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DRAFT SECRETARIAL ORDER

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Subject: Plebiscite in the Mariana Islands District

WHEREAS, the United States as Administering Authority of the Trust Territory of the Pacific Islands has the obligation under the Trusteeship Agreement with the United Nations to encourage the exercise of the right of self-determination by the peoples of that territory; and

WHEREAS, in pursuance of the signing on February 15, 1975 of a Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, and the unanimous approval of the Covenant by the Marianas District Legislature on February 20, 1975, the Mariana ^{Islands} District Legislature on February 28, 1975 by Resolution No. 126-1975 has formally requested the United States as Administering Authority of the Trust Territory of the Pacific Islands to set a date ^{for} and call a plebiscite in the Mariana Islands District relative to the Covenant;

NOW, THEREFORE, I, Rogers C.B. Morton, Secretary of the Interior, pursuant to the authority vested in me by Executive Order No. 11021 of July 1, 1962, order as follows:

PART I. Purpose

The purpose of this Order is to establish the authority and the administrative responsibility for the holding of a plebiscite in the Mariana Islands District to provide for the exercise by the people of that district of their right to self-determination under the United Nations Trusteeship Agreement.

PART II. Responsibility of the Plebiscite Commissioner

A Plebiscite Commissioner will be named to direct the preparations ^{and to conduct} for the plebiscite on behalf of the United States Government as Adminis-
tering Authority. The Commissioner shall:

1. supervise an impartial Plebiscite Education Program;
2. appoint eight members of the Voter Registration Board and designate its chairman;
3. hear appeals from en banc decisions of the Voter Registration Board and render ^(final) decisions which shall not be subject to ^{further} judicial review ^{by any authority, judicial or otherwise;}
4. establish an official plebiscite register; ^{and on the basis of the final voter registration list certified to him by the}
5. appoint an Executive Director who shall assist him.

PART III. Responsibility of the High Commissioner

The High Commissioner shall provide administrative support for the Plebiscite Commissioner.

PART IV. Responsibility of the Northern Mariana Islands Plebiscite Advisory Committee

There is hereby established a Northern Mariana Islands Plebiscite Advisory Committee which shall be appointed by and act under the Plebiscite Commissioner. The Committee shall consist of a representative to be selected ^(by) each of the following entities:

1. Marianas District Legislature
2. Marianas Political Status Commission
3. District Administration
4. Saipan Municipal Council

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5. Rota Municipal Council
6. Tinian Municipal Council
7. United Carolinian Association
8. Popular Party
9. Territorial Party
10. Chamber of Commerce

The Committee shall consult on a continuing basis with the Plebiscite Commissioner for the principal purpose of providing local contributions and views for his consideration in executing the Plebiscite Education Program. The Committee members will ^(be in a position to) keep the Plebiscite Commissioner informed of all relevant problems and ~~to~~ make recommendations for the operation of an impartial Plebiscite Education Program.

PART V. Responsibility of Voter Registration Board

There is hereby created a Voter Registration Board ^{to consist} of eleven members, of whom ^{shall be} eight members shall be appointed in accordance with the provisions of Part II of this Order. ^{Three} ~~additional~~ members shall be the Speakers of the Municipal Councils of Saipan, Rota and Tinian respectively. The registration shall be carried out by panels of not less than two members of the Board. When acting in each municipality, the Panel shall be joined ex officio by the Village Commissioner concerned, or in the absence of such Commissioner, by the Mayor.

The members of the Board shall have sole authority to:

1. in conjunction with the ex officio members, register all qualified voters;
2. act en banc as an appellate review board to hear challenges

to voter registration decisions; and

3. certify ^{the} final voter registration lists ^{to} to the Plebiscite Commissioner.

The Board shall have all necessary and appropriate authority to carry out those functions. Registration shall begin on a date to be set by the Plebiscite Commissioner and shall terminate thirty days prior to the plebiscite.

PART VI. Voter Qualifications

A person shall be qualified to vote in the plebiscite if he is:

1. a Trust Territory citizen exclusively domiciled in the Mariana Islands District;
2. 18 years of age or older on the date of the plebiscite;
3. at the time of registration not serving a sentence or under parole or probation for any felony for which he has been convicted by any court of the Trust Territory;
4. ^{at the time of registration} not under a judgment of mental incompetency or insanity; and
5. registered to vote in accordance with the provisions established by the Voter Registration Board.

Pursuant to Section 1005(e) of the Covenant, "Domicile" means "that place where a person maintains a residence with the intention of continuing such residence for an unlimited or indefinite period, and to which such person has the intention of returning whenever he is absent, even for an ⁺extended period." In determining whether a person is exclusively domiciled in the Mariana Islands District ^{at time of reg.} the following criteria shall be taken into account:

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Subject to further review

1. whether he maintains a permanent residence or ^(permanent) place of abode in another district of the Trust Territory or within the jurisdiction of the United States ^{or another country;} or
2. whether he was a permanent resident of another district or the United States or another country and moved to the Mariana Islands District as a result of employment by any ^{Consequence} branch of the Trust Territory Government; or
3. whether he received ^S housing or pay differentials for housing or living allowances as a consequence of his employment in the Mariana Islands; ^{Def} or
4. whether he ~~is a citizen of another district~~ and maintains ^{can} sufficient contact ^P with that district ~~as to establish an intent to return and permanently reside there at some time in the future~~ such as ~~may be evidenced by:~~ a spouse ^{who} that resides in another district, ^{in such place,} maintenance of a ^{boat} driver's license, ^{issued by such place,} ^{place} postal address or ~~boat license in another district~~ or continued affiliations with the professional, religious or fraternal life in another ^{such place,} district of the Trust Territory or ^{the payment of} pays taxes in another district pursuant to the local laws ^{such place which have imposed} on account of residence ^{in such place} of that district; or
5. whether he ~~is a citizen of another district~~ who has ^{expressed} ~~declared~~ his intention not to establish a ~~permanent~~ domicile in the Mariana Islands; ^{Def} or
6. whether he ^{is} ~~has~~ registered or ~~is otherwise~~ qualified to vote in any other district or jurisdiction of the Trust Territory

or the United States or any other country during the past year:

Presence in the Mariana Islands District by virtue of employment does not in itself establish domicile.

as a consequence of vehicle with ambulance at the family room

Subject to review

PART VII. Function of the Plebiscite Education Program

Under the direction of the Plebiscite Commissioner, the program will operate impartially, making available to all voters the relevant facts without coloration of advocacy or opposition. The program will provide equitable access to such information through distribution of materials, media usage and other facilities for public information. The program will include objective information on such matters as:

1. The meaning of the respective provisions of the Covenant.
2. The meaning of the choices offered on the ballot.

PART VIII. Effective Date

This Order shall take effect upon the date of its approval by the Secretary of the Interior.