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TTPI-MARIANA

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

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Memorandum

To: Ambassador Franklin Hayden Williams
Office of Micronesian Status Negotiations
Through: Assistant Secretary - Public Land
Management

From: Deputy Assistant Secretary for Territorial
Affairs

Subject: Marianas Options Paper

This is in response to your request of August 9, 1972, for a United States Government options paper on the future political status of the Mariana Islands District. We would first direct your attention to our memorandum of September 14, 1971, which discussed this subject in some detail. That document is still fairly current in our view, and looks at the problem from a somewhat different standpoint.

A. The Problem.

Based on the assumption the Mariana Islands District is headed for a political status solution separate from the remainder of Micronesia and in closer association with the United States, what is its preferred status from the U.S. point of view?

B. Background.

The Marianas have a history of cultural, political, and emotional isolation from the remainder of Micronesia. Culturally, the Chamorro people of the Marianas have little in common with the rest of Micronesia. Their traditional island culture was largely superseded by the Spanish influence which is still dominant today. Based at least partly on this lack of a traditional island acculturation, the traditional people of the Marianas have tended to be receptive to the culture and ways of the foreign power dominant in their area. Thus, as a result of U.S. presence in Micronesia for a quarter-century and in Guam for much longer, the Chamorros, who

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were probably more Western-oriented than most other Micronesians to begin with, have become quite conversant with the American/Guamanian way of life. They are desirous of ensuring continuation of the standard of living which they now have, and would like to improve their material well-being just as the people of Guam have done. The people of the other districts talk constantly about preserving the traditional customs; the Chamorros, however, have little to go back to, and hence have the choice of cultural and economic stagnation in a union with the other districts, or of charting a course of their own. It should be noted, however, that about one-third of the population of Saipan is made up of Carolinians or other non-Chamorros, who have remained somewhat estranged from the dominant Chamorros despite living on Saipan for generations. These people still retain some identification with home areas, and do not necessarily follow Chamorro thinking on social or political matters.

Politically, the Marianas have also been somewhat estranged from the rest of Micronesia. Following the securing of Saipan and Tinian during World War II, these islands were prepared for an invasion of Japan, which included the construction of roads, airstrips, etc., as well as the internment of the native people. Life was quieter after the war, and the TTPI was transferred to Interior Department administration by the Navy, which had been the responsible agency since 1947. In the mid-1950's Saipan and Tinian were returned to Navy administration--presumably for the security and isolation of the alleged CIA training facility there--while the rest of the district remained under Interior and was administered from Rota. This situation lasted until the early 1960's at which time the Northern Marianas were reunited under Interior stewardship.

The essential point is that the Marianas citizenry have since World War II had consistent and close contact with the United States, and in particular, with U.S. military personnel and operations. This has been heightened by proximity to Guam, which has become the "big city" to most people in the Marianas. Thus, lacking close identification with the people of the other, more traditional districts of Micronesia, the people of the Marianas look to Guam, Hawaii and the U.S. Mainland for guidance, prosperity, and security.

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C. Movement for Separate Status.

The movement for a separate status for the Marianas goes back to the early 1960's, and since that time the Marianas District Legislature has been the prime mover in the effort, putting its limited weight behind numerous resolutions directed at the Congress of Micronesia, Guam, the United States and the United Nations.

The Marianas separation movement maintained as its optimum goal throughout the 1960's a political union with the Territory of Guam, more often referred to as "reintegration with Guam." The two arguments most often put forth to support this union were that it was the quickest way for the people of the Marianas to attain U.S. citizenship, as well as to achieve a more rapid rate of economic development. For the political parties in the Marianas, "reintegration" was the major issue at stake, with the Popular Party strongly favoring union with Guam, and the Territorial Party tending to view the situation through Micronesian eyes (with the support of most of the Carolinian population of Saipan), preferring to maintain the unity of the Trust Territory. Nevertheless, extensive contacts were made with the Guam Legislature, which body went so far as to establish the Pacific Conference of Legislators for, apparently, the primary purpose of joining the Guam and Marianas District Legislatures together to "fan the flames" of reintegration in each jurisdiction.

The reintegration movement flourished in the late 1960's but lost its momentum as the result of a series of events in 1969-1970. First, the Congress of Micronesia Political Status Commission expressed, in May 1969, its support for an undefined status of free association for Micronesia, and in October, in a somewhat altered form, entered into actual negotiations toward that goal with a United States team. This was the first round of serious discussions held on the subject of Micronesia's future, and probably fostered a "wait and see" attitude in the Marianas.

Next, in November 1969, two informal plebiscites were held in Guam and the Marianas, sponsored and coordinated by the respective legislatures. The first balloting was conducted on Guam, where, in an extremely light turnout

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(32 percent of those eligible), local voters rejected by a margin of 3,720 to 2,688 the concept of a union of the Marianas with Guam. Various reasons were given for this negative mandate, including a failure of Guamanian leaders to educate the voters and some apprehension that Saipan would be a drain on Guam's limited public capital and resources. Despite this rebuff, the Marianas voters turned out in heavy numbers a week later to support reintegration by a wide margin, with free association a distant second choice (1942 to 1116, with 107 for unincorporated territory status, and 40 for independence). The final blow to the strength of the reintegration movement was the presentation to the Micronesian delegation by Assistant Secretary Loesch, in May 1970, of the U.S. Commonwealth proposal, which was readily endorsed by the Marianas leadership. [See attachments]

The Congress of Micronesia, however, by joint resolution rejected the Commonwealth proposal in August 1970, and endorsed the so-called "Four Principles" as the basis for a status of Free Association with the United States. Indeed, a majority of the Congressmen from the Marianas, members of the Territorial Party, voted with the majority. The local result of the resolution and the Marianas representatives' voting pattern was a hard campaign that autumn on the status issue, resulting in a landslide in November 1970 for the Popular Party candidates, who supported the U.S. proposal, at both the Congress of Micronesia and district levels. The Popular Party leadership has since that time worked consistently and with little apparent local opposition toward the goal of a separate close association of the Marianas with the United States, outside of any status arrangement for the remainder of Micronesia. The dual goals still appear to be U.S. citizenship and more rapid economic development, although there is also increased concern over avoiding outside control from the Congress of Micronesia, and to a lesser degree from the U.S. Government. The particular status vehicle for achieving these goals, however, has not been clearly identified or described by the Marianas leadership.

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D. U.S. Goals in the Marianas.

The long-range goals of the United States in the Marianas are essentially the same as for the remainder of Micronesia (as stated at pages 6-10 of the January 15, 1971 Options Paper to the Under Secretaries Committee): 1) successful termination of the Trusteeship; 2) accession of the islands to the U.S. system; and 3) the strategic goals of denying the area to foreign military, and the ability to acquire long-term use of land and to establish and operate military bases thereon.

E. Optional Approaches.

There are three basic options at this time for a close association of the Mariana Islands District with the United States, separate from the rest of Micronesia. These are: reintegration with Guam (with a variation thereon), commonwealth status, and unincorporated territorial status. Within each of these options there is wide latitude in designing a status formula which might meet the mutual needs of the Marianas and the United States. The description of each option in the following pages, then, is not meant to be absolutely definitive of the options, but rather suggestive of the framework of each approach. Finally, other options, such as union with Hawaii or a separate free association, are theoretically possible but outside the scope of this paper, which is concerned with the nature of a close, separate association of the Marianas with the United States.

1. Reintegration of the Marianas with the Territory of Guam. We would seek to work out with the leadership of Guam and the Marianas an arrangement agreeable to both parties whereby the Marianas would become part of the Territory of Guam. The Organic Act of Guam would simply be amended to include the Marianas, and make adjustments therefor. The United States would provide continued financial assistance to cover budgetary support and capital improvements for a period of years until the Marianas became self-sufficient or at least integrated into the Guamanian governmental system. The people of the Marianas would become U.S. citizens eligible for the benefits of that status to the same extent as citizen residents of Guam.

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1. Satisfies all U.S. strategic goals to the same extent as Guam presently does.
2. Provides the simplest long-range solution for the U.S. from an administrative standpoint, by avoiding the establishment and U.S. support of another territorial government.
3. Requires probably less long-range financial support than other options, since the Marianas gradually would develop together with Guam; eventually there would be greater reliance upon Federal programs and services than upon outright cash grants.
4. Assuming acceptance of a reintegration proposal by both Guam and the Marianas, greatly simplifies status negotiations with the Marianas, since the Guam Organic Act would apply: this would avoid negotiating such sensitive questions as Federal eminent domain powers.
5. Would probably be viewed favorably by U.S. Congress.

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1. In view of "self-government or independence" language of Trusteeship Agreement, runs risk of U.N. complications unless Guam has already been accepted as "self-governing" within U.N. context.
2. Acceptance by both Marianas and Guam voters is uncertain at best, in view of results of informal 1969 plebiscite and subsequent events.
3. More specifically, the Marianas would probably oppose any outside (i.e., non-Marianas) ability to control or acquire local lands (e.g., control by Government of Guam or purchase by U.S. or foreign speculators or developers); they would also be concerned about losing their influence and sense of local autonomy in a combined territory to government and corporate interests on Guam.

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4. Rests settlement of Marianas status situation on U.S. ability to get bipartisan support for effort in dynamic, extremely partisan political atmosphere in Guam.
5. Places Marianas under an elected governor with a resultant loss of direct control by the U.S. Government.
6. Exposes people of the Marianas to possible exploitation by Guamanians, to detriment of U.S. overall interests.
7. Rota has expressed its opposition to reintegration.

Variation on Option 1. (Reintegration with Safeguards)
A variation on the previously described formula for Option 1 (Reintegration) would establish safeguards against total domination of the Marianas by Guam (or by the U.S. proper), to be in effect for a set period of years, leading up to a fully integrated status. First, there would be established a separate local government for the Marianas which would have authority in areas of greatest local concern, e.g. land regulation and control, business regulation, etc. Other program areas would be under a central administration covering both Guam and the Marianas. In addition, there could be a moratorium on the acquisition of real property in the Marianas by other than bona fide local residents--this would preclude an immediate takeover of the islands by outside speculators and developers, whether from Guam or elsewhere.

PRO

1. Satisfies all U.S. strategic goals to the same extent as Guam presently does.
2. Assuming eventual full integration with Guam, provides a satisfactory long-range solution for the U.S. from an administrative standpoint, by avoiding the establishment and U.S. support of another permanent territorial government.
3. Requires probably less long-range financial support than other options, since Marianas gradually would develop together with Guam; no particular advantage, however, in short range.

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4. Assuming acceptance of reintegration proposal by both Guam and the Marianas, would simplify somewhat our status negotiations with the Marianas by establishing a framework for the association; nevertheless, the nature and extent of the safeguards would be a difficult negotiation involving three rather than two parties.

5. Would probably be viewed favorably by U.S. Congress.

6. While establishing many elements of territorial status, flexibility on timing of entrance into full integration is advantage in selling proposal to both Marianas and Guam.

7. Sets stage for eventual unity of Marianas and Guam, while protecting Marianas vital interests in the meantime.

CON

1. In view of "self-government or independence" language of Trusteeship Agreement, runs risk of U.N. complications unless Guam has already been accepted as "self-governing" within U.N. context.

2. Acceptance by both Marianas and Guam voters is uncertain at best, in view of results of informal 1969 plebiscite and subsequent events.

3. Complex three-way negotiations on nature of safeguards.

4. Rests settlement of Marianas status situation on U.S. ability to get bipartisan support for effort in dynamic, extremely partisan political atmosphere in Guam.

2. Commonwealth Proposal. We would adapt our 1970 commonwealth proposal for Micronesia to the special situation of the Marianas, and seek to gain approval thereof by the people of the Marianas. Legislation to this end would be enacted by U.S. Congress. Reviewers will recall that the 1970 commonwealth proposal offered internal self-government with separation of powers in a

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framework of: U.S. sovereignty including U.S. eminent domain power with qualified procedures, no provision for unilateral termination of status, unspecified applicability of Federal Supremacy, U.S. nationality or citizenship, substantial economic benefits, and a local constitution consistent with the U.S. commonwealth legislation.
[See attachments]

[Note: While commonwealth status and unincorporated territory status are two points on a continuum and overlap in many ways, a fairly clear distinction can be made between them with respect to the degree and source of internal autonomy of each. The structure of the commonwealth government would be established by a locally drafted and adopted constitution, which would need to be consistent with fairly general enabling legislation passed by Congress. The commonwealth status also requires a republican form of government, which includes elected executive and legislative branches, and an independent judiciary. This is in contrast to unincorporated territory status, where the constitutional framework of the local government of the unincorporated territory would normally be contained in the organic act passed by the U.S. Congress, and changes thereto would require Congressional approval. In addition, under unincorporated territory status the governor could be either elected or appointed; as is pointed out in the discussion of that option here, however, a provision for an appointed governor would probably not meet the requirements for termination of the Trusteeship Agreement.]

PRO

1. The commonwealth proposal, of the three options, has the best chance of support and acceptance by the people of the Marianas.
2. Satisfies U.S. strategic goals in the Marianas.
3. Provides reasonable basis, with strong local support, for terminating U.N. trusteeship, subject to satisfactory agreement with remainder of Micronesia.
4. Assuming agreement, provides sound basis for implementing many aspects of prospective new status during transition period.

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CON

1. Continues substantial U.S. political and financial responsibility over the area; even self-governing Marianas would require substantial long-term assistance due to limited resources and population.

2. U.S. Congressional support uncertain due to small size of envisioned commonwealth; Congressional views on 1970 commonwealth proposal, however, were not unfavorable.

3. Commonwealth proposal for Marianas may increase pressure on Guam for "more progressive" or prestigious status.

3. Unincorporated Territory. We would draft and present to the Marianas a proposed organic act for an unincorporated territory of the Marianas, similar to the status of Guam at present. The organic act (rather than a local constitution) would establish the internal structure of the territorial government as well as the working relationship between the territory and the Federal Government. The U.S. would have sovereignty in the islands, with the power to eminent domain and full legislative authority on behalf of the Marianas. The exact internal structure of the territorial government (e.g., elective or appointive governor, local budgetary controls, etc.) would be the subject of negotiation, as would be elements of the Federal-territorial relationship (e.g., presence of Federal comptroller, election of non-voting delegate to Congress, etc.)

PRO

1. Satisfies all U.S. strategic goals in the Marianas.

2. Of three options, maintains greatest U.S. control over elements of internal government of area.

3. If reintegration with Guam deemed long-term rather than short-term goal, provides parallel structure to Guam which could be merged with Guam's at later date more easily than commonwealth.

4. Best chance for getting through U.S. Congress.

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1. Offers a less prestigious status than commonwealth to the people of the Marianas--who therefore might well oppose its acceptance--and belittles them in eyes of Guam and remainder of Micronesia.

2. Less prestigious status for Marianas also likely to reinforce views of Micronesian advocates of independence that U.S. wants to restrict self-government of area, thereby reducing likelihood of successful negotiations on free association with other districts.

3. Without building in elements of self-government such as elected governor, delegate to U.S. Congress, probably provides an insufficient basis for claiming that Marianas is "self-governing" within requirement of Trusteeship Agreement.

4. Continues U.S. political and economic responsibility for area.

F. Analysis.

As a long range solution, there would seem to be little doubt that Guam and the Marianas should be united into one U.S. territorial jurisdiction; there are clear advantages to both of these Pacific areas, and to the United States. Accordingly, reintegration should be the eventual goal of the United States.

This long-term goal does not, however, clearly dictate the short-term approach which should be adopted in upcoming status talks with the Marianas delegation. That is to say, while reintegration is the eventual goal, this does not mean that its use as a negotiating strategy or interim status is also desirable. Indeed, there are major reasons why it may be quite undesirable.

It is our view, first, that it is to the advantage of the U.S. to successfully conclude the Marianas negotiations in short order, by rapidly reaching an agreement which will show the generosity of the United States. This would be an effective tool in our dealings with the rest of Micronesia, by putting pressure on the "holdouts" from

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the other districts, and by exhibiting the generosity of the United States to an area which genuinely desires a close association. Indeed, the gradual implementation of such a status prior to Trusteeship termination could serve as a reminder to other districts of what they might attain.

Frankly, we believe it would in many ways be more difficult to negotiate a reintegration scheme than, for example, a generous commonwealth proposal. The uncertainty and partisan nature of Guam's support of an important and volatile issue such as reintegration forces this conclusion. And unless there were safeguards such as those suggested in the Variation to Option 1, neither can we be confident of the Marianas' support. In addition, the Variation negotiations on safeguards could quite easily be more complicated than negotiations on a commonwealth status due to the introduction of the third party Guam.

Finally, the favorable impact upon the rest of Micronesia of any settlement of the Marianas status will be such less in the case of reintegration than if commonwealth is the result. After all, commonwealth is a status which was offered to all of Micronesia--it falls within the definition of "what might have been" for the other districts. There could therefore be some beneficial fallout in our other dealings with Micronesia if the commonwealth agreement is an attractive one.

Proceeding to the other two options of commonwealth and unincorporated territory, we consider the latter to provide the greater Federal control and greater enhancement of the goal of eventual reintegration with Guam. Nevertheless, we believe that the lack of prestige of unincorporated territorial status, as compared to commonwealth, is of such importance that we cannot favor this status. We believe that the Marianas will balk at an unincorporated territory proposal and, perhaps more important, that it would embarrass and belittle them in the eyes of the remainder of Micronesia. Furthermore, there would likely be no beneficial fallout in the other districts, as we would expect from a generous commonwealth proposal.

Thus, a commonwealth proposal is the approach recommended by the Interior Department. We believe it offers the best chance of rapid agreement and installation, and will

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have the greatest positive impact on the negotiations with the rest of Micronesia. While it may not appear to be the optimum lead-in to a subsequent reintegration with Guam, union at some point would not present insuperable problems. Indeed, Guam herself may eventually move toward a commonwealth-type status, in which case reintegration might come about by a somewhat different but quite satisfactory route. We are somewhat concerned as to how the U.S. Congress would view a separate commonwealth of such limited size, but believe that if the new status has the support of the local people and meets U.S. strategic interests at a reasonable cost, then the Congress will go along with our recommended solution.

G. Recommendations.

The Department of the Interior recommends that a separate commonwealth status proposal, similar to that made to the Congress of Micronesia in May 1970, be prepared and presented to the Marianas Delegation as an optimum U.S. offer, with the intention of gaining rapid acceptance by the leadership and people of the district.

(Sgd) Stanley S. Carpenter
Stanley S. Carpenter

Attachments

Advance copy, OMSN