



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

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March 10, 1975

MEMORANDUM FOR MR. SYDNEY GOLDSMITH
ASSISTANT DIRECTOR, FMR, ISA

SUBJECT: Jurisdictional Agreement - Micronesia

The jurisdictional agreement to be made a part of the Micronesia Compact and applicable to the five districts (i.e. apart from the Northern Marianas) has been fully coordinated within the Government. I call attention however to the vagueness that remains in the language which we have adopted. In Article I the term "accompanying" appearing in paragraph c. (ii), is not clear and becomes even more ambiguous because dependence of accompanying persons are provided special treatment under the agreement.

In Article II the term "vessels" should either be defined or interpreted to mean any craft. This term is somewhat confusing because in some contexts it has narrow meaning and here clearly we want the term to include barges, floating docks and a variety of other craft for floating facilities used in connection with the Naval and Coast Guard activities.

In view of the difficulties we are having with Thailand Article IV should be examined to make it clear that United States personnel are not subject to laws with respect to the termination of their employment, enacted by Micronesia, particularly those which might abide for substantial termination payments.

The above drafting problems can be handled by appropriate interpretive statements or agreed minutes and we should then have in mind the possibility of using such minutes in the event it is not decided to change the agreement itself

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