



THE PRESIDENT'S PERSONAL REPRESENTATIVE
FOR MICRONESIAN STATUS NEGOTIATIONS
WASHINGTON, D.C. 20240

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September 17, 1980

(UNCLASSIFIED UPON REMOVAL OF ATTACHMENTS)

MEMORANDUM FOR JEFFREY FARROW

FROM: Peter R. Rosenblatt

I enclose a copy of the lengthy memorandum which I received from Wallace Green some days ago. I am also enclosing some of the communications from me to which it responds.

1. It represents an effort to justify a number of specific TIA actions or inactions which hardly seem worthy of protracted reanalysis here since I believe you know the facts as well as I.

2. Most importantly, it completely fails to address the one point which I have so repeatedly made to TIA; that a new bureaucratic mechanism to coordinate USG policy and actions in the Trust Territory during the transitional period is urgently required. I have proposed formation of a sub-group of the Micronesia Interagency Group under Wallace's chairmanship.

3. There is still no reaction from Interior to this suggestion nor has there been a reaction from the IAG Chairman, but I assume she regards the ball as being clearly in Interior's court.

Under the circumstances, which I believe you well understand, I can only suggest that you consider involving yourself directly in the resolution of this issue.

Peter R. Rosenblatt
Ambassador

Attachments:

1. TIA Memo on Consultation with Micronesian Entities, 9/12/80 (C)
2. OMSN Memcon. with Under Sec. Joseph, 8/4/80 (U)
3. OMSN Memo to Green re Northern Marshalls, 8/15/80 (C)
4. OMSN Memo to Green re TTPI Pol. Ed., 8/29/80 (U)
5. OMSN Memo to Green re TTPI Pol. Ed., w/inc., 9/17/80 (U)

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United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

SEP 12 1980

Memorandum

To: Ambassador Peter R. Rosenblatt, President's Personal Representative for Micronesian Status Negotiations

From: Assistant Secretary Designate
Territorial and International Affairs

Subject: Consultation with Micronesian Entities

This is to respond to your memorandum of August 15, 1980, in which you raise concerns regarding certain Interior actions related to our responsibilities toward the Trust Territory. I regret having to take the time to respond to it, but I wish to see that the record is accurate and complete.

You state that "until recently the inhabitants of the Trust Territory have had little say in the formulation of Washington and Saipan decisions affecting them," that your office and mine "have found themselves in the peculiar position of dealing with the same Micronesian leadership in sharply contrasting ways," and that Interior has regarded Micronesian leaders "as lying outside of the chain of command through which the most important decisions affecting the TTPI were made." The record is clear. Interior has steadfastly encouraged Micronesian self-government -- in the establishment of the Congress of Micronesia in 1965, and its predecessor and successor legislative bodies; in the educational programs which have produced a wide base of educated native political leadership in each Micronesian entity; in the placement of Micronesians in positions of Executive authority; and in consistent effort to assist the negotiations as a natural process by which the Micronesians will develop a status satisfying to them as well as to the Federal Government.

This Department, having always sought the development of self-government among the Micronesians, fully supports a negotiated political relationship that will permit the achievement of Micronesian political desires. The Department of the Interior has implemented United States policy in the Trust Territory for thirty years, and no one who observes the level of competence, responsibility, and strength in Micronesia's political life today could justly deny that the United States has achieved a great deal in its relatively short tenure as trustee.

You also imply in your memorandum, that we ignore Micronesian leaders. In the interests of good government and responsible public

Derivative classification by Wallace O. Green, Asst. Secretary-Designate, Territorial and International Affairs, 9/12/80. Classified from: 8/15/80 Memo from Ambassador Peter Rosenblatt (OMSN-C31-80). Declassified 8/15/86.

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administration, we generally consult with the leaders of Micronesia through the High Commissioner. His job, difficult at best, would be made impossible if we were to engage in end runs. The High Commissioner is in constant consultation with Micronesian leadership on Micronesian soil. So far as we know here, Micronesian leaders have not charged that we fail to consult with them.

As administrators of the Federal relationship with Micronesia, Interior in Washington must rely on direct consultations between Micronesian leaders and the High Commissioner. We know of no occasion when the High Commissioner has failed adequately to consult with them. It would be improper for us to rely on Washington law firms for the conduct of everyday administration in the Trust Territory, because it is the leaders of Micronesia and the High Commissioner who share the Executive authority in Micronesia today. Of course, when Micronesians come to Washington, we deal with them directly, and when we do so, we inform the High Commissioner of what has transpired. If there is a difference in the way our office and yours approaches Micronesian leaders, it is because of the difference between administrative authority and the negotiating process and not in a difference in motivation.

As to this Department's participation in promoting U.S. alternatives to a Japanese communications system in Micronesia, you are aware that the Japanese had made only one preliminary mission to discuss communications with the Micronesians, when the House of Representatives passed a bill that, if enacted, would require the Secretary of the Interior to install American-made communications systems in Micronesia. You have also been fully informed of the strength of conviction of certain Congressmen on this topic. Officials of the Department of the Interior did all that could be done, in the time that was available, to avoid a situation in which the Japanese would have offered concrete communications proposals to Micronesian governments only to learn that there would be obstacles to their implementation causing a great deal of embarrassment for Japanese and Micronesian leaders. Deputy Assistant Secretary Gordon Law acted swiftly and carefully to consult with State Department officials, Micronesian leaders, and finally, Japanese officials, to reconcile a developing confrontation and to avoid a situation that would have presented difficulty in the future for the United States, for Micronesian leaders, for the Japanese and for you as chief negotiator. Indeed, it was my consultation with you during Gordon's stay in Japan which helped greatly in smoothing out a very difficult situation. While some minor strain may exist between the United States Government and the Government of Japan as a result of the communications issues, I suggest that our efforts are to be applauded rather than condemned.

On the matter of the Northern Marshalls health plan, the Department of the Interior has moved quickly, and we think, effectively thus far and we cannot accept the charge of insufficient deference to the Government of the Marshalls. The Government of the Marshall Islands was invited to our August 4 consultation in June. At the Marshalls request, we agreed to meet separately with them in July, to suit their convenience; they

chose to arrive late for the July session and to characterize that meeting as not useful. We distributed our discussion paper (which indicated the scope of work) for the August 4 meeting by hand to Mr. Dominick of the Marshalls and to attorneys for the Marshalls on August 1. That paper announced the August 18 deadline for comments. Although interested people from the Marshall Islands Government were in Washington on August 4, they chose to absent themselves from the meeting that day. At considerable inconvenience to several dozen Federal representatives, among others, we scheduled another meeting at the Marshall Government's request for August 6. They had all of the pertinent documents in advance, and representatives of the Marshalls were afforded the same 2 1/2 week period for comment that all other representatives had. It is perhaps worth noting that no representatives, not even those from the Marshalls, have complained to us of an insufficient time for comment. Everyone involved must recognize that without such early deadlines, we cannot hope to meet the January 1, 1981, deadline that Congress has imposed. In sum, we have been more than willing to consult with the Marshall Islands Government, and we have gone to extreme lengths to accommodate their scheduling requests, as well as their genuine concerns for the program.

You attached an additional note to your memorandum of August 15, concerning a trip to Micronesia of the Region Nine Public Health Service team of the Department of Health and Human Services. Our office was informed of that trip, which is performed by Region Nine approximately twice every year, on June 24. Miss Johnson of my staff wrote a memorandum of her telephone conversation with Ms. Doris Lauber of the Region Nine office and gave a copy of it to Jim Berg of your staff.

We here are very much aware that our actions may at times have some impact on the substance as well as the psychological environment of the political status negotiations. You will always be made aware by us of such actions, as we wish to be supportive of your efforts in response to the President's objectives for Micronesia.


Wallace O. Green

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

August 4, 1980

MEMORANDUM OF CONVERSATION

To: Ambassador Rosenblatt
From: Richard W. Teare *RT*
Subject: Memorandum for the Record: Conversation
with Under Secretary Joseph, July 31, 1980

When I called Mr. Joseph at your direction on July 31 to relay your view that a meeting of the two of you with Wallace Green was still desirable, despite the bilateral meeting Green has proposed with you for August 5, and that the suggestion for same would best come from Mr. Joseph himself, Mr. Joseph said he had already talked to Green about the matter and understood further that Green had invited OMSN to a meeting, with Energy, on July 30 at which we had not appeared.

I told Mr. Joseph that the only meeting on July 30 of which I was aware was an Interior/Energy meeting to develop plans and a document for presentation to the representatives of the various Marshallese atolls at the August 4 meeting on radiation exposure and the comprehensive medical-care plan. I said we had been unable to send anyone to that meeting because of the press of other business and that, had we gone, it would have been only in an observer capacity. I added that I was certain the July 30 meeting did not relate to the wide range of TIA matters you wished to discuss with him and Green.

On hearing that, Mr. Joseph retracted somewhat and absorbed the rest of my message about your continuing interest in a tripartite meeting with him and Green, whether or not your August 5 bilateral with Green actually takes place. I said I assumed we would hear directly or indirectly if the August 5 meeting were superseded. He agreed.

On checking further with Al Short, I find that we knew of the July 30 Interior/Energy meeting on the medical-care plan only because Al called John De Young that morning to find out how things were going. When thus asked, De Young told Al of the Interior/Energy meeting

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that afternoon (our first knowledge of it) and belatedly invited OMSN representation. Al indicated at the time that he doubted OMSN would be able to send anyone.

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OMSN-C31-80

THE PRESIDENT'S PERSONAL REPRESENTATIVE
FOR MICRONESIAN STATUS NEGOTIATIONS
WASHINGTON, D.C. 20240

August 15, 1980

MEMORANDUM FOR WALLACE GREEN

Subject: Northern Marshalls (U)

(U) Thank you very much for the package of material under cover of your letter of August 13 to Charles Domnick.

(U) I do not have any specific comment on the substance of either Domnick's incoming or your response because they relate to technical issues with which my staff and I have not been intimately involved. However, I would like to take this occasion to make a broader point which is of paramount importance to the rapid conclusion of the Compact negotiations and to our joint objective of smoothing the transition from trusteeship to free association.

(U) Until recently the inhabitants of the Trust Territory have had little say in the formulation of Washington and Saipan decisions affecting them. This has obviously changed with the establishment of constitutional governments in the FSM and the Marshalls and the consequent devolution of considerable authority to those governments. A good deal of authority has also passed to the Palauans even though they have not yet established their constitutional government. Nearly total authority will pass to all three governments with the termination of the trusteeship. Hence it is logical and, indeed, intended that the TTG and the USG consult with the Micronesian governments on issues affecting them, even where formal authority for those issues has not now passed to them.

(C) For years our two offices, the only Executive Branch agencies dealing with the Micronesians directly on a regular basis, have found themselves in the peculiar position of dealing with the same Micronesian leadership in sharply contrasting ways. Interior has regarded the local Micronesian political leadership (the Congress of Micronesia and the State Legislatures), possessed as it was of only minor decision-making authority, as lying outside of the chain of command through which the most important decisions affecting the TTPI were made and implemented. OMSN has had to deal with these very same individuals in their capacities as members of the political status com-

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missions where they possessed ultimate decision-making authority on the Micronesian side of the future political status negotiations.

(C) With the creation of elected constitutional governments the scope of the Micronesian leaders administrative authority is beginning to catch up to their planary negotiating authority. However, many USG officials are experiencing difficulty in shifting gears. It is now incumbent upon Interior and other agencies dealing with the Micronesians during this transitional phase not only to give effect to the transfer of the full range of legal administrative authority thus far awarded to the fragile new Micronesian governments, but also to consult with them in those areas where the USG retains authority.

(C) Our current failure to consult with the Micronesians as fully as we should is causing difficulties, sometimes acute, in the context of the negotiations even more than in the administrative areas in which the failure of consultation itself occurs. This is because the negotiations remain the one area in U.S.-Micronesian relations in which the USG is obliged to deal with the Micronesian as complete equals. Two recent incidents illustrate the point:

(C) 1. Satellite Communications. Interior has been trying to get the Micronesian to agree to accept a COMSAT system. It appears to be less expensive than would a Japanese system and it is certainly more acceptable on the Hill. The State Department's major concern has been to avoid giving needless offense to the Government of Japan. The GOJ, heeding USG expressions of interest in a Japanese aid program in Micronesia, has been extremely forthcoming in responding to the specific request of the GFSM and the MIG for assistance in the satellite communications field. Neither department appears to have taken adequate pains to insure that either Micronesian government was fully briefed on the reception which a Japanese offer of assistance in this field would receive here. Nor was either government briefed on the USG view that there was a need to insure that the GOJ was not exposed to embarrassment by the rejection of its offer of assistance as a result of U.S. political considerations or because a better offer made by a USG agency (COMSAT). Accordingly, the State Department's decision to brief the GOJ on the situation (an absolutely essential move) without advance consultation with the MIG or the GFSM produced a major

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crisis in our relations with the MIG. I hope that will not prove the case with the GFSM. I trust that we will overcome this problem but, in the meanwhile, negotiations with the MIG on all aspects of future political status have been suspended pending assessment of the situation by President Kabua.

(C) 2. The Northern Marshall Islands Radiation Situation. The 1980 Omnibus Territories bill which requires a DOI report to the Congress on January 1, 1980 became law on March 12, 1980. The preliminary meeting with representatives of the affected peoples and of the MIG to seek their input was not scheduled until August 4. For reasons which are well known Interior was not in a position to give any of the Marshallese parties advance notice of what it would propose for the scope of work and other important related subjects. The MIG objected vehemently, claiming that it could not participate productively unless and until it knew what approach DOI was going to take. After the meeting they said they needed some time to get back to DOI with their comments. I now understand from your referenced letter to Domnick, mailed August 13, that the MIG is to be given only until August 18 to furnish its input.

(C) It would not surprise me if the MIG considered this to be inadequate consultation. Our experience has, as aforesaid, demonstrated that dissatisfaction on the part of the Micronesian governments with USG consultation finds its primary forum and impact in the status negotiations. The Micronesians tend to associate USG performance in consulting with them under the trusteeship with our anticipated handling of the important consultation provisions contained in the Compact of Free Association. In other words, the Micronesians believe that if we do not consult adequately now we will not consult adequately under free association and that the free association relationship contemplated under the Compact is therefore of considerable diminished value.

(U) I therefore draw the following conclusions:

(U) 1. It is a matter of the greatest urgency that officials of the Trust Territory Government and the Departments of Interior and State as well as all other affected agencies take immediate steps to insure that all matters affecting the administration of the TT become the subject of thorough and timely advance consultation with the

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affected Micronesian governments. This will undoubtedly require changes in procedure and of fundamental outlook towards the Micronesian governments.

(U) 2. I will discuss with the Department of State amendments (already proposed by the MIG) to the agreed foreign policy procedures to strengthen their consultation provisions.

(U) 3. These recent incidents strengthen the conviction which I conveyed to you at our meeting on August 5, that we must have a more effective interagency structure for the coordination of USG activities in the TT during the remainder of the current transitional period. I had suggested the reestablishment of the Micronesian Interagency Group working group on transition under your chairmanship.

(U) I look forward to receiving your views on this in the nearest future.



Peter R. Rosenblatt
Ambassador

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THE PRESIDENT'S PERSONAL REPRESENTATIVE
FOR MICRONESIAN STATUS NEGOTIATIONS
WASHINGTON, D.C. 20240

August 29, 1980

MEMORANDUM FOR WALLACE O. GREEN

Subject TPI Political Education Program

During a meeting with Jim Stovall, counsel for the FSM, held at OMSN last Wednesday, August 27, Stovall asked us about a proposal which the High Commissioner had delivered to the FSM Government as a basis for discussion at a meeting on political education with the Micronesian governments. I understand this meeting will be held on Saipan during the week of August 31. I had to tell Stovall that I knew nothing about any such proposal.

A subsequent check disclosed that Jim Berg of my staff had received from your office copies of letters to you from the High Commissioner on this subject dated, respectively, August 7, July 14 and July 2, a day or two prior to the meeting with Stovall. The July 2 letter forwarded a copy of a "Draft Political Education Program Outline" dated June 18, 1980. When Stovall showed us today a copy of the document to which he had referred on Wednesday, it turned out to be the first two pages of the July 2 enclosure. The document also addresses conduct of the plebiscite on the Compact of Free Association.

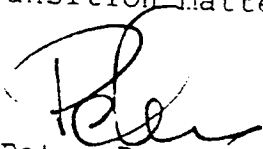
I know you will agree that any proposal from the USG or the TTG to the Micronesian governments on this very sensitive subject is grounded upon provisions of the Compact which OMSN has negotiated and is still negotiating with those governments. The subject of the plebiscite and activities related to it is directly connected with the on-going negotiating process and therefore of absolutely vital concern to OMSN.

The failure of the High Commissioner to copy OMSN on any of these letters and to consult with us before initiating action with the Micronesians is unfortunately consistent with past practice, of which TIA is aware. The High Commissioner's omission and TIA's failure to alert OMSN to the receipt of these proposals has resulted in the High Commissioner's making a proposal to the Micronesian governments without having received a considered interagency response to his July letters to TIA. I should note that we are not entirely satisfied with the July 2 draft. TIA and the TTG must take immediate steps to coordinate this process with OMSN as well as with EA/PIA at State.

This represents a further consequence of the present state of non-coordination among the various agencies on matters affecting transition. You may recall that I first coupled my concern over this subject with a suggestion for an IAC subgroup on transition to be chaired by you at our August 5 meeting. The need for this or a similar interagency coordinating device now appears self-evident, as are the mounting consequences of our failure to address the problem. The need exists not only as between the third and fourth floors of the Interior Building but among the other agencies involved in transition as well.

Accordingly, I most earnestly urge that you:

1. Appoint a member of your staff to coordinate with my deputy, Dick Teare, the formulation of appropriate instructions to the High Commissioner on political education and the conduct of the plebiscite. Dick will undertake to bring the State Department into the process.
2. Advise me of your views on the broader issue of interagency coordination on transition matters at your earliest possible convenience.


Peter R. Rosenblatt
Ambassador

cc: Rozanne Ridgway, State (C)