

OFFICE FOR MICRONESIAN STATUS NEGOTIATIONS
WASHINGTON, D.C. 20240

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March 11, 1974

MEMORANDUM

To: Ambassador F. Haydn Williams

From: Adrian de Graffenried

Subj: Legal basis for and political implications of a separate administration of the Mariana Islands District

You have asked me to explore the implications for a separate administrative system for the Mariana Islands District.

The following is a brief review of the legal rationale and potential political considerations surrounding such action:

I. LEGAL CONSIDERATIONS

A. Legal Basis for a Separate Administrative System:

1. Closed Security Areas:

The United States has closed specific areas of the Trust Territory and placed them under separate administration at various times during its administration. On December 1, 1947, Eniwetok was closed for "security reasons" to permit the United States Government to conduct necessary experiments relating to nuclear fission. The islands of Saipan and Tinian in the Mariana Islands were closed for use by Central Intelligence Agency in its training programs and field activities on November 10, 1952; the remainder of the Mariana Islands Chain, excluding Rota, were included in the "security area" designated on July 17, 1953. Bikini Atoll was closed on April 2, 1953, pursuant to provisions of the Trusteeship Agreement in order that the United States Government could conduct "atomic experiments". Kwajalein Missile Range (KMR) was placed under the control of the United States Army for purposes of conducting experiments related to intercontinental missile tests. Each of these areas was removed from the general jurisdiction of the Trust Territory Government and each functioned under a specially established administrative system designed to promote the basic objectives underlying their closing.

2. The Mariana Islands Precedent

Executive Orders Nos. 10408 (November 10, 1952) and 10470 (July 17, 1953) establish the precedent for separate administration of the Mariana Islands District. Those orders transferred administrative responsibility for the Mariana Islands (except Rota) from the Secretary of the Interior to the Secretary of the Navy. The orders closed the Mariana Islands from the remainder of the Trust Territory and established the district as a "security area" under a separate administrative jurisdiction.

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The legal basis for these Orders can be found in Articles 1, 3 and 5 of the Trusteeship Agreement. Article 1 designates the Trust Territory of the Pacific Islands as a "strategic area" within the trusteeship system of the United Nations. The Trust Territory was the only strategic trust territory created by the United Nations as provided for in Article 82 of the U.N. Charter. The original "strategic area" concept was designed

"....to meet the special situation wherein a territory is of vital importance to security and must be maintained and operated as a military or naval base or security zone".

1 Whitman's Digest of International Law 765. Article 1, read in conjunction with Article 3, authorizes the United States to take such measures as it deems necessary to utilize the strategic interests concept to promote international peace and security and to protect the security interests of the United States. Article 5 authorizes the United States to establish military facilities in the Trust Territory to further international peace and security, thus giving the United States broad powers to establish such safeguards for its military facilities as the United States believes necessary including the creation of closed "security areas". Article 3 grants the United States, as administering authority, full powers of administration, legislation and jurisdiction over the Trust Territory, thus giving the United States broad discretionary authority in determining the appropriate administrative system to fit the particular circumstances in the Trust Territory. This broad authority includes removing a district from the administrative system of the Trust Territory in response to circumstances related to the strategic nature of Micronesia.

The Mariana Islands were rejoined with Rota and the remaining districts of the Trust Territory nine years later by Executive Order No. 11021 issued May 7, 1962.

3. Establishing Separate Administrative Areas for non-strategic interests

The Trust Territory Government has established a number of "sub-district" centers outside the six district administrative centers to provide a more effective governmental system for the more remote Micronesian islands. These sub-district centers are not separate entities and function within the general governmental infrastructure of the Trust Territory. Being an extension of the district administration does not inhibit district representatives from effecting independent polity needed to meet local circumstances, especially since the outer island areas are composed of ethnic groups distinct from the district center areas and have requirements unique to their circumstances.

Although there is no other explicit precedent, there is sufficient legal authority in the Trusteeship Agreement for Micronesia to establish that a district may be governed separately from the Trust Territory purely for administrative reasons unrelated to "security" matters. The legal basis for this position is as follows:

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a. Article 6(1) of the Trusteeship Agreement specifically recognizes the diversity of the cultures and ethnic groups in the Trust Territory and imposes a duty on the United States to

"...promote the development of the inhabitants of the Trust Territory toward self-government as may be appropriate to the particular circumstances of the Trust Territory and its peoples and the freely expressed wishes of the peoples concerned".

This provision forms the legal rationale supporting the separate political status negotiations with the Mariana Islands in that it establishes a separate right to self-determination with the people of the Mariana Islands because of their unique circumstances and cultural heritage and their oft expressed desire for a political status rejected by the other remaining districts of the Trust Territory. Article 6(1) can be interpreted as imposing an obligation on the United States to establish a separate administrative entity for the district so as to promote the inhabitants of the Mariana Islands toward satisfying their political status objectives and to protect the districts' right to self-determination from an arbitrary imposition of the will of the other five districts.

b. Article 3 of the Trusteeship Agreement vests full powers of administration, legislation and jurisdiction over the Trust Territory to the United States. This broad grant of authority clearly indicates that the U.S. is given full discretion to form whatever administrative system it deems appropriate to meet the particular circumstances of the Trust Territory. The separate political status negotiations that will create a commonwealth status for the Marianas within the American political system is a radical departure from the political status of free association pursued by the remaining districts of Micronesia and creates a special circumstance relating to how the district's right to self-determination will be protected and promoted. The grant of authority under Article 3 includes the power to establish in response to this special circumstance a unique separate administration for the Mariana Islands apart from or within the general TTPI Government infrastructure.

c. Article 9 of the Trusteeship Agreement authorizes the United States to

"...constitute the Trust Territory into a customs, fiscal, or administrative union or federation with other territories under United States jurisdiction..."

This article follows the concepts contained in the original mandate system to provide for ease of administration in extending programs and services from the administering authority. In submitting its comments on the draft article to the Trusteeship Council, the United States envisioned that Saipan may face many problems common to the nearby island of Guam and that it was essential to provide for an efficient administration of such island areas. U.S. Delegation Doc. US/S/119 p.6 cited by 1 Whiteman Digest Int. Law 813. This article read in conjunction with Articles 3 and 6(1), would support action to join the Mariana Islands District with the Territory of Guam.

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d. While other provisions of the Trusteeship Agreement specifically grant powers or impose duties on the United States, there is no specific prohibition against the creation of diverse and separate administrative entities. The absence of a specific prohibition against administering the districts separately coupled with the presence of express provisions recognizing the diverse ethnic groups and unique circumstances prevailing in the Trust Territory and granting full administrative powers to the United States would support the contention that the Trusteeship Agreement envisioned the possibility that unique administrative systems might have to be developed to protect the individual ethnic groups and to promote their individual rights to self-government. The report of the U.N. Trusteeship Council on its 1973 U.N. Visiting Mission to the Trust Territory would appear to explicitly support this approach by noting the possibility that the Marianas Islands may be administered separately before the termination of the Trusteeship Agreement.

B. Legal Basis to Effect a Separate Administrative System

The legal authority to administer the Mariana Islands apart from or uniquely but within the Trust Territory system can be effected by Executive Order of the President, Order of the Secretary of the Interior or action by the High Commissioner of the TTPI.

1. In adopting enabling legislation to effect the U.N. Trusteeship Agreement, the United States Congress delegated to the President the right to exercise all necessary powers of government over the Trust Territory as provided in the Trusteeship Agreement. Section 1681, Chapter 14, Title 48, United States Code. In redelegating these powers for the governmental administration of the Trust Territory to the Secretary of the Interior, the President retained the power to "specify parts or all of the Trust Territory as closed for security reasons" and retained the authority to prescribe policy for the Trust Territory of the Pacific Islands. Section 1, Executive Order 11021, May 7, 1962. By retaining such authority, the President retained the power to issue such Executive Orders as he determines appropriate to effectuate United States policy regarding the Trust Territory.

2. Should the President choose not to exercise this prerogative, the Secretary of the Interior has authority to issue Secretarial Orders to effect his responsibility for the administration of "civil government in all of the Trust Territory" subject only to those executive powers retained by the President because the Secretary is vested with "all executive, legislative, and judicial authority necessary for that administration". Section 1, Executive Order 11021. In this regard, the Marianas Study contains recommendations for the Secretary to issue an order removing the Mariana Islands District from the applicability of any legislation by the Congress of Micronesia relating to future status that seriously threatens to complicate the ability of the United States to pursue separate negotiations with the Mariana Islands. Section VIII, p.58 Marianas Study, (p. xiii, Summary). Although the President's instructions to Ambassador Williams do not make specific reference to this matter, the general endorsement of the Marianas Study by the President and the Under Secretaries Committee emphasize the validity of utilizing a Secretarial Order to promote and protect the Mariana

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Islands' right to exercise self-determination by engaging in separate commonwealth status talks.

3. The nature and extent of the authority of the Trust Territory Government is delineated by the Secretary of the Interior under Secretarial Order 2918, December 27, 1968, as amended. That order redelegates certain executive powers of administration held by the Secretary of the Interior under Executive Order 11021 to the High Commissioner of the Trust Territory. Section 1, Part II. The High Commissioner is directed under Section 3 of Part II to perform "such other functions for the Department of the Interior in the Trust Territory as may be delegated to him by the Secretary". Additionally, the Secretarial Order specifies that in the creation of the chief executive, the High Commissioner is made the final repository for all executive and administrative powers in the Trust Territory. By necessary implication, the High Commissioner has full powers to issue Executive Orders to exercise these executive and administrative powers to effect those directives issued to him by the Secretary of the Interior. Chapter 3, Title 2 of the Trust Territory Code incorporates the provisions of Secretarial Order 2918 and specifically directs the Attorney General of the Trust Territory to assist in drafting "...executive orders, and proclamations". Subsection 3, Section 55, Title 2, Trust Territory Code.

SUMMARY

The United States holds broad authority and full discretionary powers to establish and administrative system to effect a government for the Trust Territory as may be appropriate to the particular circumstances in Micronesia. This authority include, inter alia, the power to establish separate administration entities apart from or within the general Trust Territorial Governmental infrastructure. That authority can be effected by an Executive Order of the President, an order of the Secretary of the Interior, or an Executive Order by the High Commissioner of the Trust Territory of the Pacific Islands.

POLITICAL CONSIDERATIONS

Recognizing that sufficient legal basis exists for separating the Marianas from the Trust Territory Administration, a number of issues arise. Is there a need to separate the Mariana Islands from the other districts of the Trust Territory? Should the United States separate the Mariana Islands from the Trust Territory? What are the political implications of creating a separate administration for the Mariana Islands District apart from the remainder of Micronesia?

Is there a need to separate the Mariana Islands from the other districts of the Trust Territory?

The political status objectives of the residents of the Mariana Islands have not yet solidified in support of the Commonwealth status currently being pursued by the Marianas Political Status Commission. Local support for the future political status of the district appears to be more uncertain after three sessions of negotiations than at the opening of the

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separate talks. There are a number of factors causing this confusion:

One. Dissident elements of the business and political community and of the minority ethnic groups continue to distort the implications of a permanent association with the United States, especially as relates to land alienation, U.S. eminent domain policy, taxation, powers of the U.S. Congress to govern the internal affairs of the Marianas and the application of U.S. laws.

Two. Political education efforts within the district do not clarify the Commonwealth status objectives. The JCFS and COM propagandize free association and independence and distort the implications of the Commonwealth relationship. The TTPI, on the other hand, has no clear program of political education fashioned for the Mariana Islands; on the contrary, the TTPI program is the same general program carried simultaneously in all the districts and does not distinguish the implications between Commonwealth, free association and independence. Marianas residents complain that the TTPI program tilts toward Micronesian unity. Unofficially, many TTPI personnel adamantly oppose a separate status for the Mariana Islands. At present, the MPSC is the only political education forum that consistently emphasizes the current political status objectives of the Mariana Islands District and that counteracts the COM distortions.

Three. The COM has recently established the Mariana Islands as the site for the future Micronesian Constitutional Convention. Because the COM cannot legally exclude the Marianas, the Mariana Islands will also be full participants in these discussions. The convention will formulate a future Micronesian government operating under a political status of free association and will determine what role the Marianas will have in a future GOM. On the other hand, the U.S. and MPSC have already opened discussions on a separate constitutional convention for the Mariana Islands to establish a Commonwealth government for the Mariana Islands under its territorial relationship with the U.S. Government. However, Marianas participation in the COM Constitutional Convention will confuse local residents as to which particular future status and which form of future government their representatives are pursuing. (See Addendum A for additional information.)

Four. The Mariana Islands continue to be full participants in the JCFS-U.S. negotiations for free association. By joining in the policy determinations of the JCFS, the Marianas lend credibility to the JCFS insistence that they are negotiating for all six districts of Micronesia and that financial arrangements under free association must incorporate the Mariana Islands if the political status options are to be meaningful. This also lends credence to the insistence that U.S. land requirements in the Mariana Islands are a rightful subject of inquiry by the COM and JCFS and that land payments for these areas must be made to the JCFS and COM directly. Lastly, the JCFS insists that the full range of status options to be presented to the Micronesian people also be presented to the Mariana Islands.

Five. The COM and JCFS continue to assert their influence over the Marianas and to impede the Commonwealth negotiations by the influence of the COM over: (1) allocation of the revenues derived from the Mariana

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Islands under TTPI revenue laws; (2) public land in the Mariana Islands; (3) review of the TTPI budget for the Marianas; (4) control over TTPI-wide laws applicable to the Marianas affecting local foreign investment policy, fishing and agricultural development, territorial seas, loan funds, home-steading, and shipping, etc. The COM appears to extract the support of the Marianas COM delegation for its legislative and political objectives in return for a COM agreement to support the legislative programs (primarily revenue bills) of the Marianas delegation. (See Addendum B.)

Summary

Unless some action is initiated to counter these factors, local opposition to Marianas membership in the American political family will harden and will erode current popular support for the Commonwealth status. As long as the political status objectives for the district remain doubtful in the minds of the Marianas residents and as long as the COM and JCFS appear to influence the Marianas leadership and events in the district, an early success for the Commonwealth talks will be uncertain. Consequently it would appear there is a need to separate the Mariana Islands from the other districts of the Trust Territory, if not administratively, at least psychologically. Such action is needed to focus the attention of local residents on the Commonwealth objectives and to stimulate and crystalize local support for a political status relationship within the American political family.

Should the United States move to separate the Mariana Islands from the Trust Territory?

One of the objectives of the separate status negotiations with the Mariana Islands is to create "maximum favorable impact on the negotiations with the remaining five districts of Micronesia" by obtaining, among other things, an early commonwealth agreement. The Marianas Study envisioned a negotiating scenario to conclude a commonwealth agreement by the Spring, Summer, 1973. Delaying tactics by the MPSC and interference by the Congress of Micronesia have resulted in considerable slippage of this time frame and it appears that the MPSC and JCFS may again seek to delay early agreement.

Contingencies to meet possible impediments to early agreement with the Mariana Islands were established in the Mariana Islands Study. Part VIII, Marianas Study, March 19, 1973. The study was approved by the Under Secretaries Committee, and the President issued negotiating instructions to Ambassador Williams in May, 1973, incorporating the recommendations of the Study. The Study specifically recommends that

"Should it appear that the COM's extension of legislation to the Marianas on matters relating to future status seriously threatens to complicate the U.S. ability to pursue separate negotiations with the Marianas, consideration can be given to promulgation by the Secretary of the Interior of an order specifying that such legislation will not be applicable to the Marianas".

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Action to protect the integrity of the commonwealth status negotiations is to be taken only after consultation with the President's Personal Representative and the Under Secretaries Committee and only as a last resort.

The kinds of COM impediments considered by the Study are those relating to the contention by the COM that it is the sole authority to negotiate a future political status for all the districts of Micronesia and those relating to legislation that forces the Marianas to be included in matters relating to the future political status of Micronesia as a whole, such as a constitutional convention and return and future control over public land. As noted earlier, the COM has actively attempted to impede the commonwealth negotiations. The COM has included the Marianas in a constitutional convention for the future government of Micronesia and has directed that it be held in the Mariana Islands District. The COM has interjected itself into the Tinian public lands issue and has held several meetings with local residents on Tinian concerning U.S. military land requirements offering the support of the COM if the people choose to oppose U.S. land requirements. The COM has held political education meetings in the Marianas; it has attempted to propagandize free association and Micronesian "unity" and to distort the commonwealth ties to the United States. To emphasize its continuing authority over the Mariana Islands District, the COM has continued to withhold a large portion of COM revenues derived in the Marianas from TTPI revenue laws from the legislative program of the Marianas COM Delegation. The COM continues to refuse to formally recognize the separate commonwealth status talks and instead has adopted resolutions expressing the sense of the Congress that it is the sole authority to negotiate on future political status matters in Micronesia. This basis is used by the JCFS in its insistence that U.S. financial obligations under free association must include all six districts and was a major cause of the early postponement of the Seventh Round of Free Association Negotiations.

If the objectives of the Marianas negotiations are to be realized and if the U.S. is to protect its interests in the district and is to promote the early resolution of the commonwealth agreement, then the U.S. should act to establish a separate administration for the Mariana Islands District and remove it from the adverse influence of the Congress of Micronesia which is attempting to impede the separate commonwealth status negotiations.

What are the political implications of creating a separate administration for the Mariana Islands apart from the remainder of Micronesia?

Establishing a separate administration for the Mariana Islands will cause immediate actions from the COM and JCFS, MPSC, United Nations, United States Congress, and Trust Territory and Marianas District Administration. The intensity and type of reaction is directly related to the approach utilized to establish a separate administrative system for the district.

Should the United States act unilaterally to establish a separate administration without a prior formal request from the Mariana Islands, the United Nations and the Congress of Micronesia would immediately **411267**

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resolutions condemning the United States. This action would not only bring outcries from our enemies that the action proves the United States is a "colonial" power but would harden JCFS and COM attitudes against the U.S. in the "good faith" negotiations regarding U.S. military land requirements. Many elements may tend to characterize this action as proof the separate talks were not progressing as the U.S. desired and therefore the local situation required the U.S. to preserve its status position. The United States Congress may look with disfavor on the action if there is no prior consultation with key leaders outlining our rationale. On the other hand, unilateral action would demonstrate U.S. intentions to protect its interests and to decisively meet COM challenges to U.S. authority; it could also provide a needed psychological break that could formalize the separate status objectives of the MPSC and USG.

If the U.S. acted only in response to a Marianas request for separate administration, it would still be criticized by its opponents in the U.N. and by the COM. Furthermore, a U.S. response could set a precedent for other districts in Micronesia which wish to pursue separate status objectives. Yet, this approach would lend great weight to establishing local support for U.S. action and could be interpreted as a logical evolution of the action taken to establish separate negotiations.

The strongest opposition in the U.N. forum and from the COM would come as a reaction to a complete separate administration for the Mariana Islands. This action could be interpreted as overreaction by the U.S. to protect its interests, especially if the action is taken before a commonwealth agreement has been fully negotiated and approved. The duplicating governmental infrastructure and separate budgetary requirements may bring opposition from the U.S. Congress and elements of the U.S. Executive. Establishing a separate administrative system would be time consuming and could delay the ongoing status talks until local political power groups resolve how local power is to be shared.

The least opposition would come from a partial separate administration of the Mariana Islands. This action would follow the mandate of the Marianas Study to protect the integrity of the commonwealth talks by restraining power of the COM to enact legislation affecting the separate Marianas talks and could range from measures to establish more local administrative autonomy from the other TTPI district by giving the district local control over all revenues derived in the Mariana Islands but otherwise remaining generally within the TTPI governmental infrastructure to chartering a local district government. The COM opposition will increase in proportion to how much the Marianas is removed from the general purview and political control of the COM. Local opposition may be related directly to the amount of control retained over the Marianas by the TTPI executive. Like the other options, U.N. and U.S. Congressional opposition will arise in proportion to the extent the Marianas is removed from participation in the COM and TTPI wide issues unrelated to status matters.

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EFFECTING A SEPARATION (see Addendum D)

TIMING

The most critical near-term events are the UNTC session in late May-early June, COM special session in late June-early July, 4 June election of delegates to the Constitutional Convention, the Round IV Marianas talks in May, and the 8th rough JCFS talks in spring or late summer. It would appear that moves to effect a separate administration for the Marianas should come before the 4 June election of Convention delegates and before any future JCFS negotiations if the COM strategy to impede the Commonwealth talks is to be defeated.

Another crucial factor in the timing scenario is whether U.S. land requirements will be satisfied. If separation is effected and these requirements are not met, then the Mariana Islands would again become full members in the JCFS negotiations and the separate administration would be eliminated. Yet, the reunification process could become a political liability to the U.S. unless: (1) the initial U.S. action was taken in response to a Marianas request; and (2) it appeared as another evolution in the separate status talks. The U.S. interests would be better protected if action to effect the separate administration occurred after an MPSC endorsement of and commitment to satisfy U.S. land requirements.

Thus, a separate administration should be effected after an MPSC commitment to satisfy U.S. land requirements (before or during MPSC IV) but before the 4 June election Constitutional delegates and before JCFS VIII.

To permit the Marianas to participate in the delegate selection process would build too many political and psychological pressures in the district against a repudiation of the election by effecting a separate administration. In this regard, local dissent elements in support of continued Micronesian "unity" could play upon arbitrary U.S. action to refute a purely local act that it did not endorse. This act could be expanded upon by these groups as an example of IV, 3, 2 powers the U.S. will exercise under Commonwealth. Additionally, even local Commonwealth supporters would be offended by the seeming contradiction in U.S. approach. The COM would severely chastise U.S.; repudiation of the election as an attempt to deny local residents the equal opportunity to participate in a process that will fashion a future Government of Micronesia and determine the future interrelationships of the districts under free association.

Action to effect a separate administration should be completed before the next UNTC meeting so as to present a "fait accompli" to the council and avoid further obstructionist attempts by those U.N. members who do not endorse a separate political status for the Marianas. Such a move would draw criticism from the COM representative to the UNTC meeting but the action would not be subject to review or approval of the UNTC. Whereas, if the action is taken after a UNTC admonition against any separate administration, there may be some interpretation that the U.S. was deliberately flaunting or challenging the authority of the UNTC.

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If the action to establish a separate administration is effected prior to JCFS VIII then the financial argument that the JCFS must include all six districts would no longer be valid.

MECHANICS

It would appear that the most political advantageous method to effect a separate administration would be upon a formal request of the Marianas District. As the Marianas District Legislature does not meet until August, a special session would be required to produce a resolution requesting U.S. action. A local referendum is too time consuming and is a less predictable method.

The resolution should address the following: (1) COM interference; (2) local aspirations for a Commonwealth political status to which Marianas has a right to pursue under the Trusteeship Agreement; (3) that MPSC forced and finished three rounds; (4) that MPSC efforts and aspirations of local residents must be protected; (5) that most expeditious method would be to separate the Marianas from the Trust Territory and from the jurisdiction of the COM; and (6) that the United States should effect these actions at the earliest possible time in such manners as is appropriate to the circumstances.

RECOMMENDATION

To crystalize support for the commonwealth status, to protect the Marianas' rights to self-determination in pursuing separate status talks, and to remove impediments by the Congress of Micronesia and JCFS to further Commonwealth status talks, it is recommended that the United States establish a partial separate administration for the Mariana Islands District. This action should be undertaken, however, only upon a request from the Mariana Islands District Legislature. This policy should be effected by an order of the Secretary of the Interior pursuant to the recommendations of the Marianas Study.

Of those partial administrative options noted in the memorandum of February 23, 1974, entitled "The Mariana Islands-Separate Administration of prior to the Conclusion of the Commonwealth Talks:", it appear that Option II, B, 2 would be in the best interests of the United States. (See Addendum D.) That option would restrict the authority and jurisdiction of the Congress of Micronesia over the Marianas so as to prohibit the extension of legislation to the district relating to future status matters. The option would also establish a chartered district government for the Mariana Islands so as to provide for greater local autonomy but within the larger administrative system of the Trust Territory; the chartered district government would be granted the authority to control all revenues collected in the Mariana Islands under TTPI revenue laws. It could also serve as an interim step for the transition of the Marianas into its commonwealth government. (See Addendum "C" for particular characteristics.)

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Option II, B, 2, in effecting a chartered district government could delay the commonwealth status talks in the short-term in that it could serve to stimulate local political friction as groups locally vie for control over the leadership in the new chartered government. In such a situation the MPSC may desire to delay further talks until local political matters are more stable. The MPSC may also insist that the new government be formulated upon its recommendations. However, the U.S. can alleviate these fears by unilaterally establishing the interim status of that government and by noting that the MPSC leadership in the COM has itself promoted more local self-government through the chartering of district governments. In the long run, this option best serves the interests of the U.S. by providing a more solidified basis and more broad local support for the new commonwealth status. This option becomes especially significant if the JCFS is successful in its efforts to fashion a future GOM and a free association status option that would appeal to the Marianas residents by preserving a degree of local autonomy and assurances of continued U.S. support that they are now seeking under commonwealth arrangement. Establishing a chartered government for the Marianas under this option would serve to focus the attention of local residents toward the new commonwealth arrangements and would psychologically sever their connections with the COM and future GOM, so as to counter the COM/JCFS attempts to retain Marianas participation in their future GOM political family.

U.S. initiative under this option could also benefit the U.S. in its free association negotiations with the COM/JCFS by forcefully demonstrating the U.S. intent to promote local self-government and to protect its basic self-interests.