



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

SEP 29 1986

MEMORANDUM

Re: Proposed Executive order entitled "Management of the Compact of Free Association with the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau"

The attached proposed Executive order has been submitted by the Office of Micronesian Status Negotiations. The Office of Management and Budget, with the approval of the Director, has forwarded it to this Department for review of its form and legality.

The proposed order establishes a framework to govern relations between the United States and three countries: the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau. The order implements the provisions of the Compact of Free Association Act of 1985, Pub. L. No. 99-239, 99 Stat. 1770 (1986) (Act). Under the order, the Secretary of State is given responsibility for overseeing foreign relations with these nations, including the exchange of representatives. The Secretary of Interior is given responsibility for overseeing grant and program assistance as well as for coordinating development activities between other federal agencies and these countries. The proposed order also establishes an Interagency Group on Freely Associated State Affairs (Group). The Group, chaired by the Secretary of State, will provide oversight and guidance in this area to federal agencies and the President. In addition, the Secretary of State will establish administratively an Office of Freely Associated State Affairs within the Department of State to carry out matters delegated to it by the Secretary. Finally, various reporting requirements established by the Act are delegated to the Secretaries of State and Interior.

The order will become effective immediately for the Republic of the Marshall Islands and the Federated States of Micronesia since Congress in the Act approved the Compact of Free Association has already

FIX

When the Compacts of Free Association for them are implemented,

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tion with them. It will become effective for the Republic of Palau when Congress approves a Compact of Free Association ~~with it.~~ that Compact is implemented, after]

FIX

The proposed Executive order is acceptable with respect to form and legality.

Charles J. Cooper
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for them and the problems of compatibility with Palau's constitution are resolved.