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SECT 01 OF 51947

ACTION ASD:ISA(10)
DISTR CJCS DJS(03) SJCS(02) J31(04) J4(08) J5(02) SECDEF(04)
NMIC SECDEF: ASD:IL(02) ASD:PA(01) GC(01) DIA:
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TRANSIT/090625Z/090924Z/002:59TOR1290908
DE RUHGSAA #0667 1290625

ZNR UUUUU

P 090625Z MAY 75

FM HICOMTERPACIS SAIPAN MARIANAS ISLANDS
TO ZEN/ALDISTADS TERPACIS

ZEN/TT LNO GUAM MARIANAS ISLANDS

RUWMFGA/TTPI LNO KWAJALEIN MARSHALL ISLANDS

RUHNSAA/COMNAVMARIANAS GUAM MARIANAS ISLANDS

RUHNSAA/CINCPACREP GUAM/TTPI GUAM MARIANAS ISLANDS

RUHQHQA/CINCPAC HONOLULU HI

RUHQHQA/INTELLIGENCE CENTER PACIFIC (IPAC)

RUHJPBA/NAVINSERVO GUAM MARIANAS ISLANDS

RUWJAJA/COMTWELVE SAN FRANCISCO CA

RUEHC /SECSTATE WASHINGTON DC

RUEKJCS/SECDEF WASHINGTON DC

RUEKJCS/JCS WASHINGTON DC

RUENAAA/CNO WASHINGTON DC

RHHMBRA/CINCPACFLT MAKALAPA HI

RUHVAAA/CINCPACAF HICKAM AFB HI

RUHQHQA/CGFMPPAC CAMP H M SMITH HI

RHHMRBD/COMCBPAC PEARL HARBOR HI

RUEBDSA/NAVFACENGCOMHQ ALEXANDRIA VA

RHHMRBD/PACNAVACENGCOM PEARL HARBOR HI

RUWLSBT/TT LNO HONOLULU HI

RUWJSLC/SAMTEC VANDENBERG AFB CA

RUWMHAF/PCDNA LGA KIRTLAND AFB NM

RHAIBQA/CORUSAGO MAKIMINATO JA//TTPI-LNO//

RUEHBAC/AMEMB CANBERRA ACT AS

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SECTION 01 OF 02

COMTWELVE PASS INFO FOR AMB WILLIAMS
SECSTATE PASS TO DEPT INT/SEC INTERIOR/DOIA OSN
AMEMBASSY CANBERRA FOR PAC. ISL. MONTHLY
AMEMBASSY TOKYO

MISSION USUN NEW YORK
(WILLIAMS RESPONSE TO TENORIO)

SAIPAN, MAY 9 (MNS)---THE MARIANAS COVENANT "IS OPEN FOR AMENDMENT, REVISION OR RENEGOTIATION" ACCORDING TO A RECENT LETTER FROM AMBASSADOR FRANKLIN HAYDN WILLIAMS TO MARIANAS SENATOR PEDRO A. TENORIO. THE LETTER, (DATED MAY 5) CONTAINS DETAILED ANSWERS TO A LIST OF QUESTIONS SUBMITTED TO THE AMBASSADOR BY SENATOR TENORIO ON APRIL 23RD.

AMBASSADOR WILLIAMS ALSO REAFFIRMED THAT IF THE COVENANT IS APPROVED IN THE JUNE 17 PLEBISCITE IT WILL BE SUBMITTED "IN EXACTLY THE SAME FORM TO THE CONGRESS OF THE UNITED STATES. FOR APPROVAL OR DISAPPROVAL BUT NOT FOR AMENDMENT BY THAT BODY."

AFTER POINTING OUT THAT THE QUESTIONS RAISED IN SENATOR TENORIO'S LETTER WERE CAREFULLY CONSIDERED BEFORE THE SIGNING OF THE COVENANT, THE AMBASSADOR ANSWERED EACH QUESTION IN DETAIL. A SUMMARY OF HIS RESPONSE FOLLOWS.

ON THE QUESTION OF APPLICABILITY OF U.S. MINIMUM WAGE LAW, WILLIAMS POINTED OUT THAT THE AGREEMENT LEFT THE MARIANAS LEGISLATURE FREE TO ADOPT WHATEVER MINIMUM WAGE IT CONSIDERS APPROPRIATE TO THE NORTHERN MARIANAS AND THAT IT COULD ADOPT LEGISLATION IDENTICAL TO THAT OF THE UNITED STATES IF IT SO DESIRED.

CONCERNING WAR CLAIMS, WILLIAMS SAID THAT THE COVENANT PROTECTS THE RIGHTS OF THE PEOPLE OF THE NORTHERN MARIANAS BY "SPECIFICALLY STATING THAT THE MICRONESIAN CLAIMS ACT AND ANY SUBSEQUENT AMENOMENTS THERETO WILL CONTINUE TO APPLY TO THE NORTHERN MARIANA ISLANDS WHEN THE COVENANT TAKES EFFECT."

THE RIGHT OF EMINENT DOMAIN "MUST EXTEND TO ALL TERRITORIES UNDER THE DOMAIN OF THE UNITED STATES," AMBASSADOR WILLIAMS WROTE, BUT "THE LANGUAGE OF THE COVENANT WAS CAREFULLY DESIGNED TO EXTEND MAXIMUM PROTECTION TO THE PEOPLE OF THE NORTHERN MARIANAS IN THIS MATTER" AND THE UNITED STATES HAS UNDERTAKEN A FORMAL COMMITMENT "THAT IF IN THE FUTURE IT HAS NEED FOR LAND IN THE NORTHERN MARIANAS FOR PUBLIC PURPOSES IT WILL SEEK TO ACQUIRE THE RIGHTS TO SUCH LAND BY VOLUNTARY MEANS AND IN ACCORDANCE WITH ESTABLISHED LAWS AND PROCEDURES."

TURNING TO GUARANTEED JOB PREFERENCES, WILLIAMS STATED THAT

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THE GOVERNMENT OF THE NORTHERN MARIANAS WOULD BE FREE TO ESTABLISH "JUSTIFIABLE STANDARDS AND QUALIFICATIONS FOR LOCAL EMPLOYMENT," BUT THE "LAWS COULD NOT BE APPLIED IN A MANNER TO DISCRIMINATE AGAINST AMERICAN CITIZENS FROM OTHER PARTS OF THE UNITED STATES IF THEY HAD THE SAME QUALIFICATIONS."

ON THE QUESTION OF GUARANTEED FINANCIAL SUPPORT, HE WROTE THAT THE LANGUAGE OF THE COVENANT COULD NOT BE MORE STRONGLY PUT. IT STATES THAT APPROVAL BY THE U.S. CONGRESS WILL CONSTITUTE A COMMITMENT AND PLEDGE OF THE FULL FAITH AND CREDIT OF THE UNITED STATES FOR THE PAYMENT ON AN ANNUAL BASIS OF ALL THE MONIES CALLED FOR IN ARTICLE VII OF THE COVENANT.

IN ADDITION, THE UNITED STATES WILL PROVIDE THE FULL RANGE OF FEDERAL PROGRAMS AND SERVICES WHICH ARE AVAILABLE TO THE TERRITORIES OF THE UNITED STATES, INCLUDING SOCIAL SECURITY, HEALTH AND MEDICAL CARE ASSISTANCE, HOUSING ASSISTANCE, AND CHILD WELFARE PROGRAMS.

THE COVENANT EXTENDS TO CAROLINIANS AND CHAMORROS OF NORTHERN MARIANA ISLANDS DESCENT EQUAL PROTECTION WITH RESPECT TO LAND OWNERSHIP, WILLIAMS STATED. "UNDER THE COVENANT AND THE U.S. CONSTITUTION CAROLINIANS AND CHAMORROS WILL BE GUARANTEED THE FULL PROTECTION OF THE LAW AND ACCESS TO THE COURTS IF THEIR EQUAL RIGHTS TO LAND OWNERSHIP ARE DENIED TO THEM OR IF IN ANY WAY THEY ARE DISCRIMINATED AGAINST WITH RESPECT TO LAND OWNERSHIP."

CONCERNING THE TERMS UNDER WHICH THE UNITED STATES WILL LEASE CERTAIN LANDS, WILLIAMS REAFFIRMED THAT AGREEMENT HAD BEEN REACHED ONLY AFTER BOTH SIDES HAD STUDIED THE MATTER THOROUGHLY AND AFTER CAREFUL CONSIDERATION OF THE VIEWS AND RECOMMENDATIONS OF REAL ESTATE EXPERTS AND LAND APPRAISERS. HE POINTED OUT THAT \$19,520,600 WILL BE PAID TO THE GOVERNMENT OF THE NORTHERN MARIANAS IN A LUMP SUM AND IF THE PRINCIPAL IS KEPT INTACT IT COULD EARN INTEREST AND DIVIDENDS UP TO \$2,000,000 PER YEAR.

THE UNITED STATES HAS ALREADY PAID FOR USE AND OCCUPANCY RIGHT TO APPROXIMATELY ONE THIRD OF THE LAND IN QUESTION AND THIS MONEY REMAINS IN A TRUST FUND FOR THE BENEFIT OF THE PEOPLE OF THE NORTHERN MARIANAS, HE ADDED.

ADDITIONALLY, THE UNITED STATES WILL LEASE BACK TO THE GOVERNMENT OF THE NORTHERN MARIANAS ABOUT 6400 ACRES OF LAND FOR ONE DOLLAR PER ACRE AND WILL SET ASIDE LAND IN SAIPAN FOR A PUBLIC PARK. THE UNITED STATES WILL ALSO RETURN SOME 4,790 ACRES OF MILITARY RETENTION LAND TO THE PEOPLE OF THE NORTHERN MARIANAS.

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THE UNITED STATES CONSTITUTION AND FEDERAL LAWS AND TREATIES ARE APPLICABLE TO ALL OF THE STATES AND AMERICAN TERRITORIES. WITHIN THIS FRAMEWORK THE NORTHERN MARIANAS ARE ASSURED OF MAXIMUM SELF-GOVERNMENT UNDER THEIR OWN CONSTITUTION AND THE COVENANT PLACES SUBSTANTIAL LIMITATIONS ON THE EXERCISE OF U.S. POWERS IN THE NORTHERN MARIANAS.

THE CITIZENS OF THE NORTHERN MARIANAS WILL ELECT THEIR OWN GOVERNMENT, WHICH WILL BE EMPOWERED TO ENACT LOCAL LAWS. UNDER THE COVENANT, AMERICAN CITIZENS WOULD HAVE THE RIGHT TO RESIDE IN THE MARIANAS, JUST AS PEOPLE OF THE MARIANAS WHO HAVE BECOME UNITED CITIZENS WOULD BE ABLE TO LIVE ANYWHERE IN THE UNITED STATES.

LAND OWNERSHIP RESTRICTIONS IN THE COVENANT "COULD INHIBIT THOSE WHO DO NOT QUALIFY FOR LAND OWNERSHIP FOR THINKING IN TERMS OF PERMANENT RESIDENCE IN THE NORTHERN MARIANA ISLANDS." AMBASSADOR WILLIAMS STATED. THE RIGHT OF AN AMERICAN CITIZEN RESIDING IN THE NORTHERN MARIANAS TO VOTE IN U.S. PRESIDENTIAL ELECTIONS COULD NOT BE GRANTED BY THE COVENANT, HE SAID, BECAUSE VOTING IS RESTRICTED TO CITIZENS RESIDING IN ONE OF THE 50 STATES OR THE DISTRICT OF COLUMBIA.

WHILE IT IS POSSIBLE THAT AT SOME TIME IN THE FUTURE THE CONSTITUTION MAY BE AMENDED TO ALLOW ALL AMERICAN CITIZENS TO VOTE IN PRESIDENTIAL ELECTIONS REGARDLESS OF THEIR PLACE OF RESIDENCE, THE LETTER EXPLAINED THIS COULD NOT BE GRANTED UNDER EXISTING CONSTITUTIONAL PROVISIONS. VOTING REPRESENTATION IN THE UNITED STATES CONGRESS IS SIMILARLY RESTRICTED, WILLIAMS ADDED. THE AMERICAN TERRITORIES OF GUAM, PUERTO RICO AND THE

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