

Original Draft
with U.S. changes
indicated

December 17, 1974

JOINT COMMUNIQUE

From December 5 through December __, 1974, the Marianas Political Status Commission (MPSC) and the United States Delegation met for the fifth session of negotiations aimed at achieving the long held desire of the people of the Northern Mariana Islands for political union with the United States of America.

An opening plenary meeting was held on December 5 at which Ambassador F. Haydn Williams, the President's Personal Representative, and Senator Edward DLG. Pangelinan, Chairman of the MPSC, spoke about the progress of the negotiations and the issues on the agenda for the fifth session. Following that meeting, working sessions of the MPSC and the U. S. Delegation were held almost daily. These working meetings were devoted largely to a review of the needs of the United States for land for defense purposes in the Northern Marianas, and to a discussion of the terms upon which that land would be made available to the United States. The effect of the revised U. S. plans for Tinian was discussed as well. Considerable time was also spent discussing and reviewing the draft status agreement prepared by the Joint Drafting Committee established by the parties at the close of the previous session

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of negotiations. Finally, a number of issues relating to the transition of the Northern Mariana Islands to its new political status were ^{considered} [discussed].

Agreement was reached between the U. S. Delegation and the MPSC on virtually all issues which have been raised in these negotiations. These agreements are reflected in this Joint Communique, and in the attached [provisional] draft [of the] "Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America," *provisionally agreed to at the close of these talks,*
LAND FOR DEFENSE PURPOSES

The total United States need for land for defense purposes in the Northern Mariana Islands is _____ hectares (_____ acres). The MPSC has agreed to provisions in the Covenant which will assure the United States that this need will be met. The land will be made available to the United States by a lease, which will be executed by the Northern Marianas Government or by the legal entity established to hold land in trust for the people of the Northern Marianas. The term of the lease will be 50 years, and the United States will have the option to renew the lease, without additional payment, for another 50 years. The United States will make a lump sum payment ~~which~~

which will

total \$ _____ for the rights it will obtain under the lease.

In addition, the United States will leaseback to the Northern Mariana Islands very substantial portions of the land for a nominal sum. The agreements with respect to the land which the United States will lease may be summarized as follows:

Tinian. The United States will lease approximately 17,800 hectares (17,799 acres) on Tinian. This represents a slight reduction from the original U. S. estimate of need, made in order to permit the Government of the Northern Marianas to retain control over _____ hectares (9 acres) of valuable land at San Jose Harbor for civilian harbor related purposes. The lump sum payment which the United States will make for the land it will lease on Tinian will be \$ _____.

The United States has an important defense requirement for the land which will be leased to it on Tinian. ^{over} ~~in~~ the long term (10-20 years), the land ^{may} will be used for [joint service land, sea and air training and maneuvers,] ammunition storage and forward logistics, with an operational joint service airfield and a developed harbor to support these activities. In the near

term (2-10 years), however, the major planned use for the land on Tinian is for ground, sea and air training exercises. To support these near term operations and to facilitate the rapid build-up in an emergency and the implementation of the full plans for Tinian, the harbor at San Jose will be rehabilitated (including ^{DOCKING} rebuilding the breakwater, dredging the channel and repairing the dock area) and West Field upgraded.

7 The limited base concept in the near term will mean that additional land will be available for lease-back. ~~Specifically~~ It has been agreed that approximately 1,335 acres south of West Field and at the harbor will be leased back to the Government of the Northern Mariana Islands immediately upon their acquisition by the United States. Approximately 4,010 acres north of West Field and east of Broadway ^{are included within the present lease of} ~~is presently under lease to~~ the Micronesian Development Corporation ^{whose operations should be unaffected by this arrangement.} An additional 1,113 acres north of West Field and west of Broadway which is presently under either grazing leases or homesteaded by individuals will be acquired by the Northern Mariana Islands Government from the present owners or lessees and leased to the United States as described above. The United States, in turn, will then lease this land back to ^{these} ~~these~~ persons now using it if they so desire. Thus, the total amount of land to be made available for civilian use is 6,458 acres.

described above, and the

The fee for all leasebacks will be \$1 per acre per year. The term of the

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leasebacks will generally be five years with an option to renew if the United States agrees; but the bulk of the land south of West Field will be leased back for 10 years ^{to the Government of the Northern Mariana Islands} with an option to renew with U. S. approval.

Uses of land leased back by the United States must be compatible with planned military activities, ^{uses would include} such as agriculture and grazing. Permanent construction will not be permitted without U. S. approval. [The land which is presently under lease will be leased back on terms consistent with existing leases.] The U. S. will be able to cancel any leaseback on one year's notice. If it must cancel without such notice because of an urgent military requirement or a national emergency, it will compensate the lessee. The details of the leaseback arrangement will be contained in a Technical Agreement regarding United States land use in the Northern Mariana Islands.

Isley Field.

Tanapag Harbor.

Farallon de Medinilla. The United States will lease this uninhabited island, consisting of approximately _____ hectares (206 acres) under the terms described above. The lump sum payment for this land will be \$20,600.

ECONOMICS AND FINANCE

the United States and the Northern Mariana Political Commission
Both parties recognized that the change in the plans of the

United States regarding the construction of a military base on Tinian

will would have the effect of reducing the revenues of the new Marianas

Government and the employment opportunities of the people of the

Marianas below previously anticipated levels. It was *(provisionally)* tentatively

agreed that, in order to compensate for these losses, the levels of

United States assistance to the Northern Marianas tentatively agreed

to last May would be increased as follows:

\$250,000 per year for seven years for the Marianas Housing

Authority for a special separate program of low-interest loans for new

homes or home improvements for families with low incomes; and

\$250,000 per year for seven years for a special educational and

training fund to be used for retraining people who are dislocated due

to the change in political status; for necessary reorientation of the

curricula of schools in the Northern Marianas; and for in-service training

courses and public administration fellowships for civil service personnel.

Commonwealth Covenant

At the conclusion of the fourth session of these negotiations a Joint Drafting Committee was established and charged with the preparation of a draft status agreement for the consideration of the principals. The draft produced by this committee reflected areas of preliminary agreement and areas where further discussion by the principals was required. The parties are pleased to announce that their discussions during this session of talks have resulted in provisional agreement on the attached draft Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America.

This agreement is provisional due to the desire of each party to review carefully certain sections of the Covenant, indicated by an asterisk, before signature. In the case of the United States such review would include final consultations with the United States Congress. The MPSC will review the provisional agreement with the Marianas District Legislature and others in the Northern Marianas. Additionally the attached draft is subject in its entirety to a thorough technical review by both parties.

The U. S. Delegation and the MPSC have also agreed that a Technical Agreement regarding United States Land Use in the Northern Mariana Islands will be executed ^{also with} and incorporated by reference into the Covenant. The Technical Agreement will state in detail the matters to be included in the ^{lease} ~~base~~ to the United States, such as provisions describing the land to be leased, arranging for the settlement of claims and encumbrances, implementing the agreements with respect to leasebacks, and dealing with other matters.

The Technical Agreement will also provide for joint use agreements to be entered into with respect to San Jose Harbor and West Field on Tinian.

Finally, the Technical Agreement will contain ^{general} the principles which, unless altered by mutual consent, will govern the relations between the military and civil authorities. These principles will include those relating ^{with respect to} to access to beaches and fishing activities on land leased to the United States, to ^{provision} joint planning and development of utilities, to schools, medical care and fire protection, and to other matters of concern. The Technical

Agreement will be drafted by the Joint Drafting Committee and presented to the ^{parties} parties for their approval at the ^{same} (same) time as the final Covenant ^{language} language is presented.

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RESUMPTION OF FIFTH SESSION

In view of the progress which has been made, the MPSC and the U. S. Delegation have agreed to recess the fifth session of negotiations to permit necessary technical work to be completed on the Covenant and the Technical Agreement, and to permit each party to review ^{Provisional} [tentative] agreements already reached. The fifth session of negotiations will resume in Saipan on February 3, 1975, at which time the MPSC and the U. S. Delegation will review the final language proposed for the Covenant and the Technical Agreement.

Date: December 17, 1974

ETC from previous Joint Communiques