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April 19, 1974

Mr. James Bierne
Committee on Interior
and Insular Affairs,
United States Senate
Suite 3106
Dirksen Office Building
Washington, D. C. 20510

Dear Jim:

Thank you for taking the time to talk with me on Tuesday about the United States-Marianas Status Negotiations. I am enclosing two copies of the "Summary Report Regarding United States - Marianas Status Negotiations" prepared by this firm in March. You will find on pages 7-8 a brief discussion of the United States military land requirements issue.

As you know, the negotiations look toward the establishment of a Commonwealth of the Marianas in political union with the United States. The citizens of the Commonwealth would be United States citizens. The Marianas Political Status Commission has recognized the obligations with respect to national defense that political union and American citizenship involve. The Commission has agreed to negotiate in good faith on meeting the military land needs

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of the United States, and has agreed in principle to make land available to the United States for this purpose.

At the last round of negotiations, the Commission proposed that United States requirements on Tinian be met by a 50-year lease with an option to renew. It is the Commission's view that such a lease would fully protect the legitimate interests of the United States, especially since the base will be located within our country. The Commission and its representatives have sought discussions with the United States at a technical level about the terms of such a lease. These terms could provide the sorts of guarantees which are considered necessary for the national security. But, so far, the United States has not been prepared to enter into such discussions.

A lease could not only satisfy the United States defense interest, but also the interests of the people of the Marianas -- the people who must approve the status agreement and with whom the military will be neighbors in the future. The feelings of the people of the Marianas on this issue were put this way by the Commission during the first round:

"We recognize the United States preference for outright purchase of the required land but we are unable to honor it. Prevailing practice in the United States has little relevance to the Mariana Islands, where land is scarce and has a special cultural significance to the people. Regardless of the guarantees which the United States might make, the members of the Commission could not possibly justify or

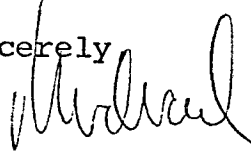
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explain to their constituents or families the seemingly permanent transfer of so much of the Marianas limited land to the United States for military purposes." (emphasis in the original)

In short, Jim, there are valid interests on both sides of this issue. These interests can, we believe, be reconciled by a properly and carefully drawn long-term lease with an option to renew. They cannot be reconciled if the United States unilaterally determines that the method of acquisition of land for military purposes must be a sale and then refuses to negotiate in good faith concerning alternative means of acquisition which meet its concerns equally well.

If you need any further information, or if there is anything I can do to assist you, please do not hesitate to call.

Sincerely,



Michael S. Helfer

cc: Howard P. Willens, Esq.