

PUBLIC ADMINISTRATION SERVICE



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March 15, 1974

Mr. Howard P. Willens
Wilmer, Cutler & Pickering
1666 K Street, N. W.
Washington, D. C. 20006

Dear Mr. Willens:

During our meeting with you and Mr. Bozman on March 7, you asked us to prepare an outline of the tasks which could appropriately be assigned to consultants, in planning the governmental aspects of the establishment of the future Marianas Commonwealth. In preparing the following material we have been guided to some extent by the experience of other jurisdictions in converting their systems of government, but we have also been conscious of the special conditions and circumstances of the Marianas which for many purposes limit the value of these precedents.

The work which a consultant might perform in this undertaking comes under several headings:

A. Internal political measures: those leading up to the adoption of a new constitution.

1. Drafting of proposed rules and suggested organization for the constitutional convention.
2. Compiling a reference bibliography or assembling a reference library for use by the convention.
3. Advising local staff on the provision of continuing administrative and "housekeeping" services to the convention.
4. Preparing studies and written reports on subjects which should be considered by the convention. These papers would succinctly describe existing conditions or practices and current doctrine. For example, staff papers were prepared for the Alaska constitutional convention on the following subjects:
 - a. The State Constitution within the American Political System
 - b. Civil Rights and Liberties
 - c. The State Patrimony--Boundaries, Waters, Lands, Natural Resources

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- d. Suffrage and Elections
- e. The Legislative Department
- f. The Executive Department
- g. The Judicial Department
- h. Local Government
- i. State Finance
- j. Legislative Apportionment
- k. Amendment and Revision
- l. Initiative and Referendum
- m. Transitory Provisions

The individuals or teams who prepare many, if not all, of these staff papers, might well be assigned the additional or subsequent task of helping to draft the related legislation which will constitute the initial legislative program.

- 5. Consulting and advising with committees of the convention to explain, clarify, or supplement the contents of staff papers; as requested, appearing for the same purpose before citizen and other groups.
 - 6. Helping to draft informational texts concerning the new constitution, for political education program preceding plebiscite on constitution.
- B. External political measures: those concerning the relationship of the new commonwealth to the United States.
- 1. Preparing detailed comparative analyses of the relations between central governments and special dependencies, including financial relationships, including such jurisdictions as Guam, Virgin Islands, Papua-New Guinea, and Cook Islands.
 - 2. Estimating the annual revenues and operating and capital expenditures of the new commonwealth, as a basis for determining level of financial support required from the United States.
 - 3. Planning the status, organization, and activities of the public corporation which has been proposed to administer public lands.

C. Questions related to the relocation of the capital (headquarters) of the Trust Territory.

1. Estimating total cost of moving capital, including:

- a. Construction of government offices.
- b. Construction of housing and utilities.
- c. Construction of infrastructure.
- d. Transportation of:
 - (1) Staff and dependents.
 - (2) Equipment, supplies, and records.
 - (3) Household goods.

2. Identifying Trust Territory real property which will be turned over to the new commonwealth; establishing valuation basis and computing its value.

3. Preparing financial program for payment of these costs, on the assumption that it will be a direct or indirect charge against the new commonwealth.

4. Developing standards and procedures for the allocation of vacated housing and office space. (See also D, below.)

D. Resources related to the organization of the new government.

1. Developing, with respect to (a) the Trust Territory government and (b) the present Marianas District, of narrative and analytical presentations on present functions which will be affected by the establishment of the new commonwealth; properties and other assets; financial obligations and requirements; organization; and staffing requirements, including district of origin and status of incumbent personnel.

2. Summarizing experience elsewhere in transition from one jurisdictional status to another, to the extent that such experience may be recorded and have comparative value.

3. Identifying specific problems to be anticipated and developing approaches to their solution so that, collectively, the latter constitutes an orderly program for transition.