



DEPARTMENT OF STATE

Washington, D.C. 20520

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MPSC

MAY 29 1974

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To : Mr. James M. Wilson, Jr., Deputy US Representative for Micronesian Status Negotiations

From : State/EA - Richard L. Sneider

Subject: Separate Administration for the Mariana Islands

You have asked for State views on Mr. Carpenter's May 7 position paper which offers two options for a separate Mariana Islands administration. The following represents State's position.

General

Basically we can accept the broad outline of either option proposed by Interior and believe that a choice between the two should be dictated by Congressional consultations, and the views of the Marianas Status Commission. We do have reservations on three specific points which apply to both options.

Mariana Islands Executive Branch

Under either option the Mariana Islands District Legislature would have vastly expanded authority. However, the executive branch of that district's administration would be virtually eliminated under Option I, or would be seriously weakened under Option II. In effect, all Marianas executive authority would be vested in an American--either a Marianas "Governor General" or the present High Commissioner.

We would like to suggest an alternative. A second "Deputy High Commissioner for the Mariana Islands" position could be established. He would be from the Marianas Islands, and be appointed with the advice and consent of the district legislature, and would be

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responsible to the High Commissioner as is the present District Administrator. The new Deputy High Commissioner would be the chief executive of the Mariana Islands, and assume all executive functions presently performed by the District Administrator, plus such TTPI headquarters functions as relate to the Mariana Islands. The nature of these latter functions would depend upon whether Option I or Option II is implemented. The District Administrator position would be abolished. In effect, a stronger Marianas executive branch would be established, but essential US control would be maintained.

#### Referendum on Separate Administration

The Interior memorandum notes that a Secretarial Order establishing a separate administration for the Marianas must be based at least upon a District Legislature resolution requesting such action. The Interior memorandum also states, *inter alia*, that such a resolution should suffice for US Congress and UN purposes, but that Interior would not oppose a public referendum on the issue of separate administration.

State cannot concur in the above assessment, at least with respect to the United Nations. Our reasoning is as follows.

-- Implementation of a separate administration of the Mariana Islands directed at ultimate Commonwealth status will have the effect of setting in concrete the future status of the Mariana Islands. For this reason alone we must be able to demonstrate to the UN (and to the Congress of Micronesia) that a separate administration is firmly based on a decision by the people of the Mariana Islands. This requires a referendum, rather than a resolution adopted by a majority of the small district legislature.

-- There presently appears to be no doubt but that the majority of the people of the Mariana Islands do favor Commonwealth status, and a separate administration. In these circumstances, a referendum is "safe." However, if our assessment is wrong, we had best find out now rather than later during a plebiscite on Commonwealth status.

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-- The absence of a referendum on separate administration would provide a rallying point for dissident elements in the Mariana Islands who undoubtedly would take their case to the Congress of Micronesia and to the UN, and possibly to US courts. We might be able to live with these various actions, but they are best avoided.

-- The Congress of Micronesia needs an excuse to back off its present "six-district" mandate. A referendum would provide that excuse; a district legislature resolution might be inadequate.

-- Given all of the foregoing considerations, we believe the prospects for ultimate UN approval of a Micronesian status package providing for a Marianas Commonwealth relationship, and of termination of the trusteeship, would be seriously eroded in the absence of a referendum designed to endorse a district legislature resolution.

-- If a referendum is to be held on the question of a separate administration, the wording might be fairly simple, e.g. "do you favor a separate administrative status for the Mariana Islands as a transitional step to a commonwealth relationship with the United States?"

#### Implementation Timing

In our view it would be a serious mistake to implement a separate Marianas administration prior to a full agreement on Commonwealth status with the Marianas Status Commission, and endorsement of that status by the Mariana Islands District Legislature. The advantages to the Marianas of early separate administration provide a useful incentive to early agreement in the status negotiations. We see no reason to remove that incentive by premature implementation of a separate administration.

Moreover, a bargaining lever we can always use in the status negotiations (in the absence of implementation of separate administration) is the threat to drop separate negotiations and insist that the Mariana Islands remain

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with the rest of Micronesia--if they are not prepared to accept the responsibilities that go along with the privileges of close association with the US. Establishment of a separate administration during the course of the status negotiations undoubtedly would make such a threat, if ever used, less than credible.

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