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COMMENTS OF MR. EMMETT RICE REGARDING SEPARATE ADMINISTRATION OF MARIANAS

February 11, 1975

- Would first like to reemphasize points made by Ambassador Williams
  - You (MPSC) and Marianas District Legislature have requested separate administration
    - MPSC comments and paper of May 30, 1974
    - Marianas District Legislature Resolution #1-1974 of September 7, 1974
    - MPSC comments during Marianas Five, Part One.
  - That separate administration is a Department of Interior responsibility and decision.
  - MPSC/MDL joint position is for separate administration to commence just after people have approved commonwealth in plebiscite. U. S. has agreed to these requests.
- We also share view with you that separate administration is part of the transition process - as such it is primarily important for the following reasons:
  - Provides for increased self-government.
  - Eliminates confusion regarding TTPI Headquarters and Congress of Micronesia.
  - Is necessary first step towards implementation of eventual Marianas Constitutional Convention.
  - Allows for increased involvement of trained local people in Marianas Government.

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- As I have said - we have taken note of your several requests regarding separate administration.
- Interior Department has therefore begun contingency planning for separate administration of the Marianas in the event people approve the Commonwealth Covenant.
  - Not appropriate or fully prepared at this time to spell out detailed breakdown and analysis of Marianas Government under separate administration.
  - Do want to discuss with you general principles - basic policies - which are foundation of our thinking at this time but which are of a contingency planning nature.
- In the event that the people of the Marianas approve the Commonwealth Covenant in plebiscite:
  - (1) Present Marianas District would be separated administratively from other districts and headquarters but would remain legally a part of the TTPI until termination of Trusteeship.
  - (2) Certain sections of Secretarial Order 2918 would be amended to accomplish this. Secretarial Order 2918 would remain - with other Secretarial and Executive Orders - the governing documents
  - (3) United States Resident Commissioner for the Marianas - like a HiCom for the Marianas - to discharge responsibilities of U. S. until termination of Trusteeship, would be appointed by Secretary of the Interior.
  - (4) Executive Branch to function under U. S. Resident Commissioner:
    - to remain basically the same in form until new constitution is adopted

- government would gradually be enlarged to meet added responsibilities in executive and legislative areas and would likely be able to absorb additional Marianas people.
- new elected governor would - when in place - assume executive administrative authority and U. S. Resident Commissioner would remain responsible for only those few residual U. S. responsibilities under the Trusteeship.

(5) Certain portions of the Trust Territory Code would have to be altered to reflect the separate administration of the Marianas. However, until the remainder of the code is amended by the Marianas Legislature it would remain as the body of local law, i.e. the Marianas Code.

(6) The Marianas District Legislature would be the paramount local legislative authority and would receive all local revenues. The ultimate authority of the Secretary of the Interior for the administration of the Marianas would remain until the termination of the Trusteeship. Marianas would be completely separated from the Congress of Micronesia.

(7) Marianas citizens would retain service by the present District Court and the TT High Court, until new Marianas Courts are put in place.

(8) Federal grants for the Marianas would be specified as to amount and use at the U. S. Congress level, and be administered by U. S. Resident Commissioner until beginning of Phase II.

- Again, this is contingency planning and represents only very broad outlines
- Statement of intent if Covenant should be signed this session
  - Separate administration planning committee
  - To do detailed planning and make recommendations in report to Interior
  - Broadly representative in nature

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- A way for you to articulate and transmit your views
  - Report should be filed by April 15, 1975
  - Committee should have close liaison with MDL holdover committee in order to secure full MDL input; also liaison with MPSC
  - Committee members shall serve without compensation and shall be appointed by and under leadership of Deputy High Commissioner as chairman
  - Other members might include
    - Deputy Distad
    - District P&B Officer
    - Marianas District Legislature (1 or 2 Reps)
    - MPSC (1 or 2 Reps)
    - District or High Court Rep
    - And Reps of Municipalities and Minorities
  - These offices to furnish assistance as required on request of DepHiCom
    - Hq AG Office
    - Hq Personnel Office
    - Hq Fiscal/Revenue

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