

File T/C

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January 9, 1975

MEMORANDUM FOR MESSRS. WILLENS AND HELFER

I reviewed MSH's December 30, 1974 memorandum summarizing his telephone conversation with James Wilson and Secretarial Order 2969 of the United States Department of the Interior referred to in that memorandum. I have the following brief comments on the Secretarial Order:

1. The definition of "legal entity"

(Section 2(d)) may make it impossible to continue to recommend a "non-profit membership corporation." The specific recital of "a non-profit public or municipal corporation" would make it difficult to argue that the non-profit corporation recommended by us is comprehended by the latter part of the definition "or other juridical . . . person." The changes that would be required in order to convert the corporate charter documents into documents suitable for a "non-profit public corporation" would be minor; however, a public corporation would be subject to comprehensive control by the

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- ② Make it a public corp.

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public authority that created it -- i.e.,
the district legislature. Perhaps the
very fact of such control will make the
corporation more attractive to the
district legislature.

2. The district legislation will
have to be revised to track the language
set forth in Section 6 of the Order.

3. Section 9 of the Order takes
care of a problem we had discussed; namely,
the possibility that other district enti-
ties would seek to acquire lands in the
Mariana Islands.

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Amendations
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