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September 9, 1977

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Mrs. Ruth G. Van Cleve
Director, Office of
Territorial Affairs
Department of the Interior
18th and C Streets, N.W.
Washington, D.C. 20240

Dear Ruth:

I am writing regarding the proposed legislation to create a district court for the Northern Mariana Islands under Section 401 of the Covenant. I am extremely disappointed and concerned by the fact that the need for such legislation was not earlier recognized and acted upon by your office. I regard this as a matter of the utmost priority and urge you to give it your personal attention.

During the past eight months this matter has repeatedly been raised with your office by representatives of the Northern Marianas with a request that a determination be made authoritatively whether legislation was necessary either to establish or to fund the district court for the Northern Mariana Islands. This was one of the matters raised specifically at our meeting of May 3, 1977, with you and several members of your staff. It was also discussed the following day at the meeting of the United States-Marianas Joint Commission on Transition. It was also discussed with Mr. Milner on July 13, 1977. It was repeatedly raised in conversations with Mr. Berg. Notwithstanding all these conversations and requests for action, at no time did your office take even the modest step of inquiring of the Administrative Office of the United States Courts whether legislation was required or in any other way attempt to move this matter forward. It is my

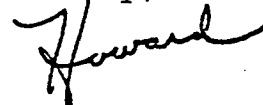
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understanding, moreover, that you have been on notice for more than a year of the Department of Justice's views that legislation establishing the district court is clearly necessary. I understand, however, from both the Department of Justice and the Administrative Office of the United States Courts that no one in your office turned seriously to this matter until the last few weeks. I do not believe this is a record that does you or your staff any credit.

In light of the limited time remaining before the establishment of constitutional government in the Northern Marianas, there is an urgent need for prompt and decisive action by your office to try and make the best out of a very bad situation. First, it seems to me that you should be attempting to expedite the legislative review process in any way you can and highlight the importance of this matter for prompt congressional consideration. Second, I believe that a task force, consisting of representatives of your office, the Department of Justice and the Administrative Office, should be established to review and develop contingency plans on the assumption that congressional approval of the requisite legislation will not be forthcoming before January 9, 1978. I am sure that there are other steps that might also be usefully taken to try to honor the United States commitment incorporated in Section 401 of the Covenant.

I am sorry if this letter lacks tact. The consequences of this bureaucratic indecision promise to be very costly to the people of the Northern Mariana Islands that I have represented for nearly five years. They deserve better than this from the United States Government.

Sincerely,



Howard P. Willens

bc: Mr. Pangelinan
Mr. Marcuse
Ms. Krause
Mr. Leonard
Mr. Koffsky