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DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
WASHINGTON, D. C. 20301

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I-20963/Ct

15 February 1973

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per specific request
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MEMORANDUM FOR CAPTAIN GORDON SCHULLER, USN
ISA/EA&PR

SUBJECT: Study of Negotiations on the Future Political Status
of the Mariana Islands - Draft Changes

As follow-on to my opinion dated 15 February 1973 - where
reference was made to needed revision in the above study:

At Page 2 - in Part I rewrite second Para of "B":

*Refer
TOB-C*

"The Strategic Trust Agreement between the United States
and the Security Council of the United Nations has the following
significant features:

General Counsel

-the emphasis in the agreement is upon the United States'
"strategic" interests; and the power was therefore granted
the United States to fortify the islands, to use them for
such defense or strategic purposes as the United States
determined, and to enable the United State thereby to
assume a preeminent role in maintaining international
peace and security in the South Pacific.

-it was the only strategic trust agreement reached between
any member State with the Security Council, and since the
United States is a permanent member of the Security Council,
the United States may veto attempts by the Council to
terminate or modify the Agreement.

-although provision was made in the Agreement for "self-
government" or "independence" to be assumed by the
Micronesians at such time as they might have reached
political maturity, this provision is to be harmopized with

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SUBJECT TO GENERAL DECLASSIFICATION SCHEDULE OF
EXECUTIVE ORDER 11652. AUTOMATICALLY DOWNGRADED
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United States strategic interests, since the exercise of powers to promote those interests would not interfere with the exercise of self-government. Moreover, the right to self-government can be preserved for the peoples of Micronesia even if the United States maintained territorial sovereignty over the islands, and the right itself includes the right of the Micronesians to become part of United States territory.

At page 10, add the following sentence:

"Without territorial sovereignty and control, at least over the Marianas, United States defense powers and the power to maintain its strategic interests will be severely limited and jeopardized. Moreover, they would then be subject to possible adverse political attitudes in the islands, and if that occurs, United States defense powers would be largely disabled notwithstanding a possible Compact."

At page 9 in III:

Add the following first sentence:

"It is immaterial how the Marianas are absorbed into the United States - whether they be part of an incorporated or unincorporated territory. The significant point is that they must be made part of United States territory!... (continue with the paragraph as written).

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