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July 3, 1974

James E. White, Esq.
P. O. Box 47, Capitol Hill
Saipan
Mariana Islands 96950

Dear Jim:

Enclosed are copies of letters sent today to Senators Pangelinan and Borja, and Congressman Guerrero, and a memorandum which accompanied those letters. As you will see, we believe the pending public lands legislation could pose several serious problems for the Marianas Public Land Corporation if it is not amended. You will also see that the United States shares our concerns, and has additional concerns of its own -- so many, in fact, that the representatives with whom we spoke were quite pessimistic about the chances that the Congress will pass legislation which the High Commissioner can sign.

The cover letter which accompanies the memorandum answers, to the extent we are able to give an answer now, the questions raised in your June 24, 1974 letter. In brief, we believe that the United States can and will deal with the public land issue in the Marianas in the same executive order in which it deals with separate administration. We believe that such an executive order could be issued in the fall. If this is the route we must take, there would be no need for the District Legislature to deal at its August session with legislation creating the Corporation.

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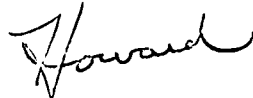
On the other hand, if the Congress of Micronesia does pass legislation which the High Commissioner signs, then it is probably best to urge the District Legislature to enact the necessary legislation at its August session. We hope and expect to have the necessary documents prepared in a timely fashion. Whether or not I will go to the Marianas later this summer depends in part on whether there is any land legislation from the Congress, in part on the progress made by the Joint Drafting Committee, and in part on the outcome of our discussions with the United States with respect to separate administration.

You have already received my cable with respect to the Land Negotiating Committee. Jim Leonard believes that it will not be possible for our land appraisal consultants to complete their work and for the Marianas representatives on that Committee to review it before the end of August at the earliest. Accordingly, discussions of price and mode of payment should be deferred to the last item on the agenda.

We have held several meetings with Jim Wilson and his advisors to discuss the status agreement. In general, we have made good progress, and the United States' side is acting fairly reasonably, and doing some homework. Still, there is a tremendous amount to be done, and we would be fortunate to have an agreed draft by September.

Finally, a very able law student who worked on the Marianas project at this firm last summer is interested in working in the Marianas after he graduates next June. His name is Gil Kujovich, and he can be reached at the Harvard Law Review, Gannett House, Cambridge, Massachusetts. Gil is now exploring the opportunities at the Congress of Micronesia. In view of the expanded responsibilities the District Legislature will have under separate administration, and in view generally of the need for trained persons to make Phase I successful, perhaps it would be possible for you to contact Gil, and keep your eyes open for an opportunity in which he might be interested.

Sincerely,



Howard P. Willens

Enclosures

cc: Senator Pangelinan
James Leonard

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