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ADDENDUM B

PUBLIC LANDS IN THE MARIANA ISLANDS

The Marianas District has long opposed the COM's legislative activities relating to public lands in the district. Homesteading and leasing of and revenues from these lands all fall within the jurisdiction of the COM. The COM and JCFS have used this jurisdictional authority to interject themselves into the U.S. military land requirements in the Marianas, especially as relates to use of public lands and the revenues that would legally accrue to the COM from their use.

Consequently, the Marianas was supportive of the U.S. public land policy to transfer public lands to local control, except as to powers of eminent domain and the exclusion of military retention areas from the lands to be transferred. The U.S. had agreed during the third round that the public land policy would be implemented by the TTPI and Marianas District legislature acting in conjunction with the COM, which was to adopt legislation to effect the basic U.S. policy guidelines.

The MPSC had entered into extensive discussions with the U.S. status delegation on how public lands would be held by a local entity and made available for later use by the U.S. military. However, this tentative approval requires action to transfer the public lands. The COM by failing to adopt the requisite legislation has impeded early satisfaction of U.S. land requirements in the Marianas in that the MPSC does not yet have jurisdiction to effect its agreements to satisfy U.S. land requirements. Furthermore, the MPSC has stated it will not act to finalize U.S. land

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requirements in the Marianas until public lands are returned to its control. The COM can continue to disrupt the Commonwealth talks as long as it retains jurisdiction over public lands in the Marianas and fails to return public lands to Marianas control.

The U.S. can unilaterally effect the public land policy by promulgation of a new Secretarial Order that effects the transfer or amendment of Secretarial Order 2918 to remove COM jurisdiction over Marianas public lands. Such action may enable the U.S. to effect a transfer of public lands to those districts that would prefer local control over control by the central government and also to satisfy U.S. military land requirements in other districts (Palau and the Marshalls).