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Congress of Micronesia

JOINT COMMITTEE ON PROGRAM AND BUDGET PLANNING
Capitol Hill Saipan, Mariana Islands 96950

June 6, 1975

Mr. Emmett M. Rice
Acting Director
Office of Territorial Affairs
Department of the Interior
Washington, D. C. 20240

Dear Mr. Rice:

We appreciate the opportunity to have met with you on Wednesday of this week concerning certain details regarding the anticipated administrative separation of the Mariana Islands District in the event of the approval of the Commonwealth Covenant. While we intend to communicate with you further and more formally when we have had the opportunity to return to Micronesia and discuss the matter more fully with the Congress of Micronesia leadership, we hope that this letter will serve as a preliminary indication of our concerns in the matter.

Accordingly, we propose, in summary, that the following provisions be incorporated into any Departmental Order, Agreement, or other appropriate document which will provide for or facilitate the separation of the Mariana Islands District:

1. A Micronesian Capital Territory will be created, consisting of all those areas within the Islands of Saipan which are presently used for the operation of Trust Territory Government Headquarters. This would include the Capitol Hill area, as well as a portion of Lower Base. The Capital Territory would not become a part of the Mariana Islands District upon its separation, but would remain under the exclusive jurisdiction of the Congress of Micronesia, much as the District of Columbia remains under the jurisdiction of the United States Congress.

The Micronesian Capital Territory would be returned to the jurisdiction of the Mariana Islands Government upon the re-establishment of the capital at a location within the remaining five districts of the Trust Territory.

The Department of the Interior will agree to seek the funds required for the transfer of the capital from the United States Congress, and the Congress of Micronesia agrees to facilitate the removal of the capital upon the availability of funds from this source.

Rep. Raymond Setik, Chairman
Sen. Bailey Oiter, Co-Chairman

Rep. Charles Domnick
Rep. Kuniwo Nakamura

Sen. John Mangefel
Sen. Pedro A. Ter

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2. The wages, salaries, gross revenues, and personal property of employees, contractors, and the like, of the Trust Territory Government, shall be exempt from taxation by the Mariana Islands Government.

3. The property of the Trust Territory Government, wherever situated, shall be exempt from taxation or regulation by the Mariana Islands District. The Trust Territory Government shall retain title to all personal property located within the Mariana Islands District.

4. Goods imported into the Mariana Islands District for transshipment to other districts shall be exempt from import taxes or other duties levied by the Mariana Islands District Government. The free passage of goods destined for other districts shall not be restricted, except as the public welfare and necessity may require.

5. Employees and agents of the Trust Territory Government shall be immune from arrest, save for treason, felony, or breach of the peace, and from service process, while in the Mariana Islands District on the business of the Trust Territory Government.

6. The free movement of citizens of the Trust Territory to and within the Mariana Islands District, including immigration for the purposes of employment, residence, or otherwise, shall not be restricted.

7. The Trust Territory Government will develop a plan for the gradual phase-out of employees of Mariana Islands District descent.

8. The Congress of Micronesia shall be granted the opportunity to review any Departmental Order providing for the separation of the Mariana Islands District prior to its issuance, in order to assure that the interests of the Micronesian people and the Trust Territory Government are adequately and properly protected. For the same purpose, the Congress of Micronesia shall be a party to any agreements between the High Commissioner and the Chief Executive of the Mariana Islands District Government.

We recognize that there will undoubtedly be other areas of mutual concern which hopefully can be resolved by advance consultation and mutual cooperation among the Congress, the Department, the Trust Territory Government, and the Mariana Islands District Government. Many of these problems can be identified with more certainty if and when a draft Departmental Order is circulated for comments and recommendations. We hope that this course of action will be followed. We have no preference as to the formality of such consultations, but in the interests of expedited action, we would suggest that the same be as informal as possible.


We would assure you that we intend complete mutuality with regard to points 2 through 7, inclusive, above. The Congress of Micronesia will

respect the rights of the Government and people of the Marianas to the same extent as the Marianas Government respects our rights.

As we have noted above, a more formal proposal will be forthcoming as soon as possible following our return to Saipan. In the interim, we trust that our considerations, as we have expressed them to you herein, will be observed insofar as possible, in the spirit of cooperation which you have demonstrated on the part of the Office of Territorial Affairs.

Thank you for your extreme courtesy and consideration in this important matter.

Very truly yours,



RAYMOND SETIK,
Chairman