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SECT 60 OF 56851

ACTION
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ASD:ISA(10) ASD:PA&E(01) ASD:PA(01) ~~ACT(01)~~ DIA: IDIA(15) MCCC(01)
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E.O. 11652: NA
TAGS: PFOR, TO
SUBJECT: MPSC LETTER TO SENATOR HART
DATA 094TT

FOLLOWING LETTER FROM CHAIRMAN, MPSC, EDWARD OLG PANGELINAN
AND SENATOR PEDRO A. TENORIO IS QUOTED FOR IMMEDIATE RELE
RELEASE TO MNS.

QUOTE: THE MARIANAS POLITICAL STATUS COMMISSION
SAIPAN, MARIANA ISLANDS 96950
MARCH 11, 1975

THE HONORABLE GARY W. HART
UNITED STATES SENATE
SUITE 4213 DIRKSEN BUILDING
WASHINGTON, D.C.

DEAD SENATOR HART:

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BY LETTER DATED MARCH 7, 1975 YOU ASKED YOUR COLLEAGUES TO SUPPORT AN AMENDMENT YOU WILL OFFER TO STRIKE SECTION 2 FROM S.326. RECOMMENDED BY THE ADMINISTRATION AND APPROVED WITHOUT DISSSENT BY THE SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, SECTION 2 OF S.326 AUTHORIZES \$1.5 MILLION TO AID IN THE TRANSITION OF THE MARIANA ISLANDS

DISTRICT TO A NEW COMMONWEALTH STATUS AS A TERRITORY OF THE UNITED STATES." ON BEHALF OF THE MARIANAS POLITICAL STATUS COMMISSION (MPSC) AND THE PEOPLE OF THE NORTHERN MARIANAS, WE ARE RESPECTFULLY WRITING TO STATE OUR REASONS FOR OPPOSING YOUR AMENDMENT, AND TO CLARIFY CERTAIN STATEMENTS MADE IN YOUR LETTER.

ON FEBRUARY 15, 1975 REPRESENTATIVES OF THE UNITED STATES AND MEMBERS OF THE MPSC SIGNED THE "COVENANT TO ESTABLISH A COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS IN POLITICAL UNION WITH THE UNITED STATES OF AMERICA", THE COVENANT, WHICH HAS NOW BEEN UNANIMOUSLY APPROVED BY THE POPULARLY-ELECTED MARIANA ISLANDS DISTRICT LEGISLATURE, CONTAINS THE DETAILS OF THE PROPOSED NEW POLITICAL STATUS FOR THE NORTHERN MARIANAS. THE COVENANT SPECIFICALLY PROVIDES THAT IT WILL NOT BECOME EFFECTIVE UNLESS IT IS APPROVED BY BOTH THE MARIANAS PEOPLE IN A PLEBISCITE, AND BY THE UNITED STATES CONGRESS. THE NEGOTIATIONS WHICH LED TO THE COVENANT TOOK MORE THAN TWO YEARS, DURING WHICH TIME THE COMMITTEES IN THE HOUSE AND THE SENATE WITH PRIMARY JURISDICTION OVER THE TRUST TERRITORY OF THE PACIFIC ISLANDS, AS WELL AS INTERESTED MEMBERS OF CONGRESS, HAVE BEEN FULLY BRIEFED AT REGULAR INTERVALS. THE COVENANT ITSELF IS, OF COURSE, A PUBLIC DOCUMENT.

SECTION 2 OF S.326 IMPLEMENTS AN AGREEMENT REACHED BY THE NEGOTIATING PARTIES THAT THE UNITED STATES WOULD FINANCE CERTAIN OF THE LOCAL PLANNING AND OTHER ACTIVITIES WHICH WILL BE NECESSARY TO ASSURE AN ORDERLY TRANSITION FOR THE NORTHERN MARIANAS TO ITS NEW POLITICAL STATUS, IF THE COVENANT IS APPROVED. THE FUNDS TO BE MADE AVAILABLE BY THE UNITED STATES WILL BE USED FOR A SPECIAL PROGRAM OF TRANSITION WHICH, AS SHOWN IN THE SENATE COMMITTEE REPORT AND HEARINGS, WILL INCLUDE A LOCAL CONSTITUTIONAL CONVENTION AND REFERENDUM, THE PLANNING OF THE NEW COMMONWEALTH GOVERNMENT, THE PREPARATION FOR THE FIRST SESSION OF THE

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NEW LOCAL LEGISLATURE; THE PLANNING OF THE SOCIAL AND PHYSICAL INFRASTRUCTURE NECESSARY FOR A SELF-SUSTAINING ECONOMY, AND RELATED MATTERS. IN VIEW OF THE FACT THAT THE TRUST TERRITORY HAS BEEN, AS YOU PROPERLY RECOGNIZE, "LARGELY NEGLECTED", ESPECIALLY UNTIL RECENT YEARS, THE AMOUNT PROVIDED BY S.326 IS THE MINIMUM AMOUNT NEEDED FOR THE TRANSITIONAL TASKS.

ALTHOUGH WE DO NOT CONSIDER THE POINT TO BE SIGNIFICANT, WE NOTE THAT THE FUNDS FOR TRANSITION AMOUNT TO \$100 PER PERSON OF THE PRESENT POPULATION, NOT \$1000 AS YOUR LETTER STATES.

UNDER S.326, THE TRANSITION FUNDS CANNOT BE OBLIGATED OR EXPENDED UNTIL CONGRESS APPROVES THE COVENANT. THUS, THE BILL IN NO WAY PREJUDICES FULL CONGRESSIONAL CONSIDERATION OF THE PROPOSED COVENANT AT A LATER DATE. IT SIMPLY ASSURES THAT THE NECESSARY FUNDS WILL BE AVAILABLE IMMEDIATELY, IF THE COVENANT IS APPROVED. IF SECTION 2 WERE STRUCK, TRANSITION WOULD BE DELAYED UNTIL A BILL JUST LIKE S.326 COULD BE PASSED. THAT WOULD DENY TO THE PEOPLE OF THE NORTHERN MARIANAS FOR AN ADDITIONAL PERIOD THE BENEFITS OF THE NEW POLITICAL STATUS WE HAVE SO LONG DESIRED, FOR, AS IS OBVIOUS, THE NEW STATUS CANNOT BECOME FULLY EFFECTIVE AS A PRACTICAL MATTER UNTIL THE CONSTITUTIONAL CONVENTION IS COMPLETED AND GOVERNMENT AND ECONOMIC PLANNING IS ACCOMPLISHED.

FOR MORE THAN 20 YEARS, SENATOR, THE PEOPLE OF THE MARIANAS, IN VARIOUS REFERENDA AND THROUGH THEIR ELECTED LEADERS IN THE MARIANAS DISTRICT LEGISLATURE, HAVE EXPRESSED IN EVERY POSSIBLE WAY OUR DESIRE TO ENTER INTO A PERMANENT POLITICAL RELATIONSHIP WITH THE UNITED STATES AND TO ACCEPT THE RESPONSIBILITIES AND RIGHTS OF U.S. CITIZENSHIP UNDER THE U.S. CONSTITUTION. WE HAVE NOT DONE THIS BECAUSE WE BELIEVE IT WOULD BRING US "YEARS OF LUCRATIVE SUBSIDIES" OR BECAUSE WE WANT TO PARTICIPATE IN ANY "DISMEMBERMENT PLANS" ALLEGEDLY PUT FORWARD BY THE UNITED STATES, AS YOU SUGGEST. WE HAVE EXPRESSED OUR DESIRE FOR A CLOSE RELATIONSHIP WITH THE UNITED STATES BECAUSE WE BELIEVE VERY FERVENTLY IN THE TIES OF INDIVIDUAL RIGHTS AND FREEDOM, AND THE DEMOCRATIC PHILOSOPHY WHICH HAS SUSTAINED YOUR GOVERNMENT AND PEOPLE FOR ALMOST 200 YEARS.

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WE SINCERELY BELIEVE AS WELL THAT NO OTHER STATUS WILL PROVIDE OUR PEOPLE WITH THE OPPORTUNITY FOR REALISTIC AND VIABLE SELF-GOVERNMENT.

IF THE PEOPLE IN OTHER PARTS OF MICRONESIA FELT THE SAME WAY, THERE MIGHT BE NO NEED TO SEPARATE THE MARIANAS FROM THE ACCIDENT OF HISTORY CALLED MICRONESIA. BUT THE PEOPLE IN THE OTHER DISTRICTS APPARENTLY FEEL THAT THEY HAVE INSTITUTIONS AND TRADITIONS WHICH MAY BE INCOMPATIBLE WITH THE RESPONSIBILITIES AND RIGHTS OF U.S. CITIZENSHIP. THAT IS THEIR CHOICE, AND WE RESPECT THEIR RIGHT TO MAKE IT. WE EXPECT THAT THEY WILL RESPECT OUR RIGHTS TOO.

CERTAIN STATEMENTS MADE IN YOUR MARCH 7 LETTER REQUIRE US TO MAKE THE FOLLOWING POINTS SO THAT THERE WILL BE NO MISUNDERSTANDING ABOUT OUR VIEWS.

1. WE MUST RESPECTFULLY DISAGREE WITH THE SUGGESTION ADVANCED IN YOUR LETTER THAT THE CONGRESS OF MICRONESIA-- IN WHICH BOTH OF US HAVE BEEN PRIVILEGED TO REPRESENT THE PEOPLE OF THE NORTHERN MARIANAS--HAS ANY LEGAL AUTHORITY OR RIGHT TO DICTATE TO THE PEOPLE OF THE MARIANAS THE KIND OF POLITICAL STATUS WHICH IS MOST APPROPRIATE FOR THEM. UNDER THE CHARTER OF THE UNITED NATIONS AND THE 1947 TRUSTEESHIP AGREEMENT, THE UNITED STATES HAS AN OBLIGATION TO RESPECT THE RIGHT OF SELF-DETERMINATION OF THE PEOPLE OF THE MARIANAS. THE DECISION OF THE UNITED STATES AS ADMINISTERING AUTHORITY IN 1972 TO ENGAGE IN SEPARATE STATUS NEGOTIATIONS WITH REPRESENTATIVES OF THE MARIANAS REFLECTED U.S. RECOGNITION OF THIS OBLIGATION. THE ACTION OF THE UNITED STATES IN THIS REGARD HAS BEEN RECOGNIZED BY THE UNITED NATIONS TRUSTEESHIP COUNCIL.

2. YOU SUGGEST THAT S.326 "WOULD FURTHER IMPLEMENT A TAKEOVER PLAN WHICH CONGRESS HAS YET TO SEE", AND THAT THE UNITED STATES "INTENDS TO HOLD A PLEBISCITE AND TAKE OVER THE MARIANAS BEFORE (UNDERLINED) ASKING CONGRESS TO APPROVE THE JUST-SIGNED AGREEMENT", THERE IS NO "TAKEOVER PLAN"; NOR COULD WE AS REPRESENTATIVES OF THE MARIANAS PEOPLE EVER AGREE TO ANY SUCH PLAN. THE PROPOSED COMMONWEALTH STATUS REQUIRES THE APPROVAL OF THE PEOPLE OF THE MARIANAS IN A PLEBISCITE WHICH WILL BE HELD WITH UNITED

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NATIONS OBSERVERS, AND REQUIRES IN ADDITION THE APPROVAL OF THE UNITED STATES CONGRESS, BEFORE IT CAN BECOME EFFECTIVE. MOREOVER, IT IS PLAINLY DESIRABLE, FROM YOUR PERSPECTIVE AS WELL AS FROM OURS, TO ASCERTAIN WHETHER THE PEOPLE OF THE MARIANAS SUPPORT THE PROPOSED COMMONWEALTH STATUS BEFORE CONGRESS IS ASKED TO UNDERTAKE THE COMPLETE LEGISLATIVE REVIEW OF THE COVENANT WHICH WILL CERTAINLY BE NECESSARY AND APPROPRIATE.

3. YOU STATE THAT "THE DEPARTMENT OF DEFENSE NOW PLANS TO BUILD A VAST NEW MILITARY BASE COMPLEX IN THE ISLANDS". WE ARE AFRAID THAT YOU HAVE BEEN MISINFORMED. THE COVENANT, IF APPROVED BY BOTH SIDES, WILL PERMIT--BUT DOES NOT (UNDERLINED) REQUIRE--THE UNITED STATES TO LEASE ON A LONG-TERM BASIS APPROXIMATELY 18,000 ACRES IN THE NORTHERN MARIANAS, MOST OF IT ON TINIAN, FOR DEFENSE PURPOSES. THE DEPARTMENT OF DEFENSE ANNOUNCED IN DECEMBER 1974 ITS DECISION TO DEFER CONSTRUCTION OF ANY SUBSTANTIAL FACILITIES ON TINIAN (THE ONLY PLACE ANY CONSTRUCTION HAD BEEN PLANNED) FOR THE INDEFINITE FUTURE. THE DEPARTMENT DOES PLAN TO USE PORTIONS OF TINIAN FOR TRAINING PURPOSES. THE ULTIMATE DECISION WHETHER THE MILITARY WILL BE ABLE TO

IMPLEMENT EVEN ITS PRESENT LIMITED PLANS--AND OF COURSE WHETHER A MAJOR BASE WILL EVER BE CONSTRUCTED ON TINIAN--WILL BE FOR YOU AND THE OTHER MEMBERS OF CONGRESS TO MAKE AT SUCH TIME AS THE DEPARTMENT OF DEFENSE SEEKS THE FUNDS NECESSARY TO LEASE THE LAND AND TO PLAN AND TO CONSTRUCT THE DESIRED FACILITIES. WE URGENTLY SUBMIT THAT THE PROPOSED COMMONWEALTH STATUS FOR THE PEOPLE OF THE MARIANAS SHOULD BE CONSIDERED ON ITS MERITS, IRRESPECTIVE OF WHETHER OR WHEN THE UNITED STATES MAY OR MAY NOT DECIDE TO CONSTRUCT A BASE ON OUR ISLANDS.

4. WE ARE, OF COURSE, DISTURBED ABOUT THE UNSEEMLY AND PLAINLY IRRELEVANT STATEMENTS YOU HAVE MADE REGARDING CERTAIN MEMBERS OF THE MPSC, WITH REGARD TO THE VIEWS OF THE PEOPLE OF TINIAN--WHO CONSTITUTE ONLY ABOUT 6 OF THE TOTAL POPULATION OF THE MARIANAS--THE FACTS ARE THAT THE LOCAL MUNICIPAL COUNCIL HAS VOTED UNANIMOUSLY TO SUPPORT THE PROPOSED LEASE OF LAND ON THAT ISLAND TO THE UNITED STATES, AND THAT PETITIONS SUPPORTING COMMONWEALTH STATUS --I THE INDIGENOUS LANGUAGE--HAVE ...

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BEEN SIGNED BY A MAJORITY OF THE TINIAN VOTERS, AND, AS NOTED BEFORE, THE COVENANT WAS UNANIMOUSLY APPROVED JUST THREE WEEKS AGO BY THE MARIANAS DISTRICT LEGISLATURE, WHICH INCLUDES A REPRESENTATIVE OF TINIAN.

SENATOR HART, DESPITE YOUR LETTER, WE CANNOT BELIEVE THAT YOU WANT TO DENY TO OUR PEOPLE THEIR RIGHT OF SELF-DETERMINATION, AND THEIR RIGHT TO ESTABLISH A POLITICAL STATUS WHICH IS CONSISTENT WITH OUR DESIRES AND INSTITUTIONS, AND WHICH, MOST IMPORTANTLY, IS CONSISTENT WITH THE PRINCIPLES OF DEMOCRATIC GOVERNMENT TO WHICH WE HAVE BEEN EXPOSED FOR OVER A QUARTER OF A CENTURY. FURTHERMORE, WE CANNOT BELIEVE THAT YOU WOULD OPPOSE A POLITICAL STATUS WHICH, IF APPROVED BY THE PEOPLE OF THE MARIANAS IN A DEMOCRATICALLY CONDUCTED PLEBISCITE, WOULD PERMIT THE UNITED STATES TO TERMINATE THE WORLD'S ONLY REMAINING TRUSTEESHIP IN A MANNER WHICH IS BOTH CONSISTENT WITH ITS OWN NATIONAL INTEREST, AND WHICH FULLY DISCHARGES THE RESPONSIBILITIES THE UNITED STATES UNDERTOOK IN 1947. BUT THOSE ARE DECISIONS YOU CAN MAKE LATER. NOW YOU ARE ASKED ONLY TO APPROVE, SUBJECT TO YOUR APPROVAL OF THE COVENANT, THE TRANSITION FUNDS PROVIDED FOR IN SECTION 2 OF S.326. ENACTMENT OF THIS LEGISLATION, WHILE IT WOULD NOT IN ANY WAY PREJUDGE YOUR OR CONGRESS' POSITION WITH RESPECT TO THE COVENANT, IS IMPORTANT TO THE MARIANAS, SINCE IT WILL ASSURE THAT THE NECESSARY TRANSITION FUNDS WILL BE AVAILABLE IMMEDIATELY AFTER CONGRESS APPROVES THE COVENANT, IF IT DOES SO.

BECAUSE IT APPEARS THAT S.326 MAY COME BEFORE THE FULL SENATE SHORTLY, AND BECAUSE OF YOUR EXPRESSED OPPOSITION TO SECTION 2, WE HAVE TAKEN THE LIBERTY OF SENDING COPIES OF THIS LETTER TO ALL MEMBERS OF THE SENATE. WE ARE AVAILABLE TO MEET WITH YOU AT ANY CONVENIENT TIME WHILE WE ARE IN WASHINGTON, SO THAT WE MAY BE HELPFUL IN EXPLAINING THE POSITION OF THE PEOPLE OF THE MARIANAS WITH RESPECT TO THE PROPOSED COMMONWEALTH STATUS OR S.326. WE CAN BE REACHED THROUGH 872-6317.

SINCERELY YOURS,

PEDRO A. TENORIO
SENATOR

EDWARD DLG PANGELINAN
CHAIRMAN

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THE CONGRESS OF MICRONESIA
MEMBER, THE MARIANAS
- POLITICAL STATUS COMMISSION

THE MARIANAS POLITICAL
STATUS COMMISSION

END QUOTE. ACTING DOTA RICE SENDS.

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