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From the Desk of:
Howard P. Willens

April 18, 1974

To: Mr. Helfer

Mike:

Attached is a draft status agreement which has been drawn up following the recent meeting of the other five districts in Carmel.

Jim Wilson has given us a copy of this agreement in the strictest confidence.

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PREAMBLE

The United States of America and the People of Micronesia,
Recognizing that among the responsibilities of the
Government of the United States as Administering Authority
of the Trust Territory of the Pacific Islands is the
obligation to promote the development of the inhabitants
of that territory toward self-government or independence,
and

Recognizing their common interest in developing a new
political status for the people of Micronesia to replace
the present trusteeship,

AGREE to establish through this Compact of Free Association
a system of self-government appropriate to the particular
circumstances of Micronesia and its people and in accordance
with the freely expressed wishes of the people concerned.
This Compact, approved by the people of Micronesia through
their sovereign right of self-determination and by the
Government of the United States, shall determine the respective
rights and responsibilities of the Government of Micronesia and
the Government of the United States.

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TITLE I
INTERNAL AFFAIRS

Section 101

The people of Micronesia have the right to adopt their own constitution and form of government and to amend or change any such constitution or form of government at any time, provided that the constitution and laws of Micronesia shall remain consistent with the provisions of this Compact, and shall guarantee to the inhabitants of Micronesia their fundamental human rights and shall establish a governmental structure consistent with the principles of democracy.

Section 102

The duly constituted Government of Micronesia shall have full responsibility for and authority over the internal affairs of Micronesia.

Section 103

The people of Micronesia, in the exercise of their right of self-determination, may in the event of termination of this Compact freely choose their own future political status in accordance with Title XI of this Compact.

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TITLE II
FOREIGN AFFAIRS

Section 201

(a) The Government of the United States shall have full responsibility for and authority over all matters which relate to the foreign affairs of Micronesia, notwithstanding* any other provision of this Compact.

(b) The Government of the United States and the Government of Micronesia shall consult at any time requested by either of them on matters of mutual concern relating to foreign affairs. While not derogating from its full responsibility and authority in this area, the United States will, to the extent feasible without prejudice to the fulfillment of its overall foreign affairs responsibilities, accommodate the expressed wishes of the Government of Micronesia.

(c) In the exercise of its powers under Section 201 the United States will faithfully adhere to the basic principle that the Government of Micronesia has full responsibility for and authority over the internal affairs of Micronesia, and the United States will avoid to the greatest extent possible any interference in those internal affairs pursuant to its foreign affairs authority.

Section 202

The authority of the United States under Section 201 shall include the right to apply to Micronesia any appropriate

**NOTE: Micronesian side suggests that "notwithstanding" clause be examined later to see if it is necessary.*

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treaty or agreement to which the United States is a party, provided, however, that the United States shall negotiate and conclude such international treaties or agreements which are intended to relate exclusively or predominantly to Micronesia only on the request and with the consent of the Government of Micronesia.

Section 203

In the exercise of its authority under Section 201, the Government of the United States undertakes the following responsibilities:

(a) The Government of the United States will extend consular assistance and diplomatic protection to citizens of Micronesia traveling outside of Micronesia and of the United States.

(b) The Government of the United States will give sympathetic consideration to applications by foreign countries for the establishment of Consulates in Micronesia, subject in each case to assurance from the Government of Micronesia that it would welcome the establishment of such a Consulate. The Government of the United States and the Government of Micronesia shall establish arrangements for the joint accreditation of foreign consular officers in Micronesia.

(c) The Government of the United States will facilitate Micronesian activity in the areas for which the Government of Micronesia may exercise responsibility under Annex A.

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Section 204

(a) In the exercise of its full authority over foreign affairs under Section 201, the United States agrees that the Government of Micronesia may undertake the activities specified in Annex A of this Compact in accordance with the terms of that Annex.

(b) In undertaking those activities provided for in Annex A, the Government of Micronesia agrees that its policies and activities shall not be in conflict with U.S. foreign policy and U.S. security interests. The procedures outlined in Paragraphs II, III and IV of Annex A are intended to implement this undertaking.

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TITLE III

DEFENSE

Section 301

The Government of the United States shall have full responsibility for and authority over all matters which relate to defense in Micronesia.

Section 302

(a) The defense responsibility and authority of the United States Government provided for in Section 301 shall include:

- (1) The defense of Micronesia, its people and territory, from attack or threats thereof;
- (2) The right to prevent third parties from using the territory of Micronesia for military purposes; and
- (3) The use of United States military bases which are established in Micronesia for the security of the United States, and to support its responsibilities for the maintenance of international peace and security.

(b) The Government of the United States may conduct all activities and operations on the lands and waters in the territory of Micronesia necessary for the exercise of its responsibility and authority under Section 302(a).

Section 303

(a) The Government of the United States shall have the

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exclusive right to establish, maintain and use military areas and facilities in Micronesia, the unencumbered right to protect all United States military facilities in Micronesia, and full freedom of use and access to all facilities and areas used for the conduct of military activities.

(b) The Government of Micronesia shall assure the United States the rights and uses in the lands and waters specified in Annex B, which shall be an integral part of this Compact.

(c) If in the exercise of its authority and responsibilities under this Title the United States Government requires the use of areas within the territory of Micronesia in addition to those specified in Annex B, on the effective date of the Compact, requests may be made of the Government of Micronesia to satisfy these requirements. The Government of Micronesia shall establish suitable procedures to provide prompt response to any such request by the United States, and shall negotiate in good faith to achieve on reasonable terms an agreement for the use of such areas.

(d) The agreements for the lands and waters listed in Annex B shall conform with the provisions of this Compact and such agreements shall not contain any limitations on the use of such lands and waters which conflict with the basic authorities and responsibilities of the United States under Sections 301, 302, and 303 of this Title.

(e) The rights and uses specified in this Compact, and in

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agreements existing upon the entry into force of this Compact, shall at the option of the United States extend in full force and effect for the period of this Compact, unless a particular agreement provides for a longer term. Whenever agreements are extended, the terms of such agreements relating to payment shall continue, unless amended by mutual agreement.

Section 304

(a) No country other than the United States shall enjoy the right to conduct military activities or to establish and maintain military facilities and areas within the territory of Micronesia at any time.

(b) The United States Government may invite military units of other countries acting in conjunction with and under control of United States forces to utilize such military facilities and areas.

(c) The rights accorded the United States in paragraphs (a) and (b) above may not be assigned to any other country.

Section 305

The legal status of United States military personnel, of United States citizen civilian employees, and of their dependents, while stationed in Micronesia shall be established by mutual agreement. That jurisdictional agreement shall come into force simultaneously with this Compact.

Section 306

Citizens of Micronesia who are otherwise qualified in accordance

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with United States law shall be eligible to volunteer for service in the Armed Forces of the United States, but shall not be subject to involuntary induction into military service unless they become permanent residents of the United States, as determined by United States law.

Section 307

The Government of the United States and the Government of Micronesia shall consult at any time requested by either of them on matters relating to defense. While not derogating from its full responsibility and authority in this area, the United States will to the extent possible without prejudice to the fulfillment of its defense responsibilities accommodate the expressed wishes of the Government of Micronesia.

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TITLE IV
FINANCIAL PROVISIONS

Section 401

The Government of the United States, in order to advance the economic and social welfare of the people of Micronesia and in recognition of the special relationship that has existed and continues to exist between the United States and Micronesia, agrees to provide on a grant basis to the Government of Micronesia \$35 million annually for the first five years of this Compact, \$30 million annually for the next five years and \$25 million annually for the next five years. These funds will be for use by the Government of Micronesia for programs and operations of that Government or any sub-division thereof as authorized by the Government of Micronesia.

Section 402

The Government of the United States shall make available to the Government of Micronesia \$_____ to cover compensation paid at fair market value for the purposes specified in Title III.

Section 403

(a) The Government of the United States agrees to provide the Government of Micronesia, without compensation, the services of the U.S. Postal Service, U.S. Weather Service and U.S. Federal Aviation Administration. The levels of such services shall be that extended to the Trust Territory of the Pacific Islands on the date of the signature of this Compact. The Government of Micronesia shall make arrangements to provide for the use of land

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necessary for such purposes at no cost to the United States Government.

(b) The Government of the United States and the Government of Micronesia from time to time may agree upon the extension of additional federal programs and services to Micronesia. Unless otherwise agreed, the cost of such additional programs and services will be charged against the overall assistance figure in Section 401.

(c) The Government of Micronesia may not impose taxes or other levies upon United States property or personnel, or the personal property of such personnel, present in Micronesia in connection with a service or program furnished by the United States under Section 403(a) of this Compact.

Section 404

(a) The Government of the United States will provide, on a grant basis, to a Government of Micronesia Capital Improvement Program Fund \$12.5 million annually for the first five years of this Compact, \$11 million annually for the next five years, and \$9.5 million annually for the next five years.

(b) The Government of the United States will also make available to the Government of Micronesia financial assistance on a loan basis for economic development projects in an annual amount of \$5 million for fifteen years subject to the terms of long-term low interest loan agreements between the Government of the United States and the Government of Micronesia. Of the \$5 million annual loan, \$2.5 million will be reserved for allocation to District

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Governments for small business loans at the district level; the remainder of the funds will be retained at the central government level for increasing the capital of the Micronesian Development Bank or other financial institutions involved in loan or equity financing of economic development projects of larger scale than those encompassed by the small business loan funds.

Section 405

The Government of Micronesia and the Government of the United States shall negotiate in good faith as to the amounts of economic assistance, as is provided for in this Title, for periods subsequent to the first fifteen years after the effective date of this Compact. Pending agreement on new amounts of such assistance the United States will continue assistance to the Government of Micronesia under Sections 401, 403 and 404(a)&(b) subject to the gradually descending five year scales established in Sections 401 and 404(a) as adjusted pursuant to Section 406 of this Compact.

Section 406

(a) The dollar amounts stipulated in Sections 401 and 404(a) & (b) will be adjusted annually during the fifteen year period to reflect, as necessary, the change in purchasing power of U.S. currency as reflected by changes in the official United States Government retail price index.

(b) The provisions of this Title will remain in effect for the duration of this Compact. Sections 401, 403(a) and 404 will be reviewed by the Government of Micronesia and the Government of the United States at five year intervals from the effective date of this Compact and adjusted as appropriate taking into account changing economic conditions.

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TITLE V
APPLICABLE LAWS

Section 501

(a) The treaties and international agreements applicable to the Trust Territory of the Pacific Islands on the day preceding the effective date of this Compact shall be applicable to Micronesia, as well as the treaties and international agreements made applicable to Micronesia pursuant to Section 202 of this Compact.

(b) The statutory law of the United States applicable to the Trust Territory of the Pacific Islands on the day preceding the effective date of this Compact shall not be applicable to Micronesia except as otherwise provided in this Compact or in other agreements between the United States and Micronesia.

Section 502

(a) Treaties and international agreements applicable to Micronesia shall have the force of internal law in Micronesia without the need of implementing legislation if they are self-executing, regardless of whether such treaties or international agreements became or shall become applicable to Micronesia prior to or after the effective date of this Compact. A treaty or international agreement shall be presumed to be self-executing if the United States has not enacted implementing legislation for itself at the time of its proclamation by the President.

(b) The Government of Micronesia will enact whatever domestic legislation is appropriate or required to enforce or implement those treaties and international agreements applicable to Micronesia

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pursuant to Section 501(a) of this Compact which are not self-executing. The implementing legislation enacted by the United States shall, however, have the force of internal law in Micronesia pending the enactment of the Micronesian legislation provided for in this sub-section.

(c) The Government of Micronesia will undertake to comply with and to enforce faithfully the treaties, international agreements and laws, set forth in subsections (a) and (b) of this section.

Section 503

(a) The Government of Micronesia will adopt and enforce such measures as may be necessary (1) to protect the personnel, property, installations, services, programs and official information maintained by the Government of the United States in Micronesia pursuant to this Compact, and (2) to ensure the effective implementation of the services and programs provided by the Government of the United States in Micronesia pursuant to this Compact. Such measures shall include appropriate and adequate civil and criminal remedies against:

1. Fraud against the Government of the United States.
2. Theft, embezzlement or destruction of property belonging to or in the custody of the Government of the United States; or the theft and unauthorized use of official information of the Government of the United States.
3. Interference with the operation of installations, programs or services maintained by the Government of the United States in Micronesia pursuant to this Compact.

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(b) In the event the Government of Micronesia does not adopt and enforce the measures required by sub-section (a) of this section, the related programs or services extended by the United States to Micronesia under Section 403 may then be withheld to the extent that the implementation or operation of such programs or services thereby becomes impossible.

(c) The Government of the United States may, with the approval of the Government of Micronesia, provide investigative and enforcement services to insure compliance with the laws and regulations relating to services and programs extended to Micronesia by the United States pursuant to this Compact.

Section 504

(a) Nothing in this Compact shall be construed as constituting a submission of either the Government of Micronesia or the Government of the United States to the jurisdiction of the courts of the other.

(b) The Courts of Claim of either of the governments shall not have jurisdiction over any claim against either of the governments growing out of or dependent upon this Compact.

(c) The provisions of Section 1346(b) and of Chapter 171, Title 28, United States Code shall not be applicable to any claim arising in Micronesia.

Section 505

The Government of Micronesia and the Government of the United States will cooperate with each other in the pursuit, capture, imprisonment and delivery to appropriate authorities of fugitives from justice who have fled from the jurisdiction of one Government to that of the other. The precise terms of this mutual obligation

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shall be subject to a separate agreement between the Government of Micronesia and the Government of the United States.

Section 506

In the conduct of its activities in Micronesia, the Government of the United States will endeavor to protect the surrounding environment from permanent or irreparable damage by adherence to standards no less restrictive than those established by United States law, except as otherwise may be agreed.

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TITLE VI
TRADE AND COMMERCE

Section 601

The Government of Micronesia will have the authority to establish, change or eliminate import duties and other regulations, including internal charges, laws and conditions governing the importation of and commerce in goods from outside of Micronesia, except as otherwise provided in this Compact.

Section 602

(a) The Government of the United States and the Government of Micronesia will each accord to products of the other treatment no less favorable than that accorded like products of any foreign country with respect to customs duties and charges of a similar nature and with respect to laws and regulations relating to importation, exportation, taxation, sale, distribution, storage and use, except as otherwise agreed.

Section 603

(a) The Government of Micronesia shall have the power to regulate domestic air and maritime commerce between points wholly within the territory of Micronesia to the extent that such regulation does not infringe on the treaties, agreements and standards established pursuant to Section 201(a) of this Compact and does not conflict with appropriate regulations of the Federal Aviation Agency.

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(b) The Government of the United States will obtain the consent of the Government of Micronesia before granting any new authority to any United States or foreign air carrier for air commerce between Micronesia and the United States, except for aircraft operated for or under the control of the Government of the United States in connection with activities under Title III.

Section 604

The Government of the United States interposes no objection to having the currency of the United States continue to be the official legal tender for Micronesia until such time as the Government of Micronesia acts to institute its own currency. The terms and conditions of an appropriate currency transitional period shall be as mutually agreed.

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TITLE VII
CITIZENSHIP AND NATIONALITY

Section 701

Every citizen of Micronesia who either is a citizen of the Trust Territory of the Pacific Islands on the day preceding the effective date of this Compact, or who thereafter becomes a citizen of Micronesia by birth, and who has not taken any affirmative step to preserve or acquire any foreign citizenship or nationality, shall be a national but not a citizen of the United States unless he is otherwise qualified for United States citizenship.

Section 702

Any person described in Section 701 who is a citizen or a national of a foreign country shall cease to be a national of the United States within one year after the effective date of this Compact, or within six months after becoming 18 years of age, whichever comes later, unless he renounces that foreign citizenship or nationality.

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TITLE VIII
IMMIGRATION AND TRAVEL

Section 801

(a) The Government of Micronesia shall have the power to regulate immigration and entry of persons who are not citizens of Micronesia into Micronesia.

(b) Micronesian provisions applicable to entry and exit to and from Micronesia by citizens and nationals of the United States and personnel sent to Micronesia pursuant to Section 403 of this Compact shall not be more restrictive than the comparable United States regulations governing those Micronesian citizens who are United States nationals.

(c) Citizens of Micronesia who are United States nationals shall be free to enter, reside in or leave the United States at any time in accordance with the laws of the United States. Citizens of Micronesia who are not United States nationals shall be accorded treatment as aliens for these purposes.

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TITLE IX
REPRESENTATION AND CONSULTATION

Section 901

The Governments of the United States and of Micronesia agree to establish at the central seat of Government of Micronesia and in Washington, D.C., respectively, official Resident Offices for the purpose of maintaining close and regular consultations on matters of mutual interest to them. The privileges and immunities respecting the Resident Offices shall be as set forth in Annex C.

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TITLE X
DISPUTE SETTLEMENT

Section 1001

In the event of a dispute which relates to the interpretation or application of the provisions of this Compact, the Government of Micronesia and the Government of the United States shall negotiate in good faith in an effort to settle the dispute. Any dispute which cannot be settled by such negotiation shall be submitted for the advisory opinion of a three member arbitration panel specially selected for the consideration of that dispute. The Government of the United States and the Government of Micronesia shall each select one member of this panel. The two individuals thus selected shall then, by agreement, select the third member of the panel.

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TITLE XI
AMENDMENT AND CHANGE OF STATUS

Section 1101

This Compact may be amended at any time by mutual consent of the Government of Micronesia and the Government of the United States.

Section 1102

(a) This Compact may be terminated at any time by mutual consent of the Government of Micronesia and the Government of the United States.

(b) After the expiration of the first fifteen years following its entry into force this Compact may also be terminated unilaterally by the Government of the United States in accordance with its constitutional processes, such termination to be effective on a date not earlier than two years following receipt by the Government of Micronesia of notice of the Government of the United States' intention to terminate; or the Government of Micronesia may initiate termination of this Compact by referring the issue to the people of Micronesia eligible to vote in any local or general election as defined in the Constitution of Micronesia. If two-thirds or more of such voters shall favor termination, including a two-thirds majority in each of at least two-thirds of the districts of Micronesia, the Government of Micronesia shall upon certification of the results of the vote on this issue be free to enact legislation terminating the Compact effective on a date not earlier than two years following such enactment. The Act of the Government of Micronesia and the termination of the Compact shall not be applicable to any district of Micronesia in which a

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majority of the voters have voted against termination.

(c) During the period of two years prior to the effective date of termination set forth under the provisions of Section 1102(b), any district in which a majority of the voters has voted against termination shall be given the opportunity to negotiate with the United States with respect to that district's future political status. Upon the effective date of termination, if an agreement has not been concluded with respect to the future political status of any such district, all relevant provisions of this Compact shall continue in full force and effect with respect to that district subject to agreement of the United States and that district upon an appropriate reduction in the level of financial aid to be provided to that district by the United States under Title IV.

Section 1103

(a) In the event of termination of this Compact pursuant to Section 1102(b) and before such termination may become effective, the United States' rights and uses in the lands and waters covered by then existing leases and the rights of denial set forth in Section 302 of this Compact shall be embodied in a mutual security agreement between the Government of Micronesia and the Government of the United States.

(b) The parties shall negotiate in good faith to complete such mutual security agreement within two years of the action taken to terminate this Compact and the amounts of assistance provided under Sections 401, 403 and 404(a) and (b) shall not be further reduced in that two year period during which the provisions of Section 405 shall not apply.

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TITLE XII

APPROVAL OF THE COMPACT AND EFFECTIVE DATE

Section 1201

(a) This Compact will be approved by Micronesia if a majority of those voting in a plebiscite to be held in Micronesia vote in favor of the Compact, except that the Compact shall not become effective in any district in which 3/4 of the voters have voted against the Compact. Such district shall be given an immediate opportunity to negotiate with the United States with respect to that district's future political status. All persons who would be eligible to vote in elections for the Congress of Micronesia, if such elections were held on the day the plebiscite is conducted, shall be eligible to vote in the plebiscite. In determining whether a majority has voted for or against the Compact, only the affirmative and the negative votes shall be counted.

(b) This Compact will be approved by the United States in accordance with its constitutional processes.

Section 1202

The President of the United States shall issue a proclamation announcing a date mutually acceptable to the Government of the United States and Micronesia at which the Compact will come into effect, when he finds:

1. That the Compact has been approved as provided for in Section 1201; and that
2. The people of Micronesia have adopted a Constitution pursuant to Section 101 of the Compact; and that

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3. The jurisdictional agreement set forth in Section 305 of the Compact has been concluded; and that

4. The Trusteeship Agreement between the United States and the Security Council of the United Nations for the former Japanese Mandated Islands, has been terminated or will terminate on the day on which the Compact becomes effective.

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ANNEX A

I. The Government of Micronesia may undertake the following activities pursuant to Section 204 of the Compact.

(a) The Government of Micronesia may seek associate or other appropriate membership for which Micronesia may be eligible in regional organizations, United Nations Specialized Agencies, or their subsidiary bodies, of which the United States is a member. The Government of the United States will sponsor such applications and will give sympathetic consideration to requests from the Government of Micronesia to apply for appropriate membership in other such organizations in which the United States is not a member. The United States will assist Micronesia in training personnel to participate in these organizations.

(b) The Government of Micronesia may negotiate and conclude in the name of Micronesia agreements of a cultural, educational, financial, scientific or technical nature that apply only to Micronesia with any international organization in which Micronesia is a member.

(c) The Government of Micronesia may establish temporary or permanent representation of Micronesian trade or other commercial interests in foreign countries, or accept foreign trade or commercial representation in Micronesia.

(d) The Government of Micronesia may request the Government of the United States to negotiate with foreign countries agreements of a commercial, cultural, educational, financial, scientific or technical nature which shall apply to Micronesia. The Government of the

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United States shall give sympathetic consideration to such requests.

II. In advance of undertaking any initiative pursuant to its discretion under Paragraph I of this Annex, the Government of Micronesia shall inform the Government of the United States of its proposed action and shall keep the Government of the United States fully informed of the progress and conduct of such activities.

III. The Government of the United States will promptly notify the Government of Micronesia if it appears that any proposal or activity of the Government of Micronesia pursuant to this Annex conflicts with the international commitments, responsibilities or policies of the Government of the United States or if it is likely to lead to such conflict. In accordance with Section 201(b) of this Compact the Government of the United States will consult as requested with the Government of Micronesia and will seek to consult before issuing a notification pursuant to this paragraph.

IV. Upon notification by the Government of the United States that an activity proposed or engaged in by the Government of Micronesia pursuant to this Annex conflicts or is likely to conflict with the international commitments, responsibilities or policies of the United States, the Government of Micronesia will refrain from or promptly terminate such activity.

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ANNEX B

(a) Pursuant to Sections 302 and 303 of the Compact, the parties agree that the rights and uses of the United States in the lands and waters of Micronesia shall include:

(1) Marshall Islands

- a) Within the Kwajalein Atoll, continuing rights for the use of those lands and waters associated with and currently controlled as part of the Kwajalein Missile Range, the land portion of which encompasses approximately 1,320 acres.
- b) In the Bikini Atoll, continuing rights for use of 1.91 acres of Ourukaen and Eniman islets, and to use the pier, airfield and boat landing on Eneu Island.
- c) In the Eniwetok Atoll, retention of such use rights as may be negotiated upon return of the atoll.

(2) Palau Islands

- a) Access and anchorage rights in Malakal harbor and adjacent waters, together with rights to acquire 40 acres for use within the Malakal harbor area, composed of submerged land to be filled and adjacent fast land.
- b) Rights for the joint use of an airfield capable of supporting military jet aircraft (the proposed airfield at Garreru Island reef, or Babelthuap airfield/Airai site), the right to improve that airfield to meet military requirements and specifications and the right to develop an exclusive use area for aircraft parking, maintenance and operational support facilities.

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c) On the island of Babelthuap the right to acquire 2,000 acres for exclusive use, along with the right for non-exclusive use of an adjacent area encompassing 30,000 acres, for intermittent ground force training and maneuvers.

(3) Continuing rights to occasional or emergency use of all harbors, waters and airfields throughout Micronesia.

(4) Continuing rights to use of existing Coast Guard facilities.

(b) Agreements for lands and waters specified in paragraph (a) above are listed below. All agreements for the use of lands and waters concluded after the effective date of this Compact, and all modifications to any agreement under this Title, shall conform to the provisions of this Compact and shall be listed in this Annex.

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ANNEX C

(a) The Governments of Micronesia and of the United States, and the heads of their respective Resident Offices, shall be exempt from all national, regional or municipal dues and taxes in respect of the premises of their respective Resident Offices, whether owned or leased, other than such as represent payment for specific services rendered.

(b) Any person employed by the Government of Micronesia in its Resident Office who is neither a citizen nor a permanent resident of the United States, or any person employed by the Government of the United States in its Resident Office who is neither a citizen nor a permanent resident of Micronesia, shall be exempt from income and social security taxes levied under the laws of the host Government with respect to income which is paid from funds provided by the employing Government or any agency thereof and upon which they are subject to the income or social security tax laws of the employing Government or any other Government and from taxes on the purchase, ownership, use or disposition of personal movable property (including automobiles) intended for their own use. Such employees and members of their families shall receive the same treatment with respect to the payment of customs and import and export duties on personal effects, equipment and supplies imported into the territory of the other Government for their own use, and with respect to other duties and fees, as is accorded by the Government of the United States to diplomatic personnel of foreign countries resident in the United States, subject only to the limitation that continuous customs free entry shall be

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limited to personnel, including their families, of comparable grade to the diplomatic personnel accorded continuous customs free entry by the United States.

(c) The premises of the Resident Offices shall be inviolable. Neither the agents of the Government of Micronesia nor those of the Government of the United States may enter the premises of the other Government's Resident Office except with the consent of the head of that Resident Office.

(d) The premises of each Government's Resident Office, their furnishings and other property thereon and the means of transport of the Resident Office shall be immune from search, requisition, attachment or execution, except insofar as such immunity is expressly waived by the head of the Resident Office or someone authorized to act on his behalf.

(e) Any person employed by either the Government of Micronesia or the Government of the United States in its Resident Office who is also a citizen of the employing Government shall enjoy immunity from the criminal jurisdiction of the other Government. This immunity shall extend to all members of the family of such a person forming part of his household, if they are not citizens of the receiving Government.

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Section 201

(c) All persons domiciled in the Mariana Islands on the day preceding the effective date of this section who, although not citizens of the Trust Territory of the Pacific Islands, do not owe allegiance to any foreign state, and who have been domiciled continuously in the Mariana Islands District for at least five years; ^N no domicile established after January 1, 1974 shall count for the purposes of this subsection.