

EXECUTIVE ORDER NO. 117

Creating a Committee to Review and Advise the President regarding the Compact of Free Association and Modifications thereto.

WHEREAS, the Proposed Compact of Free Association (hereinafter the "Compact") has failed to obtain the approval of 75% of the voters in seven votes over the years as required in order for the Compact to be in conformance with the Constitution of the Republic; and

WHEREAS, on November 4, 1992 a Referendum to amend the Constitution (hereinafter the "Referendum") to remove inconsistencies between the Constitution and the Compact and to thereby lower the voting requirement for approval of the Compact from 75% to 50% was held in accordance with Article XIV, Section 1 (b) of the Constitution and pursuant to RPPL No. 3-76; and

WHEREAS, the people of Palau have clearly expressed their desire to resolve the issue of our nation's Political Status and have indicated a desire to enter into a relationship of Free Association with the United States; and

WHEREAS, litigation regarding the Referendum is pending and it is not the intent of this Executive Order to in any way interfere with or otherwise effect such litigation; and

WHEREAS, the Referendum received the votes necessary for passage and has been so certified by the Election Commission: and

WHEREAS, RPPL No. 3-76 states that a plebiscite on the Compact shall not be held until after important modifications to the Compact have been made, such modifications being primarily in regard to; separation of the nuclear related provisions from the Compact; reduction or elimination of United States military land use from the Compact; reduction of the 50 year term in the Compact to 15 years; continuation of the Republic's eligibility for United States Federal Programs under the Compact; lifting import quotas and the imposition of duty on export items from the Republic into the United States, and; improvements to the Republic's transportation and communication systems (hereinafter collectively the "Modifications");

NOW, THEREFORE, it is hereby Ordered that there be, and is hereby created, a Compact of Free Association Advisory Review Committee ("COFA ARC") which shall review the Compact and all Subsidiary Agreements to the Compact; advise the President on which Modifications are appropriate in order to ensure that the Compact is fair to all parties concerned, and; initiate a dialogue with the appropriate agencies of United States Government regarding the Modifications.

COFA ARC shall consist of the following:

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| 1. Kaleb Udui, Jr. | Chairperson |
| 2. Roberta Louch | Vice Chairperson |

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| 3. Roman Bedor | Member |
| 4. Satrunino Tewid | Member |
| 5. Kalistus Wasisang | Member |
| 6. Steve Kanai | Member |
| 7. Surangel Whipps, Jr. | Member |

COFA ARC shall have its first meeting on Monday, February 1, 1993 and shall complete its work and submit its report to the President on or before Wednesday, March 31, 1993.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my Official Seal this 28th day of January, 1993, in the State of Koror, Republic of Palau.

Signed this 28th day of January, 1993.

Kuniwo Nakamura
President of the Republic of Palau