

OFFICE FOR MICRONESIAN STATUS NEGOTIATIONS  
WASHINGTON, D.C. 20240

March 15, 1976

*Mariano Tainete*  
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MEMORANDUM OF CONVERSATION

Participants:

Ambassador F. Haydn Williams  
Fred Zeder, DOTA/James Berg, OTA  
Steve Loftus, OMSN  
CDR Dick Wyttenbach, OMSN  
Edward DLG. Pangelinan, Chairman, MPSC  
Senator Pedro Tenorio  
Joe Cruz  
Manuel Sablan  
Vicente Santos  
Santiago Magofna  
Benjamin Manglona  
Daniel Muna  
Howard Willens  
James Leonard

Date: March 6<sup>5</sup>, 1976, 10:00 a.m.

Subj: Preparatory meeting on transitional matters for the  
Northern Marianas

1. Ambassador Williams chaired the meeting and commenced with introductory remarks stating the purpose of the meeting. The meeting was called for the purpose of a general review of Transition, the Phase I period as called for by agreement reached during the course of the negotiations. Phase I covers the period of time between the signing of the Covenant Bill and the installation of a government per the terms of the Covenant (18 months hence or two years). This meeting was a preparatory meeting for the establishment of the Joint Commission on Transition and the Office of Transition Studies and Plans.

2. Ambassador Williams then described the Agreement based on the report of the Ad Hoc Committee on Transition which was approved by the two delegations at the fourth round. The budget for transition was authorized by the Congress (\$1.5 million which is an increase of the Committee's budget to provide for second year costs of the Office of Transition Studies and Plans as per the OMSN testimony before Congress last year). Appropriation hearings on the transition funds would be conducted this month and OMSN would testify.

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3. Ambassador Williams then turned to the Joint Commission on Transition. He described its function as oversight of the implementation of the Covenant and the Phase I agenda as well as providing policy and budget guidance for the Office of Transition Studies and Plans. The Joint Commission would also appoint the Director and Deputy Director of the Office of Transition Studies and Plans. It would meet irregularly on call of one or the other of the two co-chairmen. He mentioned that one co-chairman should be Mr. Zeder, DOTA. He then suggested a modification of the membership since three members for the U.S. were felt sufficient and that the Resident Commissioner would be the third U.S. member. (Ambassador Williams, Mr. Zeder, and the Resident Commissioner). Edward Pangelinan then stated that the Marianas Delegation was willing to drop the District Administrator from the membership thereby reducing the Marianas members to a total of four (Chairman of the MPSC, President of the MDL, and one each from Rota and Tinian). These modification to the Joint Commission's membership met approval by all present. Mr. Zeder expressed his view that the smaller the membership the better and that when sub-committees are created they should be kept as small as possible. The Ambassador and Mr. Zeder stated that the Secretarial Order would probably be signed the day after the President signs the Covenant and that he would like the Joint Commission to meet that day or the day after. The Ambassador described the suggested agenda for the first meeting: Organization of the Joint Commission, Organization of the Office of Transition Studies and Plans, Personnel appointments, initial policy guidance for the work plans, and a budget review. Edward Pangelinan inquired as to where the first meeting would be held and where subsequent meetings would be held. It was agreed that the first meeting would be in Washington and thereafter at mutually convenient places, perhaps Hawaii or alternate between Washington and Saipan. The consensus was that the meetings would be infrequent, perhaps semi-annually as the normal liaison (Resident Commissioner in Saipan) could handle most matters. Mr. Zeder stated that the Resident Commissioner would probably not be named by the first meeting but that it could be held without him. Mr. Zeder also stated that the sub-committees could meet with the authority of the full Commission. The Ambassador proposed the formal name to be the Joint Commission on Transition.

4. The question of funding arose at this point and Mr. Zeder informed the meeting that his office was looking into reprogramming current funds to fund transition which would later be replaced by the appropriated transition funds when they became available.

5. The Ambassador then turned to the Office of Transition Studies and Plans. He described how the name had originally

been the Secretariat but that it had been changed during Round IV. He described its functions as the implementing arm of the Joint Commission and that it would be established as soon as possible after the Joint Commission has its first meeting. He described the agreement that it would be situated in Saipan and that the Director would be a resident of the Northern Marianas while the Deputy Director would preferably be a U.S. citizen. It would have resident consultants/experts and a Washington liaison officer and would have administrative support as well as housing needs on Saipan. He stated that OMSN and Interior had worked up some time ago some position descriptions and salaries and that the group should start to think of individuals for appointment at this time. He also stated that the positions should be full-time, not part-time. This would apply to all personnel of the Office of Transition Studies and Plans. Mr. Zeder seconded this position stating that he saw these positions as full-time, salaried positions and that the possibility of even a suggestion of conflict of interest should be avoided in making the appointments.

6. The Ambassador then discussed the work plans which include government planning, economic and social planning, fiscal and resource planning, and other studies. The Consultants and contract researchers would be contracted by the authority of the Director under the guidelines of the Joint Commission. The planners would coordinate with the High Commissioner and the Resident Commissioner in developing the plans. Jim Leonard asked if the plans would be concrete ones, specific and meaningful. The Ambassador responded that they should be and that they should cover the initial seven years of the special funding as provided by the terms of the Covenant. A general discussion ensued concerning the housing of the Office of Transition Studies and Plans--both for office space and for personnel housing.

7. In response to a question by Daniel Muna as to whether the Office for Transition Studies and Plans would be competent to discuss matters with the Congress of Micronesia, the Ambassador and Mr. Zeder both stated that it would, as well as coordination with the HICOM and DOTA since many matters will require such coordination such as the impact of the relocation of the capital and the decentralization plan for the TTPI which will make office space available which the Office of Transition Studies and Plans might desire. Jim Leonard stated that the Ad Hoc Committee had drafted some working papers on the "work plan". Ambassador Williams stated that OMSN would provide DOTA with any papers of that sort and provide the Marianas Delegation with the working paper on position descriptions so that all could work in a cooperative manner. Edward Pangelinan indicated that the Marianas Delegation had a consensus that a contract would be let to one firm which would sub-contract

out portions of the planning and be responsible for coming up with the master plans. This would prevent them from becoming bogged down and swamped with the individuals. He indicated that they were already being overwhelmed with individuals desiring contracts as experts.

8. A discussion ensued as to the relationship of the Office for Transition Studies and Plans and the MDL in terms of working on the Constitutional Convention studies, government reorganization, and initial legislative programs. It was agreed that the Office would assist under the category of Economic and Social Planning, but that the MDL would have policy control over the Constitutional Convention. The Ambassador stressed the point that the Joint Commission and the Office should not have any official role in the Marianas Constitution development since it should be left completely up to the Marianas people. The role of the U.S. comes into the matter after the Marianas Constitution is approved by the people in a referendum. The people have full freedom under the terms of the Covenant to develop their own Constitution.

9. Ambassador Williams then discussed the position of Washington Liaison and asked the Marianas Delegation for their views on that position. Pete Tenorio stated that they felt that the Liaison Officer should be someone from the Northern Mariana Islands who was a professional having strong sensitivity to the people of the Northern Mariana Islands as well as having a knowledge of Washington bureaucracy and federal programs. Mr. Zeder concurred and suggested that they would probably need someone who also has a legal background. Pete Tenorio concurred and stated that not only would he be concerned with reviewing federal programs but also doing initial work to set up the Commission on Federal Laws. The Ambassador concurred and stated that the review of federal programs could also be contracted out. Jim Leonard stated that the Liaison Officer would also help prepare for the transition to the Washington representative called for in the Covenant. The staffing of the Washington office was discussed in light of the budget providing for the officer and one secretary. It was agreed that the Northern Mariana Islands can supplement the budget if the MDL desires. Ben Santos stated that they could initially have the one man and one secretary and that he could report back with a recommendation to the MDL if additional funds are deemed necessary.

10. Ambassador Williams then turned to the question of the Marianas District Legislature in the transition process. Ben Santos stated that the Constitutional Convention Bill was now under consideration and that the MDL was now a full time legislature (by policy it meets four times a year and the President can call a session at any time). He also stated that Frank Diaz

was arriving in Washington shortly to work with DOTA on the TTPI budget for the Appropriations Committee hearings. The Marianas Delegation had met with a representative of the National Conference of State Legislators the previous day during which the representative described the organization and the services it could provide in assisting the Marianas Legislature. Ben Santos then stated that the MDL would be increased by the five Delegates at Large (the former Marianas Delegation in the COM) and an additional representative from Tinian upon separation. He stated that the MDL would be reinforced by a new committee to concentrate on Phase I Transition matters. The total membership of the MDL will be twenty-two with those additions. He stated that one or two of the Marianas delegation to the COM would be included in all policy meetings of the MDL from now on since they will soon be members of the legislature.

11. Howard Willens expressed the need for increasing the staff support for the Legislature since it will have increase responsibilities. Ben Santos concurred, stating that extra staff would be needed for the added responsibilities, such as the requirement to review the TT Code. Jim Berg of DOTA stated that Interior was looking into making available one or two lawyers in the Solicitor General's Office to assist the Marianas Legislature in reviewing the TT Code.

12. Ben Santos then stated that a meeting had been held of the Marianas Delegation the preceding night and that a tentative schedule had been agreed to for the major events toward creating the new government. Manny Sablan then described the time-table as follows: By early April the MDL would send a revised Constitutional Convention Bill to the DISTAD (or Resident Commissioner). The election of the delegates to the Convention would be held the latter part (last week) of May. Pre-Convention committee meeting would be held in late June and the Convention would convene on July 6, 1976. Then the referendum would be held three months after the Convention followed by six to eight months for U.S. Government review and approval of the Constitution. The election for the new government would occur in November, 1977 with the installation of the new government on January 3, 1978, at which time Phase II would begin.

13. When asked the feeling for early July for the Convention rather than August, Edward Pangelinan stated that they desired time for individuals to be delegates to the Convention and then run for election in the fall (the local elections are scheduled for next fall). The Marianas Delegation stated that the time-table was flexible. It was generally recognized that a lot of planning had to be accomplished prior to the convening of the Constitutional Convention. The Ambassador summed up the general view that more time might be needed for planning the Convention

and less time for political education of the voters after the Convention prior to the referendum.

14. The question of funding for transition arose again and Mr. Zeder again stated that DOTA was looking into reprogramming funds to satisfy the transition requirements until the transition appropriation came through. He stated that Interior can probably do it, but exactly how it would be done was not yet known.

15. Ambassador Williams then moved to the last item on the agenda, the Resident Commissioner and his role in transition. He stressed that while the Resident Commissioner would "administer" the transition funds it did not mean that he would control those funds. His role would be as the "banker" accounting for the funds, paying salaries, audit, etc. The Office for Transition Studies and Plans would administer the funds in the sense of deciding what they were spent for under the policy guidance of the Joint Commission. Jim Berg stated that the Office of Transition Studies and Plans would be attached to the Resident Commissioner for administrative purposes as the vehicle for transmitting funds. Edward Pangelinan stated that the Marianas Delegation fully understood the concept and that they had no problem with it. He also stated that they understood the concept of the role of the Resident Commissioner in the Constitutional referendum, the political education program, and the installation of the new government and that they had no fears or problems in this respect.

The preparatory meeting was then adjourned at 11:40 p.m.

Prepared by:  
CDR R.H. Wyttenbach, OMSN *RW*

Approved by: *mm*  
Mary Vance Trent, Acting Director, OMSN

Distribution: All Participants