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O 240538Z NOV 71 ZFF-4 *NOV 24, 71*
FM COMTWELVE/COMNAVBASE SFRAN
TO SECSTATE WASHDC

UNCLAS SEC I OF II
AMBASSADOR FRANKLIN HAYDN WILLIAMS ORIGINATES; SECSTATE FOR
AMBASSADOR ARTHUR HUMMEL JR., OFFC MICRONESIAN STATUS NEGOTIATIONS;
AND FOR MR. ARMITAGE, OFFC UNITED NATIONS POLITICAL AFFAIRS.
TEXT FOLLOWS:

NOVEMBER/23, 1971

DEAR SENATOR SALII AND CONGRESSMAN SILK:
1. I AM WRITING THIS LETTER TO YOU AND THE MEMBERS OF THE JOINT
STATUS COMMITTEE AS AN OFFICIAL RESPONSE TO THE KIND INVITATION
WHICH WAS EXTENDED TO THE AMERICAN DELEGATION TO HOLD THE FOURTH
ROUND OF TALKS IN PALAU IN LATE DECEMBER AND EARLY JANUARY PRIOR
TO THE CONVENING OF THE NEXT REGULAR SESSION OF THE CONGRESS OF
MICRONESIA.
2. THE U.S. APPRECIATED THIS INVITATION AND I WISH TO ASSURE THE
JOINT STATUS COMMITTEE THAT WE ARE LOOKING FORWARD TO A RESUMPTION
OF OUR COMMON ENDEAVOR AND BUILDING ON THE SUBSTANTIAL PROGRESS
THAT HAS ALREADY BEEN MADE TOWARD AN AGREEMENT WHICH WILL SERVE THE
BEST LONG-TERM INTERESTS OF BOTH PARTIES.

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3. MY GOVERNMENT HAS BEEN GIVING CAREFUL THOUGHT TO THE VIEWS YOUR
SIDE PRESENTED TO US AT HANA, AND I AM SURE THAT THE JOINT STATUS
COMMITTEE HAS ALSO BEEN REVIEWING AND REFLECTING ON THE NEW PROPOSALS
WHICH WE SET FORTH IN OCTOBER FOR YOUR CONSIDERATION. WITH REGARD
TO YOUR INVITATION, WE ALSO BELIEVE THAT IT IS IMPORTANT THAT WE PRO-
CEED SOON TO ANOTHER ROUND OF FORMAL NEGOTIATIONS. HOWEVER WE WOULD
LIKE TO SUGGEST THAT THE NEXT ROUND BE HELD IN MICRONESIA AFTER THE
CONCLUSION OF YOUR NEXT CONGRESSIONAL SESSION RATHER THAN IN DECEMBER
OF THIS YEAR.
4. OUR CONCERN IS WITH THE NEED FOR ADEQUATE TIME FOR NECESSARY PREPAR-

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ATIONS IN ORDER TO MAKE THE FOURTH ROUND OF TALKS AS FRUITFUL AS POSSIBLE. GIVEN THE SIGNIFICANT CHANGES IN OUR OCTOBER 1971 PROPOSALS FROM THOSE OF MAY 1970, IT WAS OUR THOUGHT ALSO THAT MEMBERS OF YOUR DELEGATION MIGHT WISH TO DISCUSS THEM THOROUGHLY WITH THEIR DISTRICTS AND WITH YOUR CONGRESS PRIOR TO OUR NEXT MEETING.

5. LIKewise, WE ARE IN THE PROCESS OF FURTHER GOVERNMENTAL REVIEW OF THOSE ISSUES WHICH WERE UNRESOLVED AT HANA OR DEFERRED FOR LATER NEGOTIATION. THIS INVOLVES, AS YOU KNOW, INTERDEPARTMENTAL CONSULTATIONS WITHIN THE EXECUTIVE BRANCH AND WITH THE CONGRESS OF THE UNITED STATES. THE TALKS AT HANA SURFACED SEVERAL NEW QUESTIONS OF BOTH A

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POLICY AND TECHNICAL NATURE WHICH WE ARE IN THE PROCESS OF STUDYING. IN OUR JUDGEMENT THE CALLING OF ANOTHER MEETING PRIOR TO BOTH SIDES BEING FULLY PREPARED TO RESPOND TO ALL OF THE REMAINING ISSUES AT HAND

WOULD NOT BE AS PRODUCTIVE AS A LATER MEETING. IT IS FOR THIS REASON THAT WE WOULD LIKE TO PROPOSE THAT OUR NEXT FORMAL MEETING BE DEFERRED

UNTIL AFTER YOUR NEXT CONGRESSIONAL SESSION IS OVER.

6. AT THAT TIME WE WOULD BE READY AND PLEASED TO MEET WITH THE JOINT STATUS COMMITTEE IN MICRONESIA TO DISCUSS AREAS IN WHICH FURTHER CLARIFICATION IS REQUIRED IN ORDER TO REACH AGREEMENT, TO NEGOTIATE SPECIFIC TERMS OF AGREEMENTS IN THOSE AREAS WHERE SUBSTANTIAL UNDERSTAND-

INGS IN PRINCIPLE HAVE ALREADY BEEN REACHED, AND FINALLY TO WORK TOWARD AGREEMENT ON THOSE QUESTIONS WHICH REMAIN TO BE RESOLVED.

7. WE WOULD ALSO BE PREPARED AT OUR NEXT FORMAL WORKING SESSION TO BEGIN THE IMPORTANT PROCESS OF TRANSLATING OUR PRELIMINARY AGREEMENTS IN PRINCIPLE INTO MUTUALLY ACCEPTABLE LANGUAGE OF A DRAFT COMPACT OF ASSOCIATION TO BE SUBMITTED TO YOUR CONGRESS, TO THE U.S. CONGRESS AND ULTIMATELY TO THE MICRONESIAN PEOPLE FOR THEIR APPROVAL IN ORDER TO FACILITATE THIS TASK AND TO PREPARE FOR THE DRAFTING THAT WILL BE REQUIRED WE WOULD BE PLEASED IN THE NEAR FUTURE TO EXCHANGE NOTES WITH YOU AS TO THE FORM, OUTLINE AND ESSENTIAL ELEMENTS TO BE

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INCLUDED IN THE DRAFT COMPACT.

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8. LOOKING BACK AT THE HANA TALKS, WE WERE PLEASED WITH YOUR DELEGATION'S ACKNOWLEDGEMENT OF THE PROGRESS THAT WAS MADE IN YOUR CLOSING REMARKS AND IN POST-HANA STATEMENTS. WE, TOO, FELT THAT SIGNIFICANT STEPS HAD BEEN TAKEN AND WE REMAIN OPTIMISTIC THAT THE REMAINING DIVERGENCIES CAN BE BRIDGED BY FURTHER AGREEMENT AND ACCOMMODATION.

9. OUR ACHIEVEMENTS AT HANA WERE SUMMARIZED IN YOUR CONCLUDING REMARKS

UNDER "AREAS OF AGREEMENT." YOUR LIST INCLUDED THE FOLLOWING:

(1). THE PEOPLE OF MICRONESIA WILL HAVE THE RIGHT TO CHOOSE THEIR OWN GOVERNMENT--THEIR OWN FUTURE POLITICAL STATUS--THROUGH A SOVEREIGN ACT OF SELF-DETERMINATION.

(2). THE PEOPLE OF MICRONESIA WILL HAVE THE RIGHT TO WRITE, ADOPT AND AMEND THEIR OWN CONSTITUTION; THE U.S. WOULD NOT HAVE THE RIGHT OF AMENDMENT AND THE MICRONESIAN CONSTITUTION WOULD NOT HAVE TO BE CONSISTENT WITH THE CONSTITUTION OF THE UNITED STATES.

(3). THE POWERS OF THE UNITED STATES IN MICRONESIA AFTER TERMINATION OF THE TRUSTEESHIP WOULD BE LIMITED TO THOSE SET OUT IN A COMPACT OF ASSOCIATION AS AGREED UPON BY MUTUAL CONSENT.

(4). WITH THE COMING INTO FORCE OF A NEW COMPACT OF ASSOCIATION, MICRONESIAN LANDS WILL BE UNDER THE CONTROL OF THE PEOPLE OF

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MICRONESIA AS AGREED IN THE COMPACT.

(5). UNDER THE TERMS OF THE COMPACT OF ASSOCIATION THE UNITED STATES WOULD BIND ITSELF LEGALLY NOT TO EXERCISE EMINENT DOMAIN.

(6). UNDER A NEW POLITICAL STATUS, THE U.S. WOULD ACQUIRE LAND IN MICRONESIA ONLY WITH MICRONESIAN CONSENT AND ONLY IN ACCORDANCE WITH MICRONESIAN LAW.

(7). AND FINALLY YOU STATED CORRECTLY OUR MUTUAL UNDERSTANDING, THAT

AGREEMENTS REACHED DURING THE DISCUSSIONS AT HANA WILL REMAIN PRELIMINARY UNTIL BOTH OUR DELEGATIONS ARE FULLY AWARE OF OUR RESPECTIVE POSITIONS ON THE FULL RANGE OF ISSUES TO BE RESOLVED.

10. THE ABOVE AGREEMENTS IN PRINCIPLE WERE BASED LARGELY ON THE NEW PROPOSALS PUT FORWARD BY THE U.S. IN RECOGNITION OF THE KNOWN DESIRES OF THE CONGRESS OF MICRONESIA AND IN A SINCERE ATTEMPT ON OUR PART TO ACCOMMODATE THE ASPIRATIONS OF THE PEOPLE OF MICRONESIA.

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11. AT THE SAME TIME THE U.S. REEMPHASIZED ITS BASIC INTERESTS IN THE AREA, INTERESTS WHICH VARIOUS STATUS REPORTS TO THE CONGRESS OF MICRONESIA HAVE CONSISTENTLY RECOGNIZED. WHILE YOUR STATEMENTS AT HANA INDICATED AN ACCEPTANCE OF THE VALIDITY OF THESE INTERESTS, THEY

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WERE NOT IN FACT SPECIFICALLY INCLUDED IN YOUR SUMMARY OF THE SEVEN "AREAS OF AGREEMENT." BEFORE PROCEEDING TO ANY FINAL AGREEMENT THE UNITED STATES WOULD HAVE TO HAVE TO HAVE FIRM COMMITMENTS THAT ITS BASIC INTERESTS WOULD BE MET. IN TURN AS WE HAVE ALREADY STATED WE WOULD BE PREPARED TO ENTER INTO COM-

MITMENTS THAT WOULD LIKEWISE OFFER FULL PROTECTION TO BASIC MICRONESIAN INTERESTS.

12. OUR OCTOBER 1971 PROPOSALS WERE DESIGNED SPECIFICALLY TO TAKE INTO ACCOUNT THE CONCERNS OF YOUR CONGRESS AND THE PEOPLE OF MICRONESIA FOR SELF-GOVERNMENT, CONTROL OVER YOUR OWN LANDS, AND THE MEANS FOR YOU TO PROTECT AND PRESERVE YOUR OWN IDENTITY, YOUR CULTURAL VALUES, AND YOUR

TRADITIONAL HERITAGE. THE CHANGES IN THE AMERICAN POSITIONS AS PUT FORTH AT HANA FROM EARLIER PROPOSALS OF MY GOVERNMENT WERE DESCRIBED BY YOUR DELEGATION AS BEING OF SIGNIFICANT IMPORTANCE. WE FEEL THAT THIS WAS TRUE ALSO OF OUR NEW PROPOSAL WITH RESPECT TO THE RIGHTS OF BOTH PARTIES TO REQUEST A FUTURE CHANGE IN OUR RELATIONSHIP BY AMENDING THE COMPACT OF ASSOCIATION OR BY REVOCATION BY MUTUAL CONSENT.

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13. AS YOU KNOW, IN MAY 1970 THE U.S. INVITED THE PEOPLE OF MICRONESIA
TO CONSIDER BECOMING PERMANENTLY ASSOCIATED WITH THE U.S. AS A PART OF

THE AMERICAN FAMILY. THE COMMONWEALTH PROPOSAL WAS CONSIDERED TO BE
UNACCEPTABLE BY THE CONGRESS OF MICRONESIA IN ITS PRESENT FORM. OUR
NEW POSITION, WHILE HOPING AND LOOKING FORWARD TO AN ENDURING AND
MUTUALLY SATISFACTORY FUTURE RELATIONSHIP, ACKNOWLEDGED THAT THE
COMPACT

OF ASSOCIATION SHOULD CLEARLY PROVIDE FOR FLEXIBILITY WITH RESPECT TO
THE TENURE OF THE RELATIONSHIP, TAKING INTO CONSIDERATION THAT FUTURE
CIRCUMSTANCES MIGHT INDEED WARRANT A MODIFICATION OR EVEN A
TERMINATION OF THE ASSOCIATION.

14. WE RECOGNIZE THAT TERMINATION IS ONE IMPORTANT AREA IN WHICH WE
HAVE NOT REACHED AGREEMENT. THIS FAILURE MAY STEM FROM THE FACT THAT TO
DATE

THERE HAS NOT BEEN A FREE AND FULL EXCHANGE OF VIEWS ON THE SUBJECT IN-

CLUDING DISCUSSION OF PROCEDURES. AT HANA WE SAID "THE PROBLEMS THAT
ARE BEFORE US DO NOT CENTER ON JUST ONE ISSUE. -OR IS THIS THE CASE?"

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IF IN FACT TERMINATION IS THE ONLY MAJOR DIFFERENCE SEPARATING US, WE
CAN INDEED FOCUS ON THIS PROBLEM, " AND "WE ARE PREPARED TO LISTEN TO
YOUR FURTHER VIEWS AND DISCUSS THIS IMPORTANT QUESTION WITH YOU..."

15. WE WOULD LIKE TO REPEAT THIS OFFER AND SUGGEST FURTHER THAT IF WE
CAN BE ASSURED THAT U.S. INTERESTS IN THE AREAS OF FOREIGN AFFAIRS AND

DEFENSE WILL BE ACCOMMODATED WITHIN THE TERMS OF THE COMPACT, WE WILL

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BE PREPARED TO ADDRESS THE TERMINATION QUESTION, TAKING INTO FULL ACCOUNT YOUR INTERESTS IN THE MATTER. SPEAKING FOR THE UNITED STATES, I REMAIN CONFIDENT THAT AGREEMENT AND ARRANGEMENTS WITH RESPECT TO CONTROL OF CHANGE IN STATUS CAN BE SATISFIED IN A MANNER THAT WILL BE MUTUALLY ACCEPTABLE ALONG WITH THE OTHER QUESTIONS WHICH REMAIN TO BE RESOLVED.

16. WE APPRECIATE YOUR CONCERNS OVER THE NEED FOR FIRM GUARANTEES WITH RESPECT TO YOUR FUTURE. AS I STATED AT HANA, MY GOVERNMENT SEEKS A "FUTURE BOND BETWEEN YOUR PEOPLE AND MINE... NOT BASED ON DEPENDENCE--

NOT BASED ON UNIFORMITY--AND NOT BASED ON UNEQUAL ADVANTAGE. WE SEEK RATHER A RELATIONSHIP THAT WILL BE MUTUALLY BENEFICIAL TAKING INTO CONSIDERATION THE BASIC INTERESTS OF BOTH PARTIES.

17. WE BELIEVE THAT IT IS ONLY PRUDENT FOR YOUR DELEGATION TO SEEK THE MEANS WHEREBY YOUR DESIRES TO MAINTAIN YOUR IDENTITY, TO REMAIN

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MICRONESIANS, AND TO HAVE FULL CONTROL OVER YOUR INTERNAL AFFAIRS, ARE

FULLY PROTECTED. WE ARE IN COMPLETE AGREEMENT WITH THESE OBJECTIVES AND WOULD SUGGEST THAT EVERY PRECAUTION BE TAKEN TO ASSURE THAT THE COMPACT OF ASSOCIATION GUARANTEES THAT THESE RIGHTS BE CLEARLY AND SPECIFICALLY RECOGNIZED AND ADHERED TO WITHOUT DEVIATION FOR AS LONG AS THE COMPACT MAY BE IN EFFECT. YOU CAN BE ASSURED THAT MY GOVERNMENT

WOULD LIVE UP TO WHATEVER RESPONSIBILITIES, INCLUDING ITS OBLIGATIONS TO MATERIALLY BENEFIT THE PEOPLE OF MICRONESIA, THE UNITED STATES WOULD

ASSUME UNDER THE TERMS OF THE COMPACT.

18. MY GOVERNMENT WOULD BE PLEASED TO HAVE ANY FURTHER VIEWS OR QUESTIONS YOU MIGHT HAVE WITH RESPECT TO THE NATURE OF THE COMMITMENTS WHICH

WE ARE WILLING TO ENTER INTO IN THIS REGARD. ALSO, AMBASSADOR HUMMEL AND I WOULD BE PLEASED TO MEET WITH YOU IN SAN FRANCISCO OR WITH YOU AND CONGRESSMAN SILK IN MICRONESIA IN THE NEAR FUTURE TO DISCUSS IN GREATER DETAIL THE NEXT ROUND OF TALKS AND THE FURTHER PREPARATORY WORK

THAT MAY BE NECESSARY PRIOR TO OUR NEXT MEETING.

19. I CLOSE, ONCE AGAIN, THANKING YOU BOTH AND THE OTHER MEMBERS OF

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THE JOINT STATUS COMMITTEE FOR MEETING WITH US IN HAWAII. I WOULD ALSO
LIKE TO REITERATE HOW PLEASED WE WERE WITH THE PROGRESS MADE AT THE

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HANA TALKS, WITH THE SPIRIT AND ATMOSPHERE OF MUTUAL UNDERSTANDING
SHOWN THERE, AND WITH THE VERY PROMISING PROSPECTS FOR FURTHER PRO-
GRESS TOWARD FULL AGREEMENT.

WITH BEST WISHES, I REMAIN

SINCERELY YOURS,

FRANKLIN HAYDN WILLIAMS
THE PRESIDENT'S PERSONAL REPRESENTATIVE
FOR MICRONESIAN STATUS NEGOTIATIONS

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