

THE WHITE HOUSE
WASHINGTON

March 24, 1980

3/26 To Jeff

Good job again!

Stu:

Attached is a memo summarizing the recent decision of INS to treat Northern Mariana residents as aliens rather than as Citizens -- as they have been for two years -- and how we got the decision reversed.

This is only one of an endless stream of incidents of Federal insensitivity toward the territories that span the bureaucracy that generally do not cross your desk. It illustrates why it is imperative to have active White House coordination of policymaking relative to the insular areas. Because this view is shared by the agencies, especially Interior, the Hill and the territories, the President's territorial message included the commitment to have "territorial matters among the major responsibilities of a senior assistant on my Domestic Policy Staff."

xc: Kathy
(files)

I have also attached a HONOLULU ADVERTISER article prompted by the NMI immigration flap. Recounting some of the sorrier chapters in the record of U.S. administration of Pacific islands, it effectively conveys insight into current territorial attitudes. I hope that you will take the time to read it when you can.

Jeff

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March 24, 1980

MEMORANDUM FOR STU EIZENSTAT

FROM: JEFFREY FARROW

JFF

SUBJECT: Northern Marianas Citizenship flap

I was among many persons surprised March 9 to read the attached NEW YORK TIMES article reporting that INS had stripped Northern Mariana Islands residents of their two year old status as U.S. Citizens. We were, of course, no more surprised than were Governor Camacho and his people who also were given no warning of the policy change.

The article was inaccurate in reporting that N.M.I. residents have been Citizens since approval of the Covenant. They remain Trust Territory Citizens until termination of the trusteeship. However, since January 1978 they have been treated as U.S. Citizens based on INS' initial understanding of the Covenant. Apparently in September of that year INS realized it had made a mistake. But it wasn't until January of this year that it decided it should reverse its practice.

After being contacted by the Governor, and subsequently by several others, I contacted John Shenefield's office at Justice to express these concerns:

1. The INS action violated at least the spirit the Covenant provision requiring consultation on major policy changes in the relationship;
2. The Assistant Secretary of Interior who is to be the Administration's lead official on territorial issues was not consulted;
3. The INS action seemed to contradict the President's Territorial Message commitments; and
4. INS handling was a bad signal to the other three Micronesian entities at a critical stage in our negotiations with them.

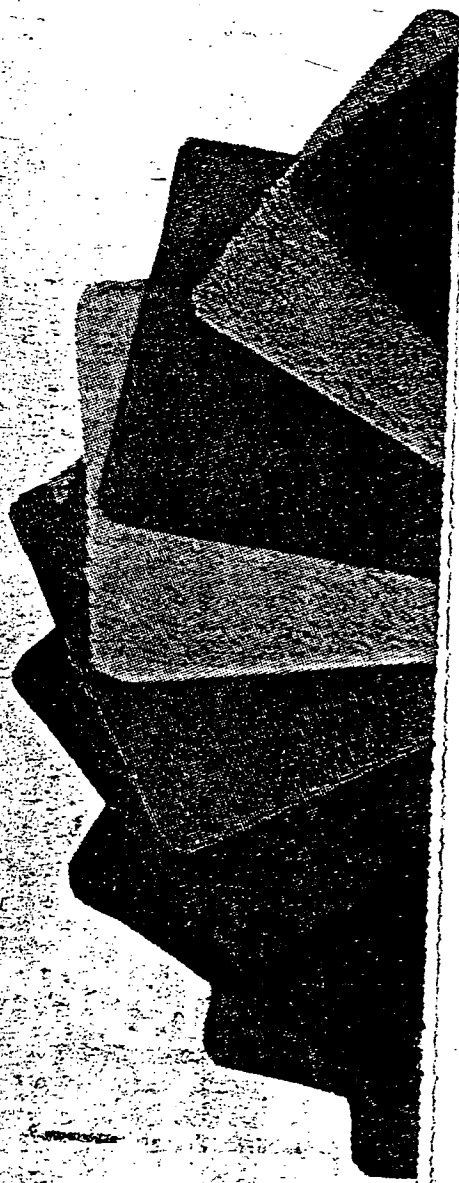
Justice had just become aware of the INS action and was also concerned. I requested that they devise an expedited resolution of the problem in cooperation with Interior, encompassing a short-term reversal of the action, if possible, as well as a long-term solution.

Based upon my assurances to him that there was no Covenant-subverting intent involved, Governor Camacho held up: legal action and treatment of U.S. Citizens as aliens.

good!
Thursday Shenefield wrote a letter of apology to Governor Camacho and Friday INS Acting Commissioner David Crossland reversed his January decision. N.M.I. citizens will now only need to carry N.M.I. papers to be treated as U.S. Citizens.

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THE NEW YORK TIMES, SUNDAY, MARCH 9, 1980

U.S. Citizenship Lost In Northern Marianas In a Change of Policy

HONOLULU, March 7 (AP) — The United States Immigration and Naturalization Service has stripped residents of the Northern Marianas Islands of their two-year-old status as United States citizens, the agency's district director confirmed here Friday.

L. H. Dahlin, the district director, said that the service's attorneys in Washington, D.C., ruled this week that a two-year-old policy allowing the islanders status as citizens for immigration purposes was in error.

Gov. Carlos Camacho of the Northern Marianas voiced outrage, saying the action might "prompt re-evaluation of the whole relationship," meaning the pending United States Commonwealth status for the group of islands north of Guam. "I cannot understand it nor see the rationale behind it," Governor Camacho said, adding that if the new policy stood,

the other Micronesian districts should learn from it and nail down all commitments before agreeing to any final compact with the United States.

Governor Camacho and Pedro Tenorio, president of the Northern Marianas Senate, sent telegrams from Saipan, the capital of the Northern Marianas, to their representative in Washington, Edward Pangelinan, asking him to check on the policy change, according to The Pacific Daily News on Guam.

Commonwealth Covenant

The United States Congress and the people of the Northern Marianas have approved a Commonwealth Covenant that takes effect upon the termination of the United States Trust Territory of the Pacific, expected next year. At that time, the islanders are to become United States citizens.

But it was understood in negotiations on the commonwealth that until then the islanders would be classified administratively as citizens if they met certain qualifications and were issued an identification card by Governor Camacho's administration.

Since Jan. 9, 1978, when the Northern

Marianas Constitution became effective, islanders who had the identification card were able to travel freely and live and work in the United States.

There have been estimates that close to 2,000 Marianas residents have moved to Guam or the United States, many of them as students.

"That old policy has been rescinded and under the new policy, they will be considered aliens, although they will be exempt from visa and passport requirements," said Mr. Dahlin. "But they will still have to be checked upon entry and be required to obtain the required permits."

Governor Camacho said that it would be a "big mistake for the United States to negate the covenant when the document was negotiated and approved by both sides in good faith and trust.

He said the action would "meet strong action by us."

China Plans to Double Forests

PEKING, March 8 (Reuters) — China is planning almost to double the size of its forests to take in 20 percent of the country's total area by the year 2000, the New China News Agency said today.

Air Force Outlines a C For a Military Train:

WASHINGTON, March 8 (AP) — Air Force has completed conception of a new train that should be able to land equipment at small, austere airfields, officials have said.

Air Force ideas for the train are contained in several hundred technical descriptions air force officials are circulating in early industry comments.

Once aircraft companies are given a chance to comment, the Department will solicit formal proposals for the craft, officials said Wednesday.

Officials added the Air Force is looking for an aircraft that will be able to land between a giant C-54 transport and a C-130. It would weigh about 100,000 pounds fully loaded and be able to land on rough fields 3,000 to 5,000 feet long with limited taxi and parking facilities, officials said.

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