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May 7, 1975

Edward DLG Pangelinan, Esq.
P. O. Box 47
Capitol Hill
Saipan, Mariana Islands 96950

Dear Ed:

Enclosed is a memorandum concerning the meeting which Eleanor O'Hara and I had with Emmett Rice and others at the Department of Interior on Monday. This was the meeting I referred to in my cable. I think that the memo is self-explanatory.

Obviously you and others are devoting your time to the plebiscite, but if there is any way to get the corporation organized and to begin discussions leading to the return of public land prior to the plebiscite, it would be very desirable from our point of view.

As you have no doubt determined, the rather cryptic portion of my cable which related to voter registration was based on my fear that the opponents of the Covenant will attempt to overload the system by registering large numbers of people at the very last moment, thereby making it difficult for you and others to challenge the qualifications of these registrants. Only by getting our people registered early is it possible to avoid this kind of overload and to have sufficient resources available to challenge those who are not qualified to vote.

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Edward DLG Pangelinan, Esq.
May 7, 1975
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I will be pleased to make reservations for you, Jim White and others in New York and here, but I need additional information as to how many of you there will be and what dates you expect to be in New York City and in Washington.

I have been informed by Adrian Winkel that Oscar Rasa met with Congressman Burton, and that the Congressman was quite upset at the issue of the Free Press which contained those disturbing pictures from the 1968 CBS special on hunger in America. Winkel also informed me, as you probably know by now, that the \$1.5 million authorization passed the House in precisely the same form as it had previously passed the Senate. The vote in the House was 334 to 27.

With best regards,

Sincerely,



Michael S. Helfer

Enclosure

cc: Howard P. Willens
Eleanor O'Hara
James Leonard
James White

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OFFICE FOR MICRONESIAN STATUS NEGOTIATIONS

WASHINGTON, D.C. 20240

May 9, 1975

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Memorandum

To : Charles Schmitz
Thru : Capt. Richard Y. Scott
From : Ed Archer
Subject : Legislation Approving the Covenant

BACKGROUND

On June 17, 1975 the people of the Northern Marianas will vote "yes" or "no" for a commonwealth relationship with the United States. If the vote is "yes", the ideal timetable calls for a Marianas constitutional convention in October with an elected commonwealth government before July 1976. This timetable would require that legislation be submitted to the Congress before they take their summer recess (August 1 to September 3). The best time is probably after they return from the Independence Day recess (June 26 to July 8). Legislation could be submitted to the Congress by the President on July 9, 1975 assuming, of course, a "yes" vote on the plebiscite.

CHOICES TO BE MADE

The form of the legislation approving the Covenant which the Executive should submit to the Congress should be decided only after full consultations with Representative Burton and Senators Jackson and Johnston. However, there are basically two ways of handling the Covenant; one, through a Federal Relations Act; and two, by Joint Resolution.

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1. Federal Relations Act

Should you decide to request consideration of the Covenant in the form of a Federal Relations Act, it will have the advantage of being in the same form in which the basic documents of all the territories have been handled with the further implied recognition of the plenary powers of Congress in the Marianas. The Organic Act of Guam and the Virgin Islands are contained in a Federal Relations Act as well as the Constitution of the Commonwealth of Puerto Rico. The major disadvantage is that a Federal Relations Act is a U.S. law and can be amended at will by the present and future Congresses.

2. Joint Resolution

Should Congress decide to consider the approval of the Covenant by a Joint Resolution, it will have the advantage of being identical to the manner in which the Congress approved placing the area under United Nations Trusteeship system and may resolve questions concerning the transfer of sovereignty if the issue should ever arise. Its disadvantage is that a Joint Resolution signed by the President may not have the force of law and would in any case need additional enabling legislation to authorize the expenditure of funds. Moreover, War Claims legislation could not be proposed as a rider to a Joint Resolution.