

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

JUN 2 1986

WASHINGTON, D. C. 20301-2400

22 MAY 1986

In reply refer to:
I-06399/86

MEMORANDUM FOR MR. JOHN COONEY, DEPUTY GENERAL COUNSEL
OFFICE OF MANAGEMENT AND BUDGET (via LDX)

SUBJECT: Executive Order Concerning Management of the Micronesian
Compact of Free Association

After further discussion with the State Department, we have jointly agreed on the following recommended changes to the draft Executive Order on this subject circulated by Diane Weinstein on April 1, 1986:

Section 2. Add a new sentence: "This section shall not apply to services provided by the Department of Defense to the Freely Associated States, or to activities pursuant to Section 1 of this Order".

Reason: to make it clear that this section, in covering programs and activities designed and funded for the FAS, is not intended to give the Secretary of the Interior responsibilities in connection with services provided to the FAS by State and Defense incidental to their normal Departmental operations. These include, for DoD, daily transportation of workers to the Kwajalein Missile Range, provision of water to Ebeye Island, and search and rescue missions throughout Micronesia.

Section 3(a) line 1, after "there is established", add "within the National Security Council system".

Reason: We concur in this Interior Department language, since it insures that the Interagency Group will be under NSC auspices, as has always been intended.

Section 3(d)(2). Concur in deletion of "which shall be an interagency office".

Reason: To conform to P.L. 99-239, we and State have agreed separately on the responsibilities of the Defense personnel to be assigned to the office.

Section 3(d)(2). Change first sentence, lines 3 and 4, to read "to whom the Secretaries of State, Defense and Interior may delegate any or all of their respective authority and responsibility as described in this Order".

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2.

Reason: Defense wishes to be able to delegate some or all of its authority, and Interior should be free to do so as well, if and when it chooses to do so.

Section 3(d)(3), change "seconded" to "assigned".

Reason: Clarity, and to conform to normal US usage.

Section 5, third sentence. Change to read: "Nothing in this Order shall be construed to impair the authority and responsibility of the Secretary of Defense for security and defense matters in or relating to the Freely Associated States".

Reason: Clarity

Philip E. Barfinger
Philip E. Barfinger .
Director

Foreign Military Rights Affairs

cc: OGC(I) - Mr. Cifrino
State/EAD - Mr. Surber (via LDX)

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