



DEPARTMENT OF DEFENSE OFFICE OF GENERAL COUNSEL WASHINGTON, D. C. 20301

February 19, 1975

MEMORANDUM FOR CAPT. EDWARD C. WHELAN, JR., USN EA&PR, ISA, OASD

SUBJECT: Negotiations - Trust Territories - Congressional Liaison (U)

Arising out of recent discussions with Mr. Johnson, L/S, I have been advised that the following matters concerning Micronesia will require our closer attention:

1. We will be asked by Congressman Patricia Mink to explain the enlistment of Micronesia residents into the Navy in connection with operations in Southeast Asia. The State Departo ment has taken the view that these enlistments are inconsistent with Article 5 of the Trusteeship Agreement. Presumably the O appropriate adjustments to service regulations will be required particularly since there appear to have been 'loopholes' in which the enlistments took place. Mitigating the impacts is the fact that the men that enlisted all did so on a voluntary basis.

2. With respect to the Marianas' compact (Commonwealth) it is my understanding that the timetable calls for a plebiscite as early as July and no later than September. This must be followed by Congressional approval. Congressional liaison as far as Mr. Johnson knows has been largely limited to the Congressional committees concerned with the affairs of Interior and the Department of the Interior appears not to want liaison with the Congressional Foreign Affairs and Armed Services Committees. I understand that these committees have not been brought closely into the developments associated with the Trust Territories and that this is urgently needed. Both the House and Foreign Affairs Committees have indicated their interest. And it should be noted that one member of the House Interior Committee is proposing that the \$17 million intended to be appropriated for the purchase of land on Tinian is for land the Administration apparently does not need and

he insists that steps be taken to correct this situation. According to Mr. Johnson the steps that may need to be taken will include renegotiating the Commonwealth Agreement and even going for another plebiscite.

- 3. With respect to the other five districts in Micronesia, and the Congress of Micronesia, State has had only informal contacts, and these have been infrequent and not productive. Although we have had a draft Compact for over two years no real movement has taken place. The fundamental problem appears to be public lands and these apparently can be identified as land on Palau. It has been the Administration's position and particularly that of DoD, to have the land in the Compact territories fully identified, their purchase prices agreed upon, and all conditions of use resolved prior to and concurrent with the signing of the Compact. Therefore the land question, assuming it is holding up the Compact, is a matter of policy. It is my understanding that the target date is 1980 and may slip to 1981 for signing the Compact.
- 4. It separately appears that these districts are developing a heightened degree of social and political awareness. They argue that they cannot enter into a genuine Compact until there has been greater progress in economic development. And the weakened economic position they argue is the result of bad administration policies of the U. S. Apart from these declared views, it is obvious that such a posture would strengthen the arguments for greater economic benefits in the Compact "deal."

Harry H Almond, Jr.

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International Affairs