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THE WHITE HOUSE  
WASHINGTON

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May 5, 1977

Presidential Directive/NSC- 11

TO: The Vice President  
The Secretary of State  
The Secretary of Defense

ALSO: The Attorney General  
The Secretary of Interior  
The Secretary of Commerce  
The Secretary of Transportation  
The United States Representative to the  
United Nations  
The Director, Office of Management and Budget  
The Director of Central Intelligence  
The Chairman, Joint Chiefs of Staff  
The Office of Micronesia Status Negotiations

SUBJECT: Micronesia Status Negotiations (U)

The President has reviewed the conclusions and recommendations of the Policy Review Committee concerning Micronesia Status Negotiations, and has directed that the negotiations be conducted on the basis of the following guidelines:

-- The broad U. S. objective should be the conclusion of status arrangements which protect essential U. S. security and political interests, afford the Micronesians the opportunity to freely determine the nature of their future association with the U. S. , and permit termination of the trusteeship agreement by 1981.

-- Status Options. The U. S. negotiator should seek a free association agreement with a united Micronesia. If such an arrangement should prove unattainable, the negotiator is authorized, following approval by the Policy Review Committee, to seek alternative arrangements, including (1) a special treaty relationship with an independent Micronesia,

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under provisions of E.O. 12356  
by D. Van Tassel, National Security Council

(F88-187)

or (2) a mixed arrangement embracing a free association agreement (or agreements) with those districts desiring it, and a special treaty relationship with other districts should they choose independence.

-- Financial Arrangements. The level of U.S. post-trusteeship financial support for Micronesia should be contingent on the nature of the status arrangement negotiated. The negotiator is authorized to offer at his discretion the following financial assistance, with the understanding that such assistance is contingent on ultimate approval by the U.S. Congress.

1. No more than \$60 million annually in grant assistance for no more than 15 years after trusteeship termination.

2. Continuation of U.S. postal, weather and FAA services at FY-76 levels of activity.

3. \$10-15 million for relocation of capital, contingent upon the number of districts served by this installation.

4. No more than \$10 million annually, as necessary to obtain satisfactory and legally binding agreements covering exclusive U.S. use of all land, waters, and airspace required by the Kwajalein Missile Range and its activities for no less than 15 years after trusteeship termination.

5. Up to \$3 million on a one-time basis to obtain a long-term lease of land required for U.S. defense purposes in Palau.

6. No more than \$5 million annually to be provided to Micronesia on a dollar-for-dollar matching basis, to establish, in coordination with the Departments of Interior and Transportation, a surveillance and enforcement capability for the area.

-- Termination Date. The negotiations should be conducted with the objective of terminating the trusteeship in 1981. The President has directed that an affirmation of the U.S. intent to make every effort to achieve that objective may be issued in his name.

-- Marine Resources. The negotiator is instructed to offer proposals designed to allow the Micronesians the full management of marine resources,

to help them develop marine resources, to guarantee to them that the economic benefits of such development would flow to them, and to seat them as members of U.S. delegations dealing with marine resources in their region. If a mutually acceptable free association agreement cannot be achieved on this basis, the negotiator is authorized to agree to Micronesian jurisdiction over marine resources, to accept complete Micronesian authority within a 200-mile zone, and recognize Micronesian competence to negotiate and conclude international agreements, and to be seated at international conferences on marine resources, subject to Micronesian agreement to refrain from actions which the United States deems incompatible with its international obligations or basic security interests.

-- Institutional Arrangements. Negotiations shall be conducted by a Special Representative of the President. Departmental recommendations concerning the negotiations will be coordinated by the NSC Policy Review Committee, chaired by the President's Special Assistant for National Security Affairs, and supported by the NSC Inter-agency Group on Micronesia, which will be chaired by the Counselor of the Department of State. Negotiations will be supported by the Office of Micronesian Status Negotiations. Arrangements for staffing and financing that Office will remain unchanged.



Zbigniew Brzezinski



THE COUNSELOR  
DEPARTMENT OF STATE  
WASHINGTON

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May 23, 1979

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MEMORANDUM FOR: Dr. Zbigniew Brzezinski  
The White House

FROM: Matt Nimetz /mm  
Chairman  
Micronesia Interagency Group

SUBJECT: Revision of Negotiating Instructions

We believe we may be nearing the end of our political status negotiations with the three entities in Micronesia -- the Marshall Islands, the Federated States of Micronesia and Palau. The draft agreement under negotiation provides for a relationship whereby the U.S. would have complete defense and security authority, including a defense-based veto over actions by the Micronesian governments. The Micronesians would manage their own internal affairs and foreign relations.

PD/NSC-11 authorized a maximum annual USG commitment of \$75 million, the provision of certain federal services, and one-time payments totalling \$18 million over the fifteen year period of the Compact of Free Association. However, during the long years of these negotiations, USG appropriations for Micronesia have mushroomed: the total will amount to approximately \$141 million in FY 79, including \$61 million for capital improvements. Given the recent growth of these expenditures, the total USG commitment in FY 81, the expected last year of the trusteeship, could amount to a figure significantly greater than \$141 million.

The Micronesia Interagency Group, after long and careful consideration, has concluded that our stated policy of termination of the trusteeship in 1981 and agreement on the free association relationship which we are currently negotiating will most effectively guarantee our security and defense interests in the Pacific. In order to achieve these objectives and in light of the fact that in January in

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(P87-249)

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Saipan the Micronesian negotiating commissions rejected our offer based on PD-11, the Interagency Group believes that we must be able to offer greater financial assistance than is authorized in PD-11. Without such additional authorization, it is probable that we would be unable to conclude these negotiations in a satisfactory way. The alternative of not ending the trusteeship would present serious problems at the United Nations and could lead to serious and continuous confrontation with the Micronesians. The other alternative -- independence -- would make it difficult to ensure strategic denial for that area of the Pacific, and to guarantee access to the area for U.S. military forces and continued use of our Kwajalein Missile Range in a stable political environment.

There are four elements for which we need a revision of earlier instructions.

First, the negotiator's limit for the average annual payment (which includes grant assistance plus a number of miscellaneous services and activities) should be raised to \$112 million. (Breakdown is at Tab A.) As noted above, this is still below the FY 79 expenditure of \$141 million. Although it is impossible to quantify the financial request made by the Micronesians at our January negotiating session, their proposals would amount to three or four times our initial offer of \$65 million.

Recommendation:

The Micronesia Interagency Group\* recommends approval of annual average payments of \$112 million. (OMB's alternative recommendations of \$73 million plus inflation adjustment or \$88 million with no adjustment are outlined at Tab C.)

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

*#91 plus 3% max additively - no 5 year review*

\* Micronesia Interagency Group consists of the following Departments and agencies: State, Interior, Defense, Justice, Commerce, Transportation, Energy, NSC, JCS, OMB, Office for Micronesia Status Negotiations. (Justice reserves its comments on all recommendations until it can review OMB's position paper at Tab C.)

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Second, we should commit a greater portion of total U.S. funding during the first five-year period of the relationship than during the second or third five-year periods because:

-- The Micronesians could realize very large economies in major new construction projects by utilizing contractors presently mobilized in the Trust Territory;

-- Economic development (and, thus, a potential lessening of dependence on the U.S.) would be promoted earlier in the post-termination period through greater investment in development projects. (However, even under the most favorable conditions, it is unlikely that all of the Micronesian entities will reach a stage of economic take-off in the foreseeable future, though some could. Financial dependence on the U.S. probably could not decline dramatically because of rapidly rising population.)

-- We believe that such "front-end loading" is essential to obtain Micronesian agreement to the Compact.

Recommendation:

*Ha! →*  
*no doubt.*  
The Interagency Group recommends authorization to "front-end load" the \$94 million annual cash grant portion (for operations and infrastructure development) of the \$112 million annual average for a maximum total allocation of \$141 million in each of the first five years (32% over the proposed average annual sum.) There would be commensurately lower amounts in the later periods. (OMB recommends limiting "front-end loading" to 25%.) (Justice points out that there is a substantial risk that after five years we will be faced with potentially irresistible demands from the Micronesians not to reduce this "front-end loaded" figure, and, therefore, the total cost of the 15 year package will probably be significantly greater than the amount outlined in the proposed agreement.)

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

*25% ok*  
*J*

Third, we should apply a limited inflation adjustment formula. The Micronesian negotiating commissions have each

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requested application of the method employed in our Commonwealth Covenant with the Northern Marianas -- that is, unrestricted inflation adjustment based upon the annual change in the Gross National Product Implicit Price Deflator (GNPIP) using FY 81 as the base year and compounding the adjustment annually over the fifteen year period.

Although the Micronesians' proposals do not appear unreasonable, practical concerns suggest a more limited approach whereby the annual adjustment factor would be the percentage change in the GNPIP or 3%, whichever is lower. The adjustment factor would be measured additively, rather than compounded, from the base year of 1981 and, because of the heavy "front-end loading", would commence only on the sixth year.

In addition, the USG would agree to a bilateral review every five years to consider the impact of inflation on the U.S. financial package. There would, however, be no specific USG commitment to make further adjustments.

Recommendation:

The Interagency Group recommends approval of this limited inflation adjustment formula and a commitment to review after the fifth year. (OMB's views are at Tab C.)

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

*3% or lower ok - No 5 year review*

Finally, there are a number of one-time expenditures and other financial authorities that have arisen during the negotiations. These are summarized at Tab B, including OMB's recommendations.

Recommendation:

The Interagency Group recommends approval of one-time expenditures and other financial elements listed at Tab B. (OMB's views at Tab B.)

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

*Agree with OMB/Justice re the \$10 mil - but expedite review & decision -*

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Attachments:

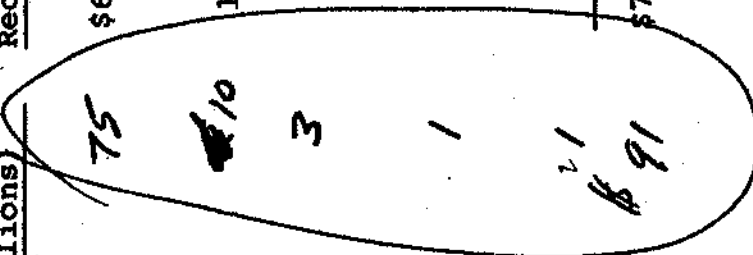
- Tab A - Components of \$112 Million Annual Average
- Tab B - One-time Expenditures and Other Financial Authorities
- Tab C - OMB Comments

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Components of \$112 Million Annual Average

Interagency Group Recommendations (In Millions)	OMB Recommendations	Present Authority	
\$94	\$60 <sup>A</sup>	\$75 <sup>B</sup>	\$60
10	10	10	10
5	2	2	0
1	1	1	5
2	0	0	0
\$112	\$73	\$88	\$75



Yearly average grant assistance. For operations and infrastructure development. (Change from \$60 million.)

Annual cost for Kwajalein Missile Range requirements. (No change.)

Scholarship fund for post-secondary education. (Reduced from present \$11 million.)

Fishery zone surveillance. (Reduced from PD-11 authority of \$5 million yearly on matching basis.)

Value of health and medical services currently provided. (New authority.)

Aif Micronesians insist on inflation adjustment.

Bif Micronesians will drop the inflation adjustment and agree to no review during the life of the Compact.



DEPARTMENT OF STATE

Washington, D.C. 20520

S/S 7908351

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**2791**

May 8, 1979

MEMORANDUM FOR DR. ZBIGNIEW BRZEZINSKI  
THE WHITE HOUSE

Subject: Proposed PRC Meeting on Micronesia Status Negotiations

After the most recent negotiating round (Saipan in late January) with the Micronesian political status commissions, the Micronesia Interagency Group determined that the financial arrangements authorized under PD-11 would be insufficient to conclude a satisfactory political arrangement with the three Micronesian entities. The Interagency Group is finalizing a new financial package for PRC consideration. This new proposal should secure the free association relationship we have been pursuing.

The Micronesian leadership will be in New York beginning May 21 for the annual meeting of the UN Trusteeship Council, and Ambassador Rosenblatt has invited them to attend a Chiefs of Delegation meeting starting Tuesday, May 29. We would appreciate your scheduling a PRC meeting early during the week of May 21 to consider a modification of Ambassador Rosenblatt's instructions. On May 18 we will forward to you the finalized briefing materials for the PRC meeting.

*Frank H. Wisner for*  
Peter Tarnoff  
Executive Secretary

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under provisions of E.O. 12356  
by D. Van Tassel, National Security Council  
(F87 749)

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THE COUNSELOR  
DEPARTMENT OF STATE  
WASHINGTON

MICRONESIA INTERAGENCY GROUP

September 17, 1980

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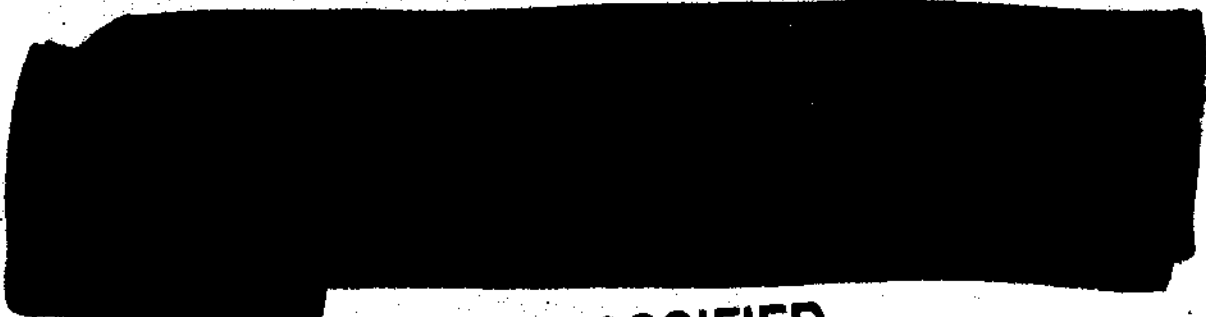
MEMORANDUM FOR: Dr. Zbigniew Brzezinski  
The White House

FROM: Rozanne L. Ridgway, Chairman *JK*

SUBJECT: Report on Micronesian Status Negotiations

The President's Personal Representative for Micronesian Status Negotiations, Ambassador Peter R. Rosenblatt, has scheduled bilateral negotiating sessions with Palau and the Federated States of Micronesia (FSM) for the week of September 21, followed by a multilateral round with them and the Marshall Islands the next week. Ambassador Rosenblatt believes that, given sufficient negotiating authority and flexibility, he may be able to initial ad referendum a Compact of Free Association with the Micronesians. This would constitute a decisive step in realizing the President's goal of resolving the Micronesian Status issue by 1981.

By virtue of PD/NSC 11, 34 and 49, Ambassador Rosenblatt has existing Presidentially-approved negotiating authority. Those provisions of the Compact negotiated under his existing authority and unrelated to strategic denial and issues immediately associated therewith are subject to normal ad referendum Presidential review and are not addressed here. Ambassador Rosenblatt has requested a modest increase in his authority to deal with remaining economic issues in a memorandum which has been circulated to the Micronesian Interagency Group.



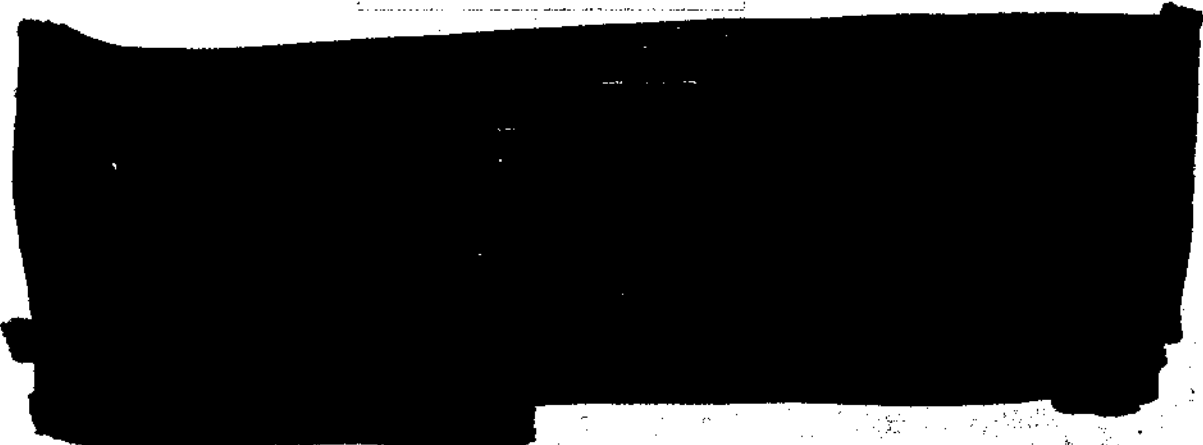
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(F67-249)

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After its deliberations the group decided:

-- Ambassador Rosenblatt should be authorized to proceed with the scheduled negotiations;

NATIONAL SECURITY COUNCIL

Don -

I have a <sup>few</sup> couple of questions about the attached:

1. What does the first full sentence, p. 2, mean?
2. Has the plan referred to on p. 3, B., been submitted?
3. Why the jump from \$3 m to \$12 m annually, referred to on p. 4?  
(I assume the earlier monies were too low, rather than the later being excessive).

In general, how will this agreement affect claims from Nevada?

Syddell

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(FBI-249)

THE COUNSELOR  
DEPARTMENT OF STATE  
WASHINGTON

INTERAGENCY GROUP ON MICRONESIA

January 16, 1981

**UNCLASSIFIED**

MEMORANDUM FOR: Dr. Zbigniew Brzezinski  
The White House

FROM: Rozanne L. Ridgway, Chairman *RLR*

SUBJECT: Micronesian Nuclear Claims

In response to the President's request, this paper incorporates the views of the agencies concerned with regard to claims arising from the United States nuclear weapons testing program in the Northern Marshall Islands. The agencies concerned agree that negotiations on this issue should not proceed until the new Administration has an opportunity to review this issue. This paper presents the concerned agencies' consensus of the steps that would be required to negotiate this issue with the Marshall Islands.

In Section 177 of the Compact of Free Association, initialed by Ambassador Peter R. Rosenblatt and Marshall Islands Foreign Secretary Anton deBrum on October 31, 1980 in Washington, D.C., the United States Government (USG) accepts the responsibility for compensation for loss or damage to property and person owing to citizens of the Marshall Islands, the Federated States of Micronesia (FSM), or Palau as a result of the USG nuclear testing program in the Northern Marshall Islands between 1946 and 1958. In addition, the USG and the Marshall Islands agree to negotiate a separate (subsidiary) agreement, subordinate to the Compact, settling claims arising from the nuclear testing program. See Appendix A.

The agencies concerned agree that all known and knowable claims should be extinguished in this separate agreement. This agreement should be negotiated on a government-to-government basis with the Marshall Islands Government (MIG) acting for its affected citizens. The MIG shall undertake to permit representatives of the affected persons to participate in the negotiations. This is particularly important because Congress in the past has shown special sympathy for the nuclear claimants through the passage of

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legislation beneficial to them. If the claimants are dissatisfied with the extent of their representation in these negotiations, it can be assumed that their representatives will again receive favorable consideration by the Congress.

The subordinate agreement should establish a method for ongoing consultations between the United States and the Marshall Islands and procedures, to the extent these are not then already mandated by law, pursuant to which future claims of Marshall Islands citizens arising from presently unknown effects of exposure to radiation will be presented to the USG. A nuclear claims delegation (NCD) chaired by the Office of Micronesian Status Negotiations (OMSN) and composed of one additional member each from the Departments of State, Defense, Interior, Energy and Justice would be established to negotiate this agreement with the Marshall Islands. The NCD will be disestablished after the formal ratification of this agreement.

The agreement should supplement then existing laws to provide compensation for: 1) radiation damage to land; 2) personal injury compensation and direct medical surveillance and treatment for persons who have contracted or shall in the future contract radiation-related illnesses resulting from the nuclear weapons testing program and direct radiological monitoring of people and land for an agreed time, as set forth in PL 95-134 and PL 96-205; and 3) appropriate settlement of displaced Marshallese. Additionally, the agreement should provide for 4) controls over access to affected areas.

1. Land Claims. The United States should be prepared to pay a value up to the outright purchase price for radiation-damaged land. Ten million dollars would appear to be a reasonable negotiating ceiling for land claims settlement based on a total of 2,500 acres subject to damage claim at approximately \$4,000 per acre (current estimated fee value of land per acre in the subject area). Due to the fact that no claims have yet been advanced, the above figures are subject to modification, especially in light of the political context of the settlement. For example, the Marshallese have shown in prior base rights negotiations with the Department of Defense that they do not favor traditional commercially recognized methods of land valuation. It should be noted that none of the payments previously made to Marshallese affected by the nuclear testing program are considered by the agencies to have constituted compensation for land damage claims. See Appendix B. Funding for settlement of land claims would be provided through the Department of Defense.

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2. Compensation for Personal Injury, Costs of Medical Surveillance and Treatment, and Radiological Monitoring.

A. Personal Injury Compensation

The United States and the Marshall Islands should negotiate procedures for continuing the provisions of P.L. 95-134 of October 15, 1977, which provides for compassionate and medical compensation for some of the people affected by the March 1, 1954 nuclear test on Bikini Atoll, into the period after Trusteeship termination. See Appendix C. It may be expected that the Marshall Islands will submit additional claims for personal injury compensation for persons on atolls not presently covered by this law. It is not recommended that the USG negotiating team be authorized to extend the scope or dollar limits of personal injury compensation beyond the continuation of P.L. 95-134.

B. Medical Surveillance and Treatment and Radiological Monitoring.

Sec. 102 of P.L. 96-205 of March 12, 1980 directs the Secretary of Interior, after consultations with the affected peoples, the MIG, and appropriate USG agencies, to submit to Congress before January 1, 1981 a plan that will provide the affected people with:

- 1) an integrated, comprehensive health care program including primary, secondary, and tertiary care with special emphasis upon the biological effects of ionizing radiation;
- 2) a schedule for the periodic comprehensive survey and analysis of the radiological status of the atolls to and at appropriate intervals, but not less frequently than once every five years, the development of an updated radiation dose assessment, together with an estimate of the risks associated with the predicted human exposure for each such atoll; and
- 3) an education and information program to enable the people of such atolls to more fully understand nuclear radiation and its effects. See Appendix D.

The periodic radiological survey program should be conducted until such time as the USG decides, after consultation with the MIG and the affected peoples, that it is no longer necessary.

The Department of the Interior is preparing the Congressional report required by P.L. 96-205, with assistance



from other interested Federal agencies. It is expected that this will be a preliminary report, and that it will signal the possibility that the new Administration may seek legislation clarifying the coverage of the statute. A major issue not yet officially resolved is the question of the scope of coverage of the statute.

This report to the Congress, together with proposed legislation that will require OMB approval (and through that process, the views of all interested Federal agencies will be taken into account), should become the U.S. negotiating position for the provision of health care, radiological survey, and radiation programs to the affected people. Preliminary estimates by the Department of Energy and the contractor place the cost of these programs at from \$12 to 27 million annually over the first five years, compared to the current \$3 to 4 million annual cost of the existing medical surveillance and monitoring programs.

3. Settlement of Displaced Marshallese

A. Bikini Settlement and Subsistence Program

The USG should be prepared to pay for the establishment of a suitable new home community or communities for displaced Bikinians until such time as Bikini Island may be ready for rehabilitation, estimated to be at least 60 years from now. The USG should also be prepared to continue to fund a subsistence program for an agreed estimated period of years until the Bikinians attain self-sufficiency. The estimated cost of this program is \$500,000 per year (in FY80 dollars). The Department of the Interior has estimated the full cost of community resettlement, including development of infrastructure, at roughly \$18 million. P.L. 95-348 of 1978 authorized a total of \$15 million for Bikini resettlement and rehabilitation. However, only \$6 million of this total has been appropriated to date, and was used for contributions to the Bikini Trust Fund and temporary improvements on Kili Island, where the majority of Bikinians currently reside.

B. Enewetak Subsistence and Maintenance Program

An expanded subsistence and maintenance program costing \$700,000 per year (in FY82 dollars) will be required for the people of Enewetak, all of whom now have returned to the three southern islands of Enewetak Atoll, for an agreed estimated period of time until the Enewetakese attain self-sufficiency.

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C. Enewetak Settlement

The Engebi people, who inhabited the northern section of Enewetak Atoll before their removal in 1947, have consistently expressed a firm desire to return to Engebi Island. Thus, they view their current residence on Ujelang Atoll and the southern islands of Enewetak Atoll as only temporary. The Secretary of the Interior had decided recently to permit resettlement of Engebi Island only in a number of years after radiation levels have fallen to a safer level, and to establish a trust fund of from \$6 to 10 million to pay for community resettlement. OMB has concluded that the Engebi trust fund shall not be established.

4. Access to Affected Areas. The MIG should assume responsibility for enforcement of limitations, which will be developed in cooperation with the USG, over access and utilization of affected areas. The USG and MIG will mutually determine the technical assistance to be provided by the USG in the exercise of such responsibility. The MIG should assume exclusive responsibility for any claims or damages resulting from the presence of persons in affected areas without USG concurrence.

Summary

The agencies concerned agree that the resolution of the nuclear claims issue with the Marshall Islands within the context of the Compact of Free Association would require the establishment of a nuclear claims delegation and authorization of the following specific maximum negotiating authorities:

1. Approval of a \$10 million ceiling for the settlement of land claims;
2. Continuation of the personal injury compensation program cited in P.L. 95-134, at an unspecified cost;
3. Implementation of the health care, radiological monitoring, and education programs to be developed by the Department of the Interior pursuant to Section 102 of P.L. 96-205, when approved by the USG;
4. Approval of necessary action to effect resettlement of displaced Bikinians at an estimated cost of \$18 million and continued funding of the Bikinian subsistence program at an estimated cost of \$500,000 per year; and

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5. Approval of continued funding of the Enewetakese subsistence program at an estimated cost of \$700,000 per year.

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Attachments:

- Appendix A: Section 177 of the Compact of Free Association
- Appendix B: Statutory Compensation to the People of Micronesia Relating to Damages Incurred from Nuclear Testing
- Appendix C: Section 104 of Public Law 95-134
- Appendix D: Sections 102 and 106 of Public Law 96-205

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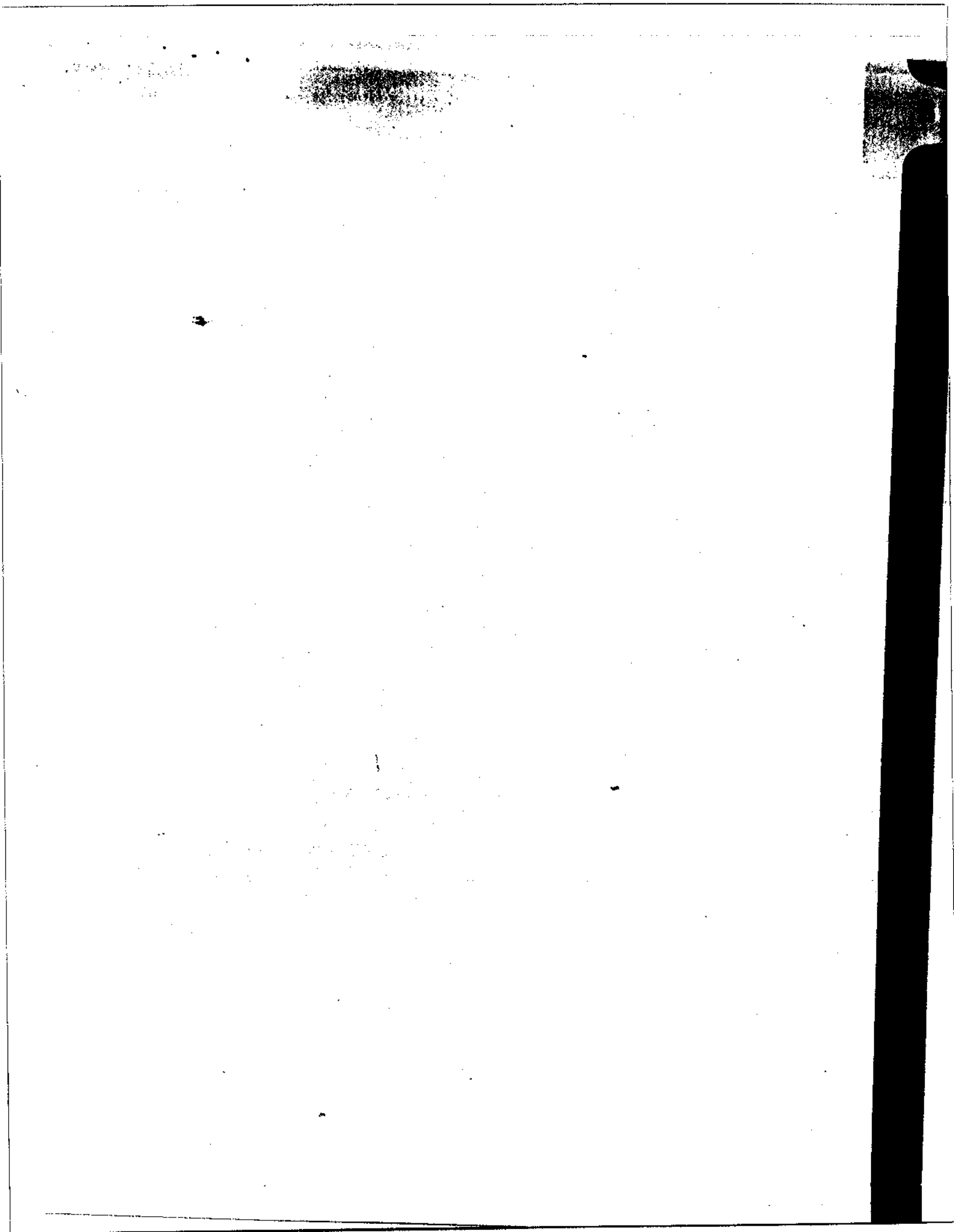
COMPACT OF FREE ASSOCIATION

January 14, 1980

Section 177

(a) The Government of the United States accepts the responsibility for compensation owing to citizens of the Marshall Islands, the Federated States of Micronesia, or Palau for loss or damage to property and person of the citizens of the Marshall Islands, the Federated States of Micronesia or Palau, resulting from the nuclear testing program which the Government of the United States conducted in the Northern Marshall Islands between June 30, 1946, and August 18, 1958.

(b) The Government of the United States and the Government of the Marshall Islands shall set forth in a separate agreement provisions for the just and adequate settlement of all such claims which have arisen in regard to the Marshall Islands and its citizens and which have not as yet been compensated or which in the future may arise, for the continued administration by the Government of the United States of direct radiation related medical surveillance and treatment programs and radiological monitoring activities and for such additional programs and activities as may be mutually agreed, and for the assumption by the Government of the Marshall Islands of responsibility for enforcement of limitations on the utilization of affected areas developed in cooperation with the Government of the United States and for the assistance by the Government of the United States in the exercise of such responsibility as may be mutually agreed. This separate agreement shall come into effect simultaneously with this Compact and shall remain in effect in accordance with its own terms.



Statutory Compensation to the People of Micronesia Relating to  
Damages Incurred from Nuclear Testing

1. Act of August 22, 1964, P.L. 88-854 (78 Stat. 598) provided \$950,000 as compassionate payment to the people of Rongelap for radiation exposures sustained by them as a result of the 1954 Bravo shot. This payment was for general suffering since in 1964 the late effects of thyroid abnormalities had not yet appeared.
  2. In 1969 a \$1,020,000 ex gratia payment was made to the people of Enewetak to compensate them for hardship and suffering due to their removal from Enewetak Atoll in 1947. It should be noted that this was not a statutory act but was provided by transfer of funds from the Air Force to the Department of the Interior.<sup>1/</sup>
  3. Act of June 13, 1975, P.L. 94-34, provided for an ex gratia payment of \$3 million to the people of Bikini. The Act provided that this payment was to be placed in a Bikini Trust Fund.
  4. P.L. 94-367, Department of Defense Military Construction Appropriation Act, 1977, appropriated \$20 million for cleanup of Enewetak Atoll.
  5. P.L. 95-134, Territories of the United States Appropriations Authorization (91 Stat. 1159) authorized \$12,400,000 for rehabilitation and resettlement of Enewetak Atoll. This Act also authorized certain funds to be used by the islands communities of Rongelap, Utirik and Bikini Atolls as well as establishing a table of ex gratia payments for medical injuries to the people of Rongelap and Utirik. The Act also provides for medical care to the fallout victims of Rongelap and Utirik.
  6. P.L. 95-348, United States Insular Areas Appropriation Authorization of 1978, under the Bikini Resettlement section authorized an additional \$3,000,000 to be held in trust pursuant to the trust agreement established by P.L. 94-34. This additional \$3,000,000 was appropriated in P.L. 95-467 and placed in the Bikini Trust Fund in 1978. P.L. 95-467 also appropriated \$3,000,000 for Bikini resettlement purposes and these funds have been used for the temporary rehabilitation of Kili following the return of some 145 Bikinians to Kili and Ejit in August 1978 from Bikini Island and for costs incurred in exploration of possible temporary resettlement areas.
- <sup>1/</sup> In 1956, \$175,000 was paid to the people of Enewetak in a "Use Agreement". Of this amount, \$150,000 was placed in a trust fund. At the same time, \$325,000 was given to the people of Bikini in a "Use Agreement" of which \$300,000 was placed in a trust fund. Funds for these "Use Agreements" did not come from specific statutory acts but from monies transferred to the High Commissioner of the Trust Territory by the Department of the Navy.

C



PUBLIC LAW 95-134

October 15, 1977

Sec. 104. (a) In addition to appropriations authorized to compensate inhabitants of Rongelap Atoll and Utirik Atoll in the Trust Territory of the Pacific Islands for radiation exposure sustained by them as a result of a thermonuclear detonation at Bikini Atoll in the Marshall Islands on March 1, 1954, pursuant to the Act of August 22, 1964 (78 Stat. 598), effective October 1, 1977, there are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this section and the Secretary of the Interior (hereafter in this section referred to as the "Secretary") is authorized and directed to make the payments as hereafter provided in this paragraph to individuals, or to their heirs or legatees, as the case may be, who were on March 1, 1954, residents on Rongelap Atoll or Utirik Atoll in the Marshall Islands:

(1) the Secretary shall pay \$25,000 to each such individual from whom the thyroid gland or a neurofibroma in the neck was surgically removed, or who has developed hypothyroidism, or who develops a radiation-related malignancy, such as leukemia.

(2) The Secretary shall pay \$1,000 to each individual who, on such date, was a resident on Utirik Atoll.

(3) Where circumstances warrant, as he shall determine, the Secretary shall pay an amount not in excess of \$25,000 as he determines to be an appropriate compassionate compensation to each individual who has suffered any physical injury or harm from a radiation-related cause, [even if such an individual has been compensated under paragraph (1) of this section.]\*

(4) In addition to the payments provided in paragraphs (1), (2), and (3) of this subsection, the Secretary shall provide by appropriate means adequate medical care and treatment for any person who has a continuing need for the care and treatment of any radiation injury or illness directly related to the thermonuclear detonation referred to in paragraph (a) of this section. The costs of such medical care and treatment shall be assumed by the Administrator of the Energy Research and Development Administration.

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\*Amended by Section 103, P.L. 96-205 of March 12, 1980.

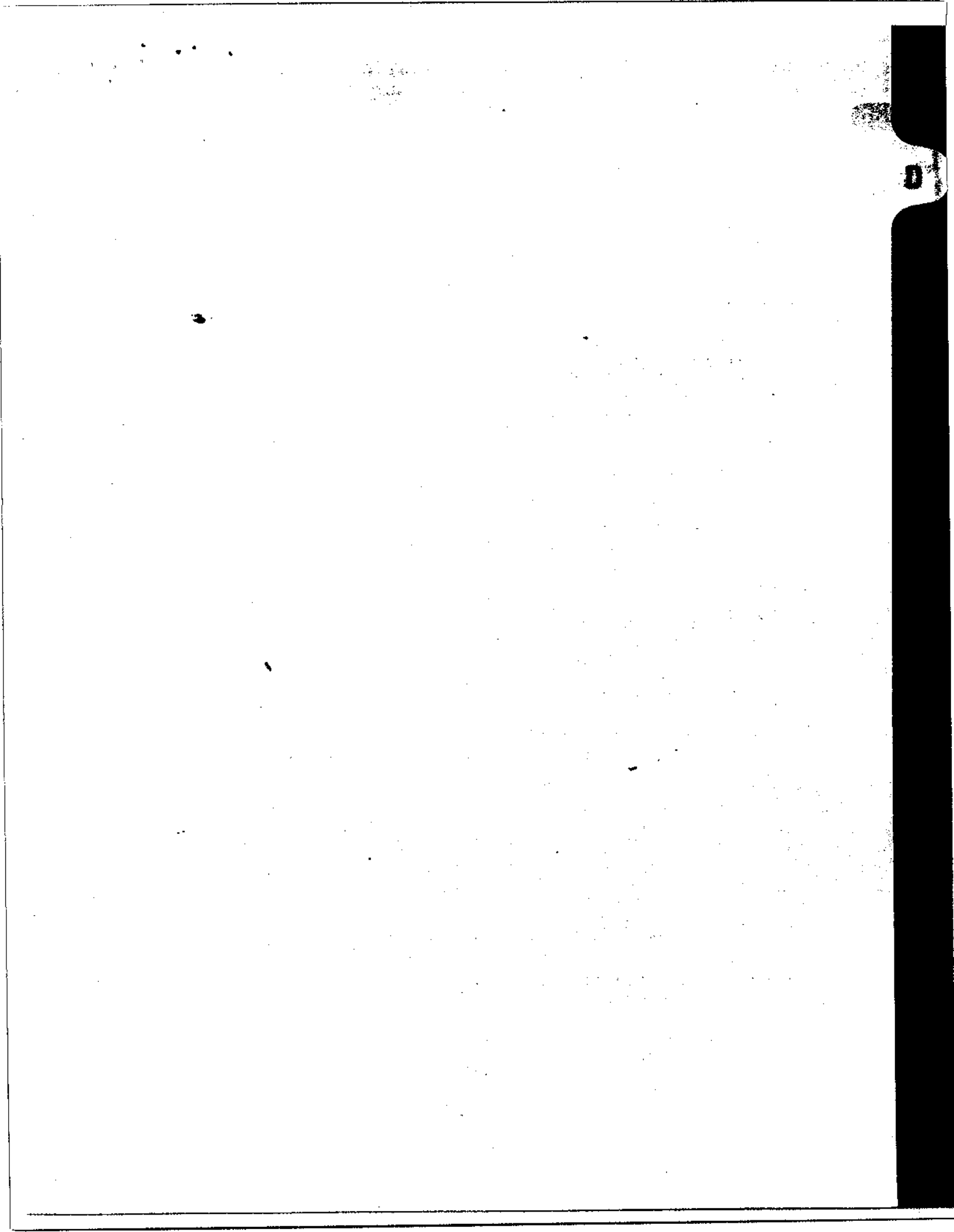
(5) Not later than December 31, 1980, the Secretary shall report to the appropriate committees of the United States Congress for their consideration what, if any, additional compassionate compensation may be justified for those individuals continuing to suffer from injuries or illnesses directly related to radiation resulting from the thermonuclear detonation referred to in paragraph (a) of this section.

In the case of the demise of any individual entitled to receive payment under this section who expires before receiving such payment, the Secretary shall pay the amount which that individual would have been entitled to receive under this section to the heirs or legatees of such individual, in accordance with an appropriate method of distribution per stirpes, and not per capita. Where the demise of any individual eligible for payment under paragraph (1) or (3) supra is directly related to the thermonuclear detonation referred to in paragraph (a) of this section, the Secretary may make an additional compassionate payment not to exceed \$100,000 to the heirs or legatees of such individual. In determining the amount of such payment the Secretary shall consider, but is not limited to, the following: any payments which the deceased has received or would have been eligible to receive under this section, and loss of support, services, or contributions to the heirs or legatees.

Sec. 104. (c) A payment made under the provisions of this section shall be in full settlement and discharge of all claims against the United States arising out of the thermonuclear detonation on March 1, 1954.

Sec. 104. (d) The decisions of the Secretary in allowing or denying any claim for payment under this section shall be final and conclusive on all questions of law and fact and not subject to review by any other official of the United States, or by any court by mandamus or otherwise.

Sec. 104. (e) The Secretary is authorized to make such rules and regulations as he determines necessary to carry out the provisions of this section.



PUBLIC LAW 96-205

March 12, 1980

Sec. 102. The Act entitled "An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes" (91 Stat. 1159; Public Law 95-134) is amended by inserting after Section 105, the following new section:

Sec. 106. (a) In addition to any other payments or benefits provided by law to compensate inhabitants of the atolls of Bikini, Enewetak, Rongelap, and Utirik, in the Marshall Islands, for radiation exposure or other losses sustained by them as a result of the United States nuclear weapons testing program at or near their atolls during the period 1946 to 1958, the Secretary of the Interior (hereinafter in this section referred to as the 'Secretary') shall provide for the people of the atolls of Bikini, Enewetak, Rongelap, and Utirik and for the people of such other atolls as may be found to be or to have been exposed to radiation from the nuclear weapons testing program, a program of medical care and treatment and environmental research and monitoring for any injury, illness, or condition which may be the result directly or indirectly of such nuclear weapons testing program. The program shall be implemented according to a plan developed by the Secretary in consultation with the Secretaries of Defense, Energy, and Health, Education and Welfare and with the direct involvement of representatives from the people of each of the affected atolls and from the government of the Marshall Islands. The plan shall set forth, as appropriate to the situation, condition, and needs of the individual atoll peoples:

(1) an integrated, comprehensive health care program including primary, secondary, and tertiary care with special emphasis upon the biological effects of ionizing radiation;

(2) a schedule for the periodic comprehensive survey and analysis of the radiological status of the atolls to and at appropriate intervals, but not less frequently than once every five years, the development of an updated radiation dose assessment, together with an estimate of the risks associated with the predicted human exposure for each such atoll; and

(3) an education and information program to enable the people of such atolls to more fully understand nuclear radiation and its effects.

for dispatch: 6/06  
9:15 AM

THE WHITE HOUSE  
WASHINGTON

David

6/5

The President spent a great deal of time on the Micronesia memo and made a number of rather specific decisions. Nick has incorporated these in the proposed PD.

I have checked it over and believe you can forward it on to ZB.

us.

Declassification Release 9/16/95  
under provisions of E.O. 12356  
by D. Van Tassel, National Security Council  
(193-249)

6/5/79  
DA  
AEM  
signed  
39

NATIONAL SECURITY COUNCIL

CONFIDENTIAL

June 4, 1979

UNCLASSIFIED  
WITH SECRET ATTACHMENT  
ACTION

CRITICAL DATE: 6/5.

MEMORANDUM FOR: ZBIGNIEW BRZEZINSKI  
FROM: NICK PLATT *NP*  
SUBJECT: Micronesia Status Negotiations *(c)*

I attach a Presidential Directive on the Micronesia Status Negotiations which presents the President's decisions on the financial assistance items under consideration. For your reference, the decision package is attached at Tab II. *(c)*

Recommendation

That you sign the Presidential Directive at Tab I.

Declassified/Released on 9/6/95  
under provisions of E.O. 12356  
by C. Van Tassel, National Security Council  
*(F87-249)*

UNCLASSIFIED  
CONFIDENTIAL WITH SECRET ATTACHMENT  
Classified by Nick Platt  
Review June 4, 1985  
DECLASSIFY ON: OADR

THE WHITE HOUSE  
WASHINGTON  
6/4/79

Zbig Brzezinski

The attached was returned in  
the President's outbox today  
and is forwarded to you for  
appropriate handling.

Rick Hutcheson

cc: Jim McIntyre

SECRET ATTACHMENT

NP  
see the P. decisions  
in memo, memo  
23  
see disjunctive memo  
23

Declassified/Released on 9/6/95  
under provisions of E.O. 12356  
by D. Van Tassel, National Security Council  
(FBI-249)

**UNCLASSIFIED**

NATIONAL SECURITY COUNCIL

~~CONFIDENTIAL~~

May 10, 1979

ACTION

MEMORANDUM FOR: ZBIGNIEW BRZEZINSKI

FROM: NICK PLATT *NP*

SUBJECT: Proposed PRC Meeting on Micronesia Status Negotiations (U)

The Micronesia Interagency Group has determined that the financial arrangements authorized under PD-11 will be insufficient to conclude a satisfactory political arrangement with the three Micronesian entities. The Interagency Group is finalizing a new financial package for PRC consideration which would secure the free association relationship we have been pursuing. *(S)*

Ambassador Peter Rosenblatt has invited the Micronesian leadership to attend a Chiefs of Delegation meeting starting May 29. We will need to schedule a PRC meeting early during the week of May 21 to consider modification of Ambassador Rosenblatt's instructions. *(S)*

RECOMMENDATION:

That you approve scheduling a PRC meeting on Micronesia early next week.

Approve           ✓           Disapprove                                 

**UNCLASSIFIED**

Declassified/Released *9/16/95*  
under provisions of E.O. 12356  
by D. Van Tassel, National Security Council  
*(FBI 749)*

DERIVATIVE CL BY State/Tarnoff  
 DECL  REVW ON May 8, 1985

EXT BYND 6 YEARS BY \_\_\_\_\_  
REASON \_\_\_\_\_

DECLASSIFY ON: OADR



NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

SA

~~UNCLASSIFIED~~  
~~WITH SECRET SENSITIVE~~  
~~ATTACHMENT~~

October 16, 1979

MEMORANDUM FOR:

THE VICE PRESIDENT  
THE SECRETARY OF STATE  
THE SECRETARY OF THE TREASURY  
THE SECRETARY OF DEFENSE  
THE SECRETARY OF COMMERCE

ALSO:

THE DIRECTOR, OFFICE OF MANAGEMENT  
AND BUDGET  
THE UNITED STATES REPRESENTATIVE  
TO THE UNITED NATIONS  
THE CHAIRMAN, JOINT CHIEFS OF STAFF  
THE DIRECTOR OF CENTRAL INTELLIGENCE  
THE DIRECTOR, INTERNATIONAL  
COMMUNICATION AGENCY  
THE ADMINISTRATOR, INTERNATIONAL  
DEVELOPMENT COOPERATION ADMINISTRATION

SUBJECT:

Presidential Directive on U. S. Policy  
to Cuba

Attached for your information is a revised copy of the Presidential  
Directive on U. S. Policy to Cuba.

Changes were made in the first (partial) paragraph of page 2.  
The rest of the document remains unchanged.

  
Christine Dodson  
Staff Secretary

~~UNCLASSIFIED~~  
~~WITH SECRET SENSITIVE~~  
~~ATTACHMENT~~  
~~UNCLASSIFIED~~

Declassify/Released: 1/2/95  
under provisions of E.O. 12356  
by D. Van Tassel, National Security Council  
(F88-205)