposes contemplated.

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If the Commission determines to proceed with the proposed corporation, we would make several specific recommendations for action:

- (1) Request the United States to agree in principle to transfer the public lands of the Marianas to a corporation organized and operated as proposed.
- (2) Determine who should be the incorporators and direct such persons to begin work immediately. Determine what assistance the incorporators may require and how to provide it.
- (3) Review the detailed proposal for the corporation, so as to provide additional guidance to the incorporators.