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July 16, 1973

MEMORANDUM FOR THE FILE

Subject: Marianas Political Status Commission --  
Report of a Meeting with Staff Members  
from the House Interior Committee.

Adrian Winkel and Thomas Dunmire came to talk with Howard Willens and me on Thursday, July 12, about the current status of the U.S.-Marianas negotiations. Both Winkel and Dunmire are staff consultants to the Committee on Interior and Insular Affairs of the U.S. House of Representatives. Winkel is closely associated with Philip Burton (D.-Calif.), the Chairman of the Subcommittee on Territorial and Insular Affairs, while Dunmire is associated with Don H. Clausen (R.-Calif.), the ranking minority member of the Subcommittee. Both men emphasized that they could speak only for themselves.

Willens and I briefed Winkel and Dunmire on the Joint Communique and elicited their reactions. The dialogue was especially informative regarding the following issues.

1. Ambassador Williams' Activities

Ambassador Williams met recently with Representatives Burton and Clausen. Since Burton apparently spoke about other issues during most of the meeting, Williams had only about 10 minutes to brief the Congressmen on the results of the negotiations. Williams said he generally was very pleased by the progress made at the last round.

Williams also met with Congressman James Haley (D.-Fla.), Chairman of the full Interior Committee, and Congressman John P. Saylor (R.-Penn.), the ranking minority member of the full committee. Neither Winkel nor Dunmire suggested what occurred at that meeting.

2. Political Status Issues

The four of us discussed political status issues at considerable length. In response to the Joint Communique's

language that mutual consent would be required for fundamental changes in the political relationship, Winkel and Dunmire thought Congress might hesitate to grant the Marianas broad powers of self-government.

Much of the discussion focused on Article IV, Section 3, clause 2 of the U.S. Constitution. Winkel and Dunmire were told that the Marianas people were not trying to exempt themselves from all the powers of the U.S. Government, and especially not from those which apply to the 50 States. Rather, they were seeking to put clear limits on the sweeping powers which Congress had under the territorial clause.

We considered several rationales for maximum self-government. First, there is the possibility the United States would have some difficulty in obtaining the approval of the United Nations to terminate the Trusteeship unless the Marianas were allowed much "self-government." Winkel and Dunmire questioned whether there would be much resistance in the United Nations. They noted that the British and Australian representatives on the U.N. Trusteeship Council had apparently been so persuaded by the recent presentation of the Marianas representatives that they had publicly changed their positions and suggested some support for separate status for the Marianas. (Their impression was that the Russians still wanted unified negotiations and that the French were silent on the matter.) And, even if there were possible obstacles in the U.N., these would not be very persuasive with Congress.

Second, we discussed the likelihood that a U.S.-Marianas agreement might be part of a more general Congressional review of the political status of the territories and Puerto Rico. For example, recent events in Guam and the Virgin Islands suggest that those two territories might soon be seeking changes in their political status. Winkel and Dunmire made several points here. (a) They suggested that it would be hard to isolate the Marianas from whatever political arrangement Guam has or is allowed in the future. Winkel asked how Congress could justify giving the Marianas more political autonomy than a larger Guam was allowed, especially since Guam had been associated with the U.S. for a much longer period. (b) They suggested that many in Congress were not particularly pleased with the ambiguity surrounding the political autonomy of Puerto Rico and that the Commonwealth experiment in Puerto Rico was controversial. (c) The two consultants noted there would always be a problem in trying to get Congress to give up the powers granted to it by the territorial clause.

Winkel and Dunmire said they were unimpressed by the argument that Congress ought to realize that it would be getting a "good deal" -- i.e., the Marianas would become legally a part of the United States and would allow assured, long-term military bases in return for limited political and economic concessions. Most people in Congress would question whether the Marianas were not in fact under sufficient U.S. control today and "legalisms" like the Trusteeship Agreement would be lost on them. Specifically, Congressman Clausen, a Navy pilot in World War II, probably thinks the U.S. won the right to those bases during the war.

Dunmire suggested that the term "self-government" might grate on some in Congress. He thought that the Marianas people might consider alternative terms, such as "local self-autonomy." Both men thought that, whatever agreement the Marianas people reached, its chances of obtaining Congressional approval would be greatly increased by strong support from the U.S. Executive Branch.

Winkel and Dunmire emphasized that the real problem which should concern the Marianas was not that Congress would pass some law specifically aimed at the Marianas which would be contrary to their interests. Rather, the danger was that Congress would simply ignore or forget about the Marianas, given their size and location. Hence, the Marianas people should be considering ways to insure that they have a continued voice in the U.S. Government and that they are assured of continuing participation in various U.S. programs.

### 3. Non-Voting Delegate

The two consultants were especially pessimistic about Congress allowing a non-voting Delegate from the Marianas alone. Congressman Burton was said not to be favorably inclined. As Winkel pointed out, the average Congressman represents over 450,000 people and would hesitate to allow many Congressional privileges to a non-voting Delegate who represented only 13,000 people. Obtaining non-voting Delegates for Guam and for the Virgin Islands was a difficult proposition which took a number of years. One key political problem would be justifying the expense of a non-voting Delegate with many privileges similar to those of a Congressman. In fact, the costs would be greater given the greater travel distances.

As an alternative, the two consultants suggested that the non-voting delegate from Guam might also represent the Marianas.

#### 4. Military Land

Both men seemed sympathetic to the Marianas' problem of insuring that there was adequate payment for whatever land the military obtained. Some valuation would have to be put on the land which recognized potential alternative uses in the future since present land prices have been kept depressed by the confusion over land titles and by TTPI limits on development. Dunmire mentioned favorably the recent use of an appraiser who was brought in from Hawaii to appraise the value of some land which the military wanted in the Marshall Islands.

#### 5. Economics

Winkel and Dunmire appreciated the need for outside financing for the transition period (Phase I) and for the longer term. However, they were pessimistic about the possibility of getting much money through the regular U.S. budget process. For the present fiscal year (1974), any new funding would have to be by administrative action. Moreover, the present Interior Department and TTPI budgets left little room to maneuver. As for future fiscal years, both consultants thought that the Administration had put a squeeze on the Interior and TTPI budgets and that it might be difficult to get funding from either.

If the Marianas wanted some funding in fiscal year 1975 for Phase I, steps would have to be taken soon since the Executive Departments were already well along in their budget planning.

As for the possibility of guaranteed, fixed-level funding for the Marianas for several years, the two men were very pessimistic. They noted that, even if authorizations were fixed for 2-3 years in advance, the appropriations would have to be approved each year. Moreover, Congress hesitates to commit itself for future years. Dunmire emphasized that the Marianas should seek other approaches for revenue than the regular budget process.

#### 6. Future

Both men apologized for what they recognized were some pessimistic forecasts, but they felt that the Marianas Political Status Commission should be aware that obstacles awaited them in Congress.

They seemed genuinely interested in staying well-informed about the negotiations and in also keeping lines of communication open to Congress. Specifically, they would report on our meeting to Burton and Clausen and suggested that the next step would be setting up a meeting for Howard Willens with the two Congressmen. (In a subsequent conversation, Dunmire reported that such a meeting would probably have to be after the August recess.)

Barry Carter

cc: Mr. Pangelinan  
Mr. White  
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