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Ref, NSC
in Reply

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Washington, D.C. 20230

4/20/77 01

OFFICE OF THE ADMINISTRATOR
DEPARTMENT OF STATE A/CDC/MR

April 20, 1977

REVISITED by BAB DATE 7/15/88

The President
The White House
Washington, D. C. 20500

RELEASE DECLASSIFY
 EXGEE DECLASSIFY in PART
 DENY Non-responsive info.

FOL, EO or PA exemptions _____

TS authority to:

Dear Mr. President:

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 DOWNGRADE TS to () S or () O, OADR

Recently, as a representative of the Interagency Group on Law of the Sea, I had the occasion of attending the Conference on Island & Archipelago Sea Law at the University of Guam, which was attended by public officials of Guam, of the Northern Marianas, of the Marshall Islands, of the Palau District, of the remainder of Micronesia (the Trust Territory of the Pacific Islands), and others. After consultations with each of these groups, I departed with an uneasiness that our ongoing U. S. policies toward Micronesia are causing the various island groups to disengage from close association with the United States, and causing some to seek total independence. This deterioration in attitude toward the United States has accelerated in recent years. Attached is a copy of my report to your Special Representative for Law of the Sea, Ambassador Elliot L. Richardson, upon my return from Guam.

Mr. President, I state the personal view that we must modify our thinking concerning the Trust Territory, and try to accommodate the needs of these people whose welfare and immediate future have been placed in our trust. We must not force these people to conform to our standards and objectives, when to do so is to their detriment. I urge you to take a personal interest in this delicate matter. It is in the national interest that we not insensitively and needlessly alienate these friends of the United States.

On another but very important related matter--it has been my strongly-held opinion for a number of years that the United States needs an Ambassador-at-Large in the Pacific area known as Oceania, to represent our country with the various island nations. Many other world powers are represented at the ambassadorial level in the Pacific area, and our absence is significant. Perhaps such a U. S. Ambassador should be resident in Suva, Fiji, which is the

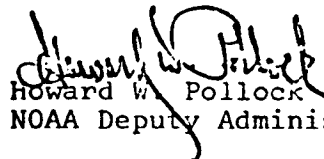
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principal seat of diplomatic representatives of other powers, as well as the seat of important regional organizations such as the United Nations System and the South Pacific Bureau for Economic Cooperation. Without question, the several independent Pacific Island governments would appreciate a "regional" ambassador in the area, rather than having a U. S. presence many thousands of miles away in residence in Australia or New Zealand. The U. S. Ambassador could serve Fiji, Tonga, Western Samoa, Papua-New Guinea, Nauru, and any of the island groups of Micronesia that will seek and achieve independence from the United States after the U. N. Security Council trusteeship is dissolved. In my view, the Ambassador could serve an additional function of coordinating with the American territories of Guam, the Northern Marianas, American Samoa, and any other portions of Micronesia which may choose a closer political status with the United States in the future.

Mr. President, as inferred earlier, this letter is not written in any official capacity, but is respectfully submitted as a concerned American citizen who wants very much to have the United States as the friend and guiding sphere of influence in economic, social and political matters for all the peoples of the Pacific.

Warm personal regards and best wishes for every success in the years ahead. God love you and keep you and yours.

Respectfully submitted,


Howard W. Pollock
NOAA Deputy Administrator

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April 12, 1977

ENCLOSURE POOR QUALITY
RETURN TO FACPC



MEMORANDUM FOR AMBASSADOR ELLIOT L. RICHARDSON
SPECIAL REPRESENTATIVE OF THE PRESIDENT
FOR LAW OF THE SEA

FROM: HOWARD W. POLLOCK
NOAA DEPUTY ADMINISTRATOR

8 SUBJECT: Political Situation in the Trust Territory
of the Pacific Islands, and the Law of the
Sea Implications

Since my last official visit to the various areas of the Trust Territory of the Pacific Islands (TTPI) some 2½ years ago, I note with deep concern a deteriorating attitude toward the United States, caused principally, in my view, by our divergent positions concerning the management of tuna fisheries in the context of the Law of the Sea. The various island groups of Micronesia believe their future economies will have to rely heavily on the tuna fisheries, which they want to treat as a coastal resource. There is no international regional tuna organization in the Central Pacific, and they feel it necessary to create a 200-mile fisheries zone to include the management and conservation of the tuna species. The Micronesians are of the opinion that the United States has effectively abandoned its tuna position, and yet opposes their own declaration of a 200-mile zone which includes the protection of the tuna resources in their waters.

Thus, in the long-term strategic, economic and political interest of the United States, it is my opinion that we are embarked on a wrong tactical course, and are forcing needless disenchantment, alienation, and fragmentation in the future political status of the area.

Guam has a special status as a long-term U. S. possession, and the provisions of the Fishery Conservation & Management Act of 1976 apply to it, so that Guam has a 200-mile fishery zone. Geographically, it is the southernmost island of the Marianas. The Northern Marianas recently had a plebiscite in which a great majority of the people determined to ask for Commonwealth status with the United States. They have ratified their new constitution, which has been submitted to the President of the United States for approval.



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Apparently, it has been determined in some quarters that the Marianas cannot achieve their Commonwealth status until 1981 when the entire Trust Territory for the Pacific Islands is scheduled to be dissolved by the U.S. Security Council. Now those people who have made a formal move for close association with the United States urgently seek creation of a 200-mile fishery zone, in order that they may not be placed at a disadvantage vis-a-vis Guam. They feel that a median line needs to be created north of Guam to divide the adjacent zone between Guam and the Northern Marianas; and they wish to protect their reef fisheries and other resident species from foreign exploitation. In frustration, they realize that creation of a 200-mile fishery zone around the Northern Marianas will not give them control over the tuna fisheries because of the provisions of the U. S. law; but, they also feel the United States will eventually lose on that issue in the LOS forum anyway, so that they will ultimately gain control of the tuna fishery.

With further reference to the Northern Marianas, it is their very strong wish that their 200-mile fishery zone be created by Executive Order by the President at the same time that he approves their Commonwealth Constitution; and, the people hope that this can somehow be accomplished and made effective on the 4th of July, less than three months hence.

In the course of my visit to Guam to attend the Conference on Islands and Archipelagoes Sea Law, 5-9 April, I met with a large group of senators from the Northern Marianas Legislature, headed by Speaker Herman R. Guerrero. They evidenced the concerns enumerated above, and were quite concerned about what enforcement procedures would pertain if Marianas fishermen fished in the Guam 200-mile fishery zone without having signed a Governing International Fishery Agreement (GIFA) which is a prerequisite for foreign nations. Their dilemma and concern are obvious. Incidentally, the Northern Marianas has a 3-mile territorial sea and a 9-mile fisheries contiguous zone, the same as the United States had prior to the passage of the Fishery & Conservation Management Act of 1976.

With reference to the Marshall Islands, I spoke with Senator Amata Kabua, Chairman of the Marshall Islands Political Status Commission, which commission recommended separation from the United States with the future political

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status not necessarily involving total independence. They do not want to remain part of Micronesia and feel that a substantial amount of their income goes toward supporting the rest of the Territory of the Pacific Islands. The United States has apparently made a decision to discourage separation for the Marshalls, for Palau, or for any other district of Micronesia, and would like to deal with the central Congress of Micronesia for determining the future political status of the entire area.

As you know, a Compact of Free Association was approved by a Joint Committee on Future Political Status; but, this Compact of Free Association was never ratified by the Congress of Micronesia, nor by any of the political districts, nor by the people of Micronesia through a plebiscite or referendum, because the natural resources provisions of the Compact were never completed. Since that time it has come to light, to the substantial embarrassment of the United States, that the CIA "bugged" the Micronesian side of the negotiating team for the Compact of Free Association, and it is now perceived by the Micronesians that this somehow placed them at a disadvantage. A subsequent Joint Committee has disavowed the Compact. Senator Kabua says that the Compact of Free Association could never be ratified, and that Micronesians feel less bound by its provisions than the United States Government insists upon.

The Nitijela (legislature) of the Marshall Islands, based upon the recommendations of its Political Status Committee, enacted legislation in 1976 calling for a constitutional convention. The 48 delegates to the constitutional convention have since been elected, and a pre-convention committee is working in preparation for the constitutional convention which convenes in July. It has already been determined that there will be a parliamentary type government. After the constitution is drafted, it will be presented to the people for ratification, and shortly thereafter elections will be held for the governor and other governmental officials.

The people of the Marshalls want a bilateral dialogue with the United States, and do not want to be forced into participation with the people of the other districts in discussing their future political status.

Senator Kabua posed the question to me of how the United States could support the Marianas' separate status as a Commonwealth (which the people chose), with its military base at Tinian, and at the same time oppose a separate status for the Marshall (which the people chose), with its military base at Kwajalein. Senator Kabua also stated clearly that if the United States would not agree to the Marshall's separating from the rest of Micronesia, it would surely choose to go independent. The Senator further stated that the Marshallese are all pro-American, but that the Marshallese are tired of supporting the rest of Micronesia. Also, they wish to represent themselves in foreign fisheries negotiations, particularly relating to tuna. The Senator voiced the opinion that it was an intolerable situation for the United States to wish to represent the Marshalls and other areas of Micronesia internationally in fisheries matters, when their views and those of the United States concerning tuna were diametrically opposed. The Senator said, regretfully, that there was an eroding reservoir of good will for the United States, that there were enormous problems associated with the trusteeship, and that the economy of the Marshall Islands has been frustrated for 30 years by the trustee relationship. He emphasized that there was no Micronesian unity such as the ill-gotten Compact of Free Association might lead observers to believe.

Senator Kabua indicated that the South Pacific Forum is willing to recognize the Marshall Islands as a separate entity in the U. N., or for marketing, or for any other purpose. The Forum is apparently an international protocol, with membership open to self-governing peoples. The Senator seemed to be searching for an international avenue for recognition and self-expression.

Any close political association with the United States, such as Commonwealth status or free association, carries with it problems which emanate from a need to have the laws of the Marshalls in absolute consonance with the laws of the United States. Accordingly, Senator Kabua indicated a strong desire to have the Marshallese Nitijela and the Marshall Islands Political Status Commission officials meet in bilateral dialogue with appropriate representatives of the United States to discuss a separate future political association with the United States. Astonishingly, he and his associates indicated they were

even exploring an arrangement for a compact of total independence (so that they could receive their own international financial assistance) at the same time making a long-term arrangement with the United States for use of the Kwajalein base. He indicated that, in that manner, the least desirable aspects of their present relationship with the United States would be set aside, that the sources of irritation would be eliminated, that the very close association with the United States could be resumed, and that, in fact, this would have the net effect of one day giving the United States an additional vote in the U. N., something that the USSR managed to do with Byelorussia and the Ukraine.

Because of the nature of these comments, I have taken the liberty of furnishing a copy to Ambassador Philip Hanhard, the President's Acting Special Representative on the Future Political Status of Micronesia.

cc: Secretary Andrus - Interior
Ambassador Hanhard - Interior
Counselor Nimetz - State
H. E. Amacost - NSC
RADM Hilton - DOD/JCS
Brig. Gen. Sennewald - JCS
Mr. Rice - Interior

bcc: Mr. Haslam - DOC/CC
Dr. White
Mr. Wallace (MR)
B. Hoyle

HWP/djb

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