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STATUS OF MARIANAS COVENANT

The Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America was approved by the House of Representatives on July 21, 1975 and is now before the Senate in the form of Senate Joint Resolution 107. The Senate Interior Committee, which has sole jurisdiction, had hearings on July 24 to which members of the Armed Services and Foreign Relations Committees were invited. It is uncertain whether additional hearings will be required, but Senators Gary Hart and Harry Byrd will attempt to persuade Senator Stennis of the need for hearings by the Armed Services Committee; the Foreign Relations Committee may also have an interest. It appears that jurisdiction will remain with the Interior Committee and that any additional hearings will be informal and only for the information of the committee concerned.

Senate attitude: The only present indication of Senate feeling on the Covenant is the vote on S-326 on March 17, 1975. This bill authorized the appropriation of \$1.5 million for funding the transition of the Marianas to a new political status, conditional on Congressional approval of the Covenant. This bill passed with 47 yeas and 39 Senators opposing. There were procedural issues involved and it is not clear that a negative vote at that time was a substantive vote against the Covenant. It is noteworthy that Senator Jackson as late as July 28 estimated that there was a potential opposition of 30-40 Senators.

Interior Committee: S-326 was opposed by four members of the Interior Committee, Senators Haskell, Glenn, Stone and Bumpers. Stone's office has recently indicated he will support the Covenant. S-326 was supported by the full Republican membership of the Committee and by Senators Jackson, Metcalf and Johnston. Senators Abourezk and Church were absent. We now expect support for the Covenant by at least ten of the Committee's 14 members.

Armed Services: Of the 16 members on the Armed Services Committee, seven, all Democrats, voted against S-326. Senators Jackson and Cannon joined the Committee Republicans in support of the measure. Senator Nunn has recently indicated his support for the Covenant. The attitude of the Committee will be greatly influenced by Senator Stennis, who opposed S-326 and has indicated he is undecided about the desire of Senators Byrd and Hart for the Committee to hold hearings on the security aspects of the Covenant.

Foreign Relations: Eight of the Foreign Relations Committee's 17 members voted against S-326. Senators Case and Javits joined the majority of Committee Democrats on the issue, while Sparkman and McGee voted with the Committee Republicans. Church will probably vote in support of the Covenant.

Other key Senators include McClellan and Kennedy, both of whom voted against S-326. McClellan recently informed Ambassador Williams he had not yet decided on his position on the Covenant; we have been unable to meet with Kennedy. Both Senators Fong and Inouye, from Hawaii, support the Covenant.

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MARIANAS COVENANT TALKING POINTS

The Covenant to create a Northern Marianas Commonwealth is now before the Senate as S.J.R. 107. Hearings were held by the Senate Interior Committee on July 24. (The Covenant, in H.J.R. 549, was approved by voice vote without dissent by the House on July 21 after unanimous approval of the Interior and Insular Affairs Committee.)

Background: The Northern Marianas are located just north of the American territory of Guam and have been administered by the U.S. as part of a U.N. Trusteeship since 1947. The people of the Northern Marianas have regularly expressed their desire to become part of the United States since 1950. On June 17 of this year they participated in a U.N. observed plebiscite and voted with a 78.8% majority in favor of the Covenant.

Consultations: The Interior Committee, which has legislative responsibility over U.S. territories, including the Trust Territory, has been fully briefed and consulted at every step of the U.S./Marianas negotiations since they began in 1972. Other Committees, individual members and staffs have been briefed and consulted upon request.

U.S. Obligation: The Trusteeship Agreement, approved by both houses of Congress, obliges us to develop the peoples of the territory for self-government or independence. Territorial status, including U.S. citizenship, was offered to the entire Trust Territory in 1969 and 1970. This was consistent with the wishes of the Northern Marianas. Our traditional commitment to the right of self-determination and the obligations of the Trusteeship Agreement argue in favor of approval of the Covenant.

Financial Arrangements: There will be an annual grant of \$14 million for the first seven years to stimulate and support economic development. Federal programs and services now available to other territories will apply in the Marianas. As with Guam, proceeds from numerous Federal taxes, including the income tax, will remain with the local government.

Security: The Northern Marianas are important to the peace and stability of the Western Pacific and to the security of the United States, including the defense of Guam. The DOD has no current plans for base construction on the islands, but the Covenant provides for the lease of some 18,000 acres for defense purposes. This lease will provide highly desirable flexibility to U.S. defense planning in the area without involving the U.S. in any additional foreign commitment.

Establishment of the Commonwealth: The Covenant will become effective in stages after Congressional approval and will not be fully implemented until the termination of the Trusteeship Agreement, tentatively scheduled for 1980 or 1981. Termination will be subject, among other things, to agreement on the future status of the rest of the Trust Territory. A draft agreement has been negotiated and submitted to the Congress of Micronesia. As yet it has neither been approved or disapproved.

Separate Status: The people of the Northern Marianas have relatively few ethnic or cultural links with the rest of the Trust Territory; their primary ties are with Guam. They have clearly expressed their desire for a future separate from the rest of the Territory.

Timing: Early action in the Senate is needed to alleviate the current unnatural and administratively awkward situation of maintaining the administrative and legal attachment of the Marianas to the rest of the TTPI in view of the plebiscite results.

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CONGRESSIONAL CONSULTATIONS
ON MARIANAS COVENANT

The Office for Micronesian Status Negotiations was established in the summer of 1971. Since that time it has been responsible for liaison with the Congress on all matters relating to the negotiations with the Congress of Micronesia and with the Marianas Political Status Commission. It has made its availability for individual consultations, briefings and consultations known to all concerned and has endeavored to keep the Committee members and staff of those Committees with primary legislative responsibility informed on all status matters.

Since 1971, there have been 12 formal hearings or briefings, four in the Senate and eight in the House on the Micronesian-Marianas talks. Members of the Executive Branch, in the course of other hearings before Committees other than Interior and Insular Affairs, have also on appropriate occasions over the past four years, described and commented on the Micronesian and Marianas status talks.

In addition to the formal hearings and briefings, there have been many more informal briefings of the Senate Interior Committee and its companion Committee in the House, usually following each of the rounds of the Marianas talks. Committee members and other interested members of the Congress and staff have also been provided the full record of the proceedings and all other written material relevant to the talks as they progressed, including the Covenant in draft form.

Individual consultations with the Chairmen of the full Committees of both Houses began before the decision to engage in separate talks and before the opening of the Marianas talks in December 1972. The ranking minority members of the House and Senate Interior Committees and Subcommittees were also consulted individually in meetings together with the Chairmen of the Committees and Subcommittees. During 1973 there were 10 such consultations with the Senate and 17 with the Committee leadership in the House. Additionally in 1973 the staffs of the Senate and House Armed Services and Appropriations Committees were briefed prior to the beginning of the negotiations on U.S. defense land requirements in the Northern Mariana Islands.

As the Marianas negotiations progressed in 1974, the pace of Congressional consultations increased. The staffs of the Senate and House Interior Committees concerned with the nego-

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tiations and members of the Office for Micronesian Status Negotiations were in continual touch and the number of individual consultations with the Chairmen and members of the Committees and Subcommittees exceeded those of the previous year. The established pattern of briefings and consultations before each round of negotiations was continued and as the talks neared their conclusion, the entire draft Covenant, section by section, was reviewed with the Congressional staff members and with the Chairmen and ranking minority members of the Senate Committee and House Subcommittee on Insular and Territorial Affairs, as well as other interested members of the Congress.

A special effort was made in early 1975, prior to the signing of the Covenant in February, to consult on the exact negotiated terms of the Covenant with those members of the Congress who had been providing the Administration with advice since the beginning of the talks, advice which is reflected in many significant provisions of the Covenant. Since the Covenant signing, Ambassador Williams has had the assistance of Senators Jackson, Fannin and Johnston, of the Interior Committee, in actively seeking to brief the Chairmen and members of the Senate Foreign Relations and Armed Services Committees. On July 18, the President discussed the Covenant with the Congressional leadership at a White House meeting. The Office for Micronesian Status Negotiations staff continues to seek opportunities to brief appropriate Congressional staff personnel.

This summary does not include all of the contacts, correspondence and communications between the Executive and the Congress over the past three years with regard to the Marianas talks. Nevertheless, it is indicative of the close and cooperative relationships which have existed between the Congress and the Executive with respect to the Northern Marianas Commonwealth Covenant negotiations.

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SENATE CONTACTS ON MARIANAS COVENANT

Interior Committee

Jackson Continuing consultation between Ambassador Williams and the Senator from the onset of negotiations. Frequent contact with Sterling Monroe.

Church No personal contact with the Senator. Fred Hutchison briefed July 22.

Metcalf Nieman Craley met the Senator July 16. Teddy Roe briefed July 16.

Johnston Frequent consultation between Williams and the Senator. Paul Haygood fully and regularly briefed.

Abourezk No personal contact with the Senator. George Voight briefed separately by Neiman Craley and the Marianas Delegation in mid-July 1975.

Haskell No direct contact with the Senator. Holmes Brown briefed by Chuck Schmitz July 23.

Glenn No personal contact with the Senator. Roy Werner and Brian Dettelbach briefed by Schmitz and Schiele on July 8. Several follow-up telecons with Dettelbach.

Stone No personal contact with the Senator. Barry Schochet briefed July 18 by Schiele and de Graffenried. Follow-up July 25 by Schiele.

Bumpers No personal contact with Senator. Richard Arnold briefed July 1 by Schmitz and Schiele. Follow-up July 8 and 25 by Schiele

Fannin Regular contact between Williams and the Senator. Harrison Loesch (Committee staff) fully briefed and in frequent contact with OMSN.

Hansen No recent personal contact with the Senator. Sonney Nixon briefed July 22 by de Graffenried.

Hatfield No personal contact with the Senator. Tom Imeson briefed July 17 by Schmitz and Schiele.

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Interior Committee (Con't)

McClure Senator has been briefed occasionally by Williams.
Bartlett No recent personal contact with the Senator. Fred Ruth briefed July 17 by Schiele and Mary V. Trent.
Interior Staff Weekly, sometimes daily, contact with Jim Beirne and Dan Dreyfus. Frequent contact with Staff Director, Grenville Garside and minority counsel Harrison Loesch.

Armed Services

Stennis No personal contact with Senator despite several attempts. Stennis was involved with Jackson and Mansfield in resolving jurisdictional question on SJR-107.
Symington No personal contact.
Jackson See Interior Committee--regular contact
Cannon No contact
McIntyre No contact
Byrd (Va.) Williams briefed Byrd June 16. Mr. Peter Hughes briefed by Williams, Ed Archer and Marianas delegation.
Nunn The Senator visited the Marianas, was briefed by COMNAVMAR and Status LNO. Briefed July 21, 1975 by Craley and Marianas delegation. Follow-up telecon with Joe Cruz. Staff contact, George Kummer, fully briefed.
Culver No personal contact with the Senator. Craley briefed Patrick De Lohery July 17.
Hart Senator briefed by Williams March 10 and by Marianas Delegation July 27. Ed Mitler fully briefed by Ed Archer and Marianas Delegation.
Leahy No contact with the Senator.

Thurmond Williams briefed the Senator on July 18.
Tower No contact

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Armed Services (Con't)

Goldwater Senator has been to Marianas. Williams briefed Jack Murphy June 25.

Scott (Va.) No contact

Taft No contact

Bartlett See Interior Committee

Armed Services Staff Captain Elster and Adrian de Graffenried briefed Clark McFadden July 22.

Foreign Relations

Sparkman Williams briefed the Senator July 23.

Mansfield The Senator attended July 14 meeting with President Ford and has been involved in jurisdictional question within the Senate.

Church See Interior Committee

Symington No contact

Pell No personal contact with the Senator. Schiele left Covenant for Valerie McGee on July 9--unable to brief.

McGee Williams briefed the Senator June 9. Dick McCall attended briefing for Senator and had follow-up briefing by Schiele on July 10.

McGovern No personal contact with the Senator. Craley briefed Bill Bergstrom July 17.

Humphrey No personal contact with the Senator. Craley left briefing packet for Dan Spiegel July 17--unable to brief.

Clark No personal contact with the Senator. Schiele and Trent briefed Dick Olson July 29.

Biden No contact.

Case No personal contact with the Senator, despite attempts to brief. Craley briefed Stephen Bryen July 17.

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Foreign Relations (Con't)

Javits No contact.

Scott (Pa.) The Senator attended the July 14 meeting with the President and was briefed by Craley on July 16. Robert Barton (Committee Staff) briefed by Schmitz June 12.

Pearson No contact

Percy No personal contact with the Senator. Trent briefed Mrs. Rosenberg July 23.

Griffin No contact.

Baker No contact.

Foreign Relations Staff Unsuccessful attempts to brief George Ashworth.

Appropriations

McClellan Williams briefed the Senator July 22. Schmitz and Schiele briefed Max Parrish July 8.

Magnuson No contact.

Stennis See Armed Services Committee

Pastore No contact.

Byrd (W.Va) No personal contact with the Senator. Schiele attempted to brief Virginia Yates in early July--left Covenant.

McGee See Foreign Relations Committee

Mansfield See Foreign Relations Committee

Proxmire No personal contact. Schiele attempted to brief Mr. Tammer July 3--left Covenant.

Montoya No contact.

Inouye Williams briefed the Senator March 12.

Hollings No contact

Bayh No contact

Appropriations (Con't)

Eagleton No contact

Chiles No personal contact with the Senator. Schmitz and Schiele briefed Colin Bradford July 9.

Johnston See Interior Committee

Huddleston No contact.

Young Williams briefed the Senator July 18.

Hruska No personal contact with the Senator. Schmitz briefed John Ryan July 23

Case See Foreign Relations Committee

Fong Senator has been to Marianas and has been briefed by Williams. Frequent contact between Larry Nakatsuka and Dave Schiele.

Brooke No contact

Hatfield See Interior Committee

Stevens No contact

Mathias No contact

Schweiker No personal contact with the Senator. Schmitz and Trent briefed Ruth Anne Chocola July 2.

Bellmon No contact

Appropriations Staff No contact

Others

Bentsen No personal contact with the Senator. de Graffenried briefed Gary Bushell July 21 and Sally Shelton July 22

Kennedy No personal contact with the Senator. Steve Collins and Ms. Rodriguez have been briefed by Schmitz, de Graffenried, Craley and the Marianas Delegation.

Others (Con't)

Buckley No recent personal contact with the Senator.

Burdick No recent personal contact with the Senator.
Trent briefed Robert Van Heuvelen July 23.

Tunney No personal contact with the Senator. Craley
briefed Mark Moran July 16.

Hathaway Craley briefed the Senator July 17! Charlie
Peck briefed by Craley.

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CONGRESSIONAL ACTION ON THE MARIANAS COVENANT

The Covenant was passed by the House of Representatives on July 21 in the form of House Joint Resolution 549. This resolution included sections on full payment of claims adjudicated under Title II of the Micronesian Claims Act and the extension of federal programs to the territories, including the TTPI. During July 24 Senate Interior Committee hearings Senators Johnston and McClure stated that the Covenant should be considered separately from the other two matters. It appears likely that this view will prevail in the full Committee and that the matter will have to be resolved between the two houses in conference.

Other Committee Interest

The Interior Committee hearings were attended by Senators Harry Byrd and Gary Hart of the Armed Services Committee and Claiborne Pell of the Foreign Relations Committee. It appears that the Armed Services Committee will hold hearings on the Covenant, although it does not now have jurisdiction over the legislation. It is unclear whether the Foreign Relations Committee will request hearings.

Action Desired

The immediate concern is that those Senators opposed to the Covenant will be able to delay consideration of the legislation and that they will be able to use the time to gain additional support. We should make every effort to ensure the earliest possible committee hearings and floor action. Action by the end of September is important. With full Administration support it should be possible to gain the support of the Chairman of the Armed Services, Foreign Relations and Appropriations Committees. In addition, we can realistically work for the support of most conservative Democrats and for Republican solidarity at the time of floor action. We must continue to work for liberal support, but it seems less likely at this time.

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