

Nov 11, 1975

Derived from
my dissertation.

Copies passed
around the Congress
offices.

Oct 22, '46: Truman
decides to place under US.
Sen Byrd's son was Sen
of VA in 1975-1976!

Hebert (La) still in
House in 1975.

Manfield's comments!
(Was a Senator in 1979)

Taft's father also
quoted.

All those Senators
were sent copies of
this paper -

CONGRESSIONAL INTEREST AND INVOLVEMENT IN THE
FUTURE POLITICAL STATUS OF THE
TRUST TERRITORY OF THE PACIFIC ISLANDS

Congressional interest in the political status of the Marshall, Caroline, and Mariana Islands dates from the days of World War II. From the initial securing of the former Japanese mandated islands in 1944, there was universal agreement in Washington that under no circumstances would they be returned to Japan at the conclusion of the war. President Roosevelt and the Department of State desired that these islands be placed under an international trusteeship system. Secretary of War Stimson, Secretaries of the Navy Knox and Forrestal, and the Joint Chiefs of Staff desired that these islands be annexed by the United States. These differences were reflected in the wartime planning for the future United Nations Organization. The initial State Department plans for the postwar international trusteeship system within the United Nations Organization were modified extensively during the period 1942 to 1945 directly as a result of the concern by the American military departments and members of Congress that the former mandated islands be retained under absolute United States control. The strategic trusteeship category was evidently formulated specifically with these islands in mind in an attempt by the State Department to accommodate this concern.

The first public concern on this point was evidenced on record when the House Foreign Affairs Committee heard testimony on March 9, 1944, by Secretary of the Navy Frank Knox in favor of annexing the mandated islands. The Gallup Poll

published on May 23, 1944, indicated that 69 percent of the American public desired to "keep" Micronesia.

The New York Times, June 28, 1944, reporting on former President Hoover supporting retention of Pacific bases in a speech to the Republican national convention, commented that several Senators were also speaking out for annexation of the islands. The State Department planners between June 22 and July 6, 1944, radically revised the draft trusteeship plan downgrading the supervisory powers of the Trusteeship Council in an attempt to make the trusteeship system acceptable to the advocates of full American control over the mandated islands.

The President, himself, was finally influenced by the consistent opposition to international administration of the islands. In reply to a letter from the Joint Chiefs of Staff recommending annexation, he pointed out on July 10, 1944, that the United States was seeking no additional territory but then stated, "I am working on the idea that the United Nations will ask the United States to act as Trustee for the Japanese Mandated Islands. With this will go the civil authority ... and also the military authority to protect them; i.e. fortifications, etc. It does not necessarily involve a decision on permanent sovereignty". The President's statement was a shift from his earlier position that the United States would not occupy all of the mandated islands. The President also approved the new State Department trusteeship plan on July 15, 1944, for

unsuccessfully to get a postponement of the whole subject of trusteeships at the San Francisco Conference through concern over the whole trend of thinking by the State Department on the islands.

On April 16, 1945, a high level State, War, Navy conference decided that the subject of international trusteeships would not be eliminated from discussion at San Francisco. This decision followed a briefing of President Truman on the entire matter on the day after President Roosevelt's death. On April 17, 1945, the Secretaries of State, War, and Navy met with the full United States delegation to the San Francisco Conference and discussed the subject of international trusteeships. At that meeting Secretary Forrestal spoke, once again, for American control of the Micronesian islands:

"Both the Army and Navy are aware that they are not makers of policy but they have a responsibility to define to the makers of policy what they believe are the military necessities of the United States, both for its own defense and for the implementation of its responsibility for maintenance of world peace I take it as a premise about all discussions of world peace that the United States is to have the major responsibility for the Pacific Ocean security, and if this premise is accepted there flows from it the acceptance of the fact that the United States must have the means with which to implement its responsibilities.... I closed by re-emphasizing the fact that retention of power by the United States was not inconsistent with the work on and the hopes for a world peace organization - that those that hate war must have the power to prevent it.

(Millis, ed. The Forrestal Diaries, p.45)

Senator Vandenberg, a member of the delegation, noted of this meeting that he, himself, agreed with the position that full control over the islands must be accomplished but also agreed

with the State Department's view presented at that time that this control "must be accomplished without setting a precedent for all the other Big Powers to take what they claim they need for their defense (precisely as Russia is already doing)."

(Arthur H. Vandenberg, Jr., ed., The Private Papers of Senator Vandenberg (Boston: Houghton Mifflin, 1952), p.169.

That night, and at the Delegation meeting the next day (April 18, 1945), the final wording of the trusteeship plan and a United States trusteeship policy was hammered out. It was agreed by the full delegation that no determination of the placing of any particular territory under a trusteeship system would be made at San Francisco.

On the same day as the full delegation was working on the trusteeship policy for San Francisco, the House was debating on the floor a major authorization bill concerning the Navy. Representative Whitten of Mississippi spoke out strongly for retention of our Pacific bases after the war; Congresswoman Rogers of Massachusetts injected that such a discussion would be extremely helpful to the delegates in San Francisco. She stated, "It seems to me it places them in a very strong position if they can say that the Congress desires that we control these islands." (C.R. April 18, 1945) Representative Whitten replied, "I do. I wonder, too, if perhaps our agreements in the past have not been brought about not so much by the insistence on the part of those with whom we have dealt that we surrender these mandated islands as in the last war but by our own desire to be held out as a country that

wants no particular reward for having fought a war. I think this discussion will carry much weight and be of benefit not altogether in insisting on acquiescence on the part of our allies but in keeping our own delegates from feeling that the people do not want at least to get security of position out of this war." Mrs. Rogers agreed with Mr. Whitten stating "Sometimes we seem to want to give away everything we have without thinking over the harm that might result not only to ourselves but to other nations". Representative Bates of Massachusetts later in the debate indicated his agreement with the thrust of Representative Whitten's comments.

Representative Mike Mansfield of Montana then took the floor and delivered a comprehensive statement on the Caroline, Marshall, and Mariana Islands tracing the history of the islands, then recalling a previous speech on the floor of the House on August 28, 1944, during the Dumbarton Oaks Conference, in which he called for retention of the islands. In the earlier speech he had stated, "This time we must make sure there will not be another war, and one of the ways of seeing to that in the Pacific is to make these islands American possessions and thus prevent any future possibility of another Pearl Harbor disaster ... These islands are or will be ours by right of conquest as partial reparation for our losses, and, most important of all, because they are absolutely necessary for our peace and security".

Representative Mansfield concluded his speech on April 18, 1945, by stating:

"Because of the recent publicity given to the possibility of establishing some type of trusteeship for these mandated islands, I feel that it is now time to speak out--as I did during the Dumbarton Oaks Conference of last year--in favor of outright annexation by the United States of this territory. Secretary of State Edward R. Stettinius revealed, within the past few weeks, that as a result of an understanding reached at Yalta, the Big Five--the United States, Russia, Britain, China, and France--will formulate proposals for the dependent areas, which will be submitted to the San Francisco Conference meeting late this month.

"In my opinion the creation of a trusteeship is only another way of saying that the mandate idea will be revived and that everybody's job would be nobody's responsibility. We know now how Japan used her mandated islands, which were given to her as 'a sacred trust of civilization,' and we do not intend that she, or any other power, be given the opportunity to make of them stepping stones to conquest and aggression. The time has come for us to declare that our policy in regard to the former Japanese mandate will be outright ownership by the United States.

"I can do no more than reiterate the remarks made by Fleet Admiral Ernest J. King when he addressed the Academy of Political Science on April 4, 1945, and with which I agree wholeheartedly:

'These atolls, these island harbors, will have been paid for by the sacrifice of American blood. They will have been scooped out of sand and rock, coral and volcanic ash, by a generation of Americans giving their service, ingenuity, and money.

'Failure to maintain these bases essential to our defense raises the fundamental question: How long can the United States afford to continue a cycle of fighting and building and winning and giving away, only to fight and build and win and give away again.

'Rich as we are, we do not have the human or physical resources to dissipate our patrimony, generation after generation, in this manner.'

"There can, in my opinion, be no argument strong enough to prevail against such logic. Admiral King is to be commended

for his forthright stand in behalf of our country and our people. We have some of the mandate now, we soon will have all in our possession, and we should keep them under our flag so that our future in the Pacific will be secured. We should always keep in mind President Theodore Roosevelt's statement, made in 1905, that: 'Our future history will be more determined by our position on the Pacific facing China than our position on the Atlantic facing Europe'. We are learning the truth of that prophecy today not from textbooks or speeches but in the blood of our sons. The price we have paid and will pay should make us realize that the questions of the Pacific are just as important and more significant than the questions of the Atlantic. Let us answer one of these questions--the Japanese mandates--by affirming at the earliest opportunity our determination that they shall be permanently ours."

There existed a fear by many congressmen that control of the islands might be inadvertently lost at San Francisco by some "quixotic" gesture. Senator Hart, a former Admiral, of Connecticut spoke out in favor of retention over the NBC network on April 22, 1945. The Senate Naval Affairs Committee sent a subcommittee, headed by Senator Harry F. Byrd (D-Va.), to "oversee" the American Delegation at San Francisco "to see that the United States got control of the mandated islands". (The New York Times, May 4, 1945, and May 8, 1945).

Senator Taft (R-Ohio) stated in The United States News (May 11, 1945), "I believe the U.S. should take title to the former Japanese mandated islands of the Pacific. The inhabitants are so few that there can never be any question of their self-government. Our men have conquered them and I see no reason why we should be trustees for an international body".

Representative F. Edward Hebert (D-La.) stated in The United States News (May 4, 1945), "The Navy should have complete control

and direction of whatever islands in the Pacific that are needed for the safety and security of our nation. We cannot lack backbone, courage and determination now by advancing such a weasel proposition as trusteeship. Annexation, with the complete force and might of U.S. power behind it, is the only realistic approach and answer to our future safety".

Representative Christian A. Herter (R-Mass.) was the only Congressman to state on the public record that he was in favor of the trusteeship system for the former mandated islands. He stated:

"I do not see how we can insist on outright acquisition of the islands as being essential to our national security without acknowledging that any other nation, if it is strong enough to do so, has the right to seize by force of arms and acquire whatsoever territories it might deem necessary to its own national security.

"I feel confident that we can achieve the desirable end of assuring our own security through the process of trusteeship and at the same time retain a moral position of very real benefit toward the solution of a number of other vital territorial problems." (The United States News, May 11, 1945)

At the San Francisco Conference other nations introduced an amendment to the trusteeship plan introduced by the United States to include "independence" as a political goal for dependent areas, rather than only having the goal of "self-determination". This amendment created a stir between the Navy and the Interior Departments. Secretary Forrestal, in fact, was so concerned over the subject of trusteeships as it might relate to the mandated islands, that he received almost daily reports on the subject from his Special Assistant, Keith Kane, who was an adviser to the American Delegation.

The Delegation as a whole refused to get involved in an inter-departmental fight; and the situation was finally resolved by avoiding the word "independence" in Article 73(b) of the Charter concerning non-self-governing territories in general, whether or not they were trusteeships. The Navy Department did not consider the term "independence" in that context to be of military concern.

The problem was also resolved by qualifying the word "independence" in Article 76(b) of the Charter concerning the basic objectives of the trusteeship system. The Navy Department, supported by Congressional concern over the mandated islands, was more worried about the trusteeship system (Chapter XII of the Charter) since the mandated islands might become a trusteeship than about policies dealing with dependent areas in general. Thus, the phrase in Article 76(b) under Chapter XII was qualified to read: "their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement."

It is clear that the qualification was intended by the Americans to fit the former Japanese mandated islands. It is of interest that the Navy Department was not worried that much about the use of the word "independence" in the Chapter dealing with dependent territories in general, [Chapter XI under which was Article 73(b)] even though Hawaii, Alaska, American Samoa, Guam, Puerto Rico,

and the Virgin Islands might be (as they, indeed, became) involved. The main concern of Congress and the military was focused on the former mandated islands.

Overall, the final forms of the Chapters of the United Nations Charter that cover trusteeships, Chapter XII and XIII, did not vary to any major extent from the Presidential Policy on Trusteeship dated April 18, 1945. The inclusion of "independence" along with "self-determination" was the only major change. It is clear from the record that options other than independence were included in the trusteeship by the drafters and signers of the United Nations Charter.

Senator Byrd's efforts to prevent some "quixotic" gesture at San Francisco resulting in the commitment to surrender absolute American control over the mandated islands was successful. No statements were made by the American Delegation concerning which, if any, territories would be placed under the proposed trusteeship system.

Secretary of State Stettinius, probably as a result of the congressional interest in the mandated islands, felt the need to state publicly on May 28, 1945, that the United Nations Charter sufficiently safeguarded American security interests in the Pacific. He also felt the need for a formal military endorsement of the Charter for insurance purposes and for use in the Senate Hearings on the Charter. (Department of State, Foreign Relations 1945, Vol. 1, p. 1355. Minutes of 76th meeting of the U.S. Delegation, June 19, 1945).

The Joint Chiefs of Staff gave their endorsement on June 23, 1945, stating they were "of the opinion that the military and strategic implications of this draft charter are as a whole in accord with the military interests of the United States." The Secretary of War and the Secretary of the Navy gave their concurrence to this statement. (Ibid., Vol. 1, pp. 1430-1431). (emphasis added).

This statement was not a change of the Joint Chiefs of Staff position that American control of the mandated islands by American sovereignty was considered by them as the only sure way of guaranteeing American strategic rights. The Joint Chiefs of Staff were to continue until late October 1946 their unsuccessful fight against the application of the strategic trusteeship system to those islands.

During the Senate Foreign Relations Committee hearings on the Charter (July 9-13, 1945), Secretary of State Stettinius testified that the War and Navy Departments had stated that the military and strategic implications of the Charter were, as a whole, in accord with the military interests of the United States. He then continued by saying:

"No commitment is made to place any particular area, strategic or nonstrategic, under the trusteeship system. The Charter thus leaves for future determination to what extent and under what terms islands in the Pacific which are taken from Japan at the end of the present war are to be placed under the trusteeship system. Any agreement into which the United States might enter to this end would have to be on terms satisfactory to us. (U.S. Congress, Senate, Committee on Foreign Relations, Hearings, The Charter of the United Nations, 79th Cong., 1st sess., 1945, p. 221.)

Following Stettinius, Dr. Leo Pasvolsky, the leading advocate of the trusteeship plan in the State Department, gave his testimony. When he started to mention the trusteeship system, the Chairman, Senator Tom Connally, inserted into the record letters to him from the Secretary of War and the Secretary of the Navy. Stimson's letter, dated July 6, 1945, merely repeated the quote above of the Joint Chiefs of Staff. Secretary Forrestal's letter, dated July 9, 1945, stated the Joint Chiefs of Staff's quoted position, attributed it to them, and endorsed it. However, Forrestal's letter then went on to express his concern about the trusteeship system as follows:

"A further specific comment concerning the Charter, which I believe to be of sufficient importance to warrant calling it to your attention, has to do with the chapter on the trusteeship system. This chapter has been a matter of particular concern to the Navy because of our recognition of the fact that undivided control of certain strategic areas in the Pacific wrested from the Japanese by our armed forces in this war, is essential to the security of this country. Our agreement that this Charter is in accord with the military interests of this country is conditioned by our understanding that the United States is not committed by this charter or any provisions thereof to place under trusteeship any territory of any character, and that if this country hereafter determines to place any territory under trusteeship this will be done only on such terms as it may then voluntarily agree to." (Ibid., p.314).

After some Senatorial comments about the meaning of the term "as a whole" as used by the Joint Chiefs of Staff and the Service Secretaries, the discussion returned to the subject of the trusteeship system. Senator Connally, who had been on the American Delegation at San Francisco, then stated, "in short, it was our attitude that if we are in possession of an island which we have conquered from Japan at the cost of blood and treasure we can

remain in possession of it, if it is within the strategic area, until we consent to have it go under trusteeship; and when we do agree that it go under the trusteeship, we have the right to stipulate the terms upon which it will go there." (Ibid., p.315).

In contrast to the Joint Chiefs of Staff position for annexation of the former mandated islands (legitimized by the future peace treaties), the Joint Chiefs of Staff and the War and Navy Departments were in favor of placing the Ryukyus (Okinawa) and the Bonin-Volcano (Iwo Jima) Islands within the strategic trusteeship system. At no time was annexation of the Ryukyus or the Bonin-Volcano Islands seriously considered.

The question of the postwar base structure in the Pacific and the acquisition of the Japanese mandated islands, in particular, was also the subject of interest and study on the part of the Naval Affairs Committee of the House of Representatives. In January 1945, the Committee constituted a subcommittee to study this matter. This subcommittee was headed by Representative Ed. V. Izac of California. The subcommittee toured the Pacific Island from July 14 to August 2, 1945. It visited Kwajalein, Majuro, Eniwetok, Saipan, Peleliu, and other islands.

The Subcommittee's report stated that the United States "should take outright the Japanese mandated islands and the outlying Japanese islands.. There are those who favor trusteeship of these islands. There are those who subscribe to the thesis that what is everybody's job is nobody's responsibility. Regardless of which view prevails, the United States should have the dominating control over these islands." (House, Subcommittee on

Pacific Bases of the Committee on Naval Affairs, Report #104, Study of Pacific Bases, 79th Cong., 1st sess., dated August 6, 1945).

The Subcommittee also recommended policies for the governing of those islands which would ensure a permanent relationship with the United States. Independence was not envisaged as a future political status for them. The report recommended an "aggressive program of teaching English" and stated:

"The natives of these islands (those retained) should be indoctrinated to the American way of life as soon as possible without infringing upon their customs and institutions. ... A base inhabited by natives friendly to the United States, is far more valuable from the standpoint of security... It is the necessity of the United States to cultivate the friendship of the natives of the islands it retains in the interest of future security. This psychological factor will greatly be shaped by the methods and policies adopted by the United States and the government of these islands. (Ibid.)

The report urged the adoption of a policy of government in the islands which would encourage the maximum of self-rule (not independence) at the earliest time.

In justification of the recommendations, the Subcommittee report cited the following:

"To those who challenge the justification for the retention of Pacific bases by the United States we would merely cite:

- (1) The loss of American lives in taking these bases;
- (2) The expenditure of vast sums of American money in establishing and equipping these bases;
- (3) The great dependence of the world upon the United States for maintaining peace in the Pacific and the world, and
- (4) The apparent preference of the natives of these islands for the United States Government.

"In other words, we will have restored peace to the Pacific almost singlehandedly and if we are to be charged with the responsibility of maintaining that peace, we must be given the authority and the means by which to maintain the peace--one of the principal means being the authority over strategic islands in the Pacific.

"Nor must the fact be overlooked that our retention of these islands will be predicated solely upon the desire and responsibility to maintain peace in the Pacific, rather than imperialism. Prewar mandates mean little to the enforcement of world peace if the countries that hold them are incapable of maintaining and defending the islands. The United States must retain those islands in Micronesia." (Ibid.)

The controversy over annexation versus strategic trusteeship continued throughout most of 1946. On October 22, 1946, President Truman decided to submit the mandated islands to strategic trusteeship under terms acceptable to the United States. On November 6, 1946, he announced this decision and made public a draft trusteeship agreement that had been developed by an ad hoc subcommittee of the State-War-Navy Coordinating Committee (SWNCC, the predecessor of the National Security Council).

One will never know exactly the main reason for the Presidential decision to submit the former Japanese mandated islands to a strategic trusteeship. The records and memoirs reflect three viewpoints. President Truman's memoirs state his anti-colonialist sentiments while not mentioning the specific decision-making conference. Secretary of State Byrnes' memoirs state the legal and foreign prestige viewpoint in terms of showing faith in the United Nations trusteeship system which the United States created. Admiral Leahy, on the other hand, believed that the previous sweeping statements of national policy (Atlantic Charter, United

Nations Declaration, and Cairo Declaration, among others, which were enunciated primarily for war-time propaganda purposes) to the effect that the United States was not fighting for "one square inch" of additional territory had backed the American government "into a corner" at the time of a crucial decision. (Library of Congress, Leahy papers (diary), Vol. 12, October 22, 1946, p.86).

One point is known, however, President Truman made his decision without consultation with the Congress.

The Subcommittee on Pacific Bases of the House Naval Affairs Committee made another inspection visit to the Western Pacific in early December, 1946, visiting Koror, Babelthuap, Moen (Truk), Kwajalein, and other islands. Representative Mike Mansfield of Montana reported on his Far Eastern and Pacific trip to the House on February 3, 1947, as follows:

"I would prefer to have the United States assume complete and undisputed control of the mandates. We need these islands for our future defense, and they should be fortified wherever we deem it necessary. We have no concealed motives because we want these islands for one purpose only and that is national security. Economically they will be a liability, socially they will present problems, and politically we will have to work out a policy of administration. No other nation has any kind of claim to the mandates. No other nation has paid the price we have. These views of mine are not new nor are they the results only of my recent investigative trip to the Pacific. Rather, my stand has been accentuated by what I have seen and I am more firmly convinced than ever of our great need for control of the mandates.

"If however, it does become necessary to create a trusteeship for these islands, I would favor the proposals made by our State Department and President Truman which would place the mandates under the United Nations with the consideration that they should be cataloged as a strategic area outside the control of the Trusteeship Council. On this basis, supervision would be exercised by the Security Council which has jurisdiction over such strategic areas in the interests of collective security. But, and this is important, the United States has a

veto over the Security Council should it ever want to assert effective control.

"If the Security Council blocked acceptance of America's terms for taking over the mandates as a strategic area, the islands then would remain under our control. It is worth remembering also, that until a treaty of peace is signed with Japan we have no legal title to the mandates." (C.R., February 3, 1947).

The strategic trusteeship agreement was submitted to the United Nations Security Council on February 26, 1947. The Soviet Union pressed for amending the agreement by deleting the words, "as an integral part of the United States" from Article 3 and to amend Article 6 to refer to the territory's development "towards self-government or independence, as may be appropriate to the particular circumstances of the Trust Territory and its peoples and the freely expressed wishes of the peoples concerned", rather than merely reading development "towards self-government". The Navy Department objected to the amendment about independence but met stiff opposition from the State Department. The United States had previously fought hard against "as an integral part" and for "independence" in the United Nations' consideration of previously approved trusteeship agreements in the General Assembly. The State Department therefore had no firm ground to resist the Soviet Union's two amendments.

The Security Council accepted the trusteeship agreement with the two amendments on April 2, 1947. The agreement was formally introduced to Congress on July 3, 1947, in the form of a joint resolution authorizing the President to approve it. The State Department had pondered over the correct procedure to obtain

Congressional approval of the trusteeship agreement, whether by Congressional Joint Resolution or by the treaty procedure in the Senate. Because of the anticipated territorial relationship for the islands the joint resolution procedure was selected.

The Congress concurred in the joint resolution procedure because of the interest the House would have in the administration of the islands under the territorial federal relationship. The agreement itself was referred to the Senate Foreign Relations Committee and the House Foreign Affairs Committee for consideration. Subsequent to the Congressional approval of the trusteeship agreement, jurisdiction over matters pertaining to the Trust Territory was given to the Senate Interior Committee and to the House Interior and Insular Affairs Committee in recognition of the territorial relationship. All petitions and referenda from the Trust Territory have been referred to those committees over the years of American administration and legislative oversight responsibilities have been exercised by those two committees.

Representative Fulton of Pennsylvania representing the House Committee on Foreign Affairs presented the agreement to the House on July 11, 1947, recommending consent. He stated:

"The decision to approve the agreement by joint resolution, rather than by the consent of the Senate, was made, as indicated in the President's letter to Congress, on the ground that the future administration of the territory will be the concern of both Houses.

"The approval of the agreement at this time will permit the introduction of normal civilian administration in the islands, and will establish United States control on a regular

basis in advance of any treaty of peace with Japan."
(C.R., July 11, 1947.)

Representative Mike Mansfield then spoke, stating:

"Mr. Speaker, I am wholeheartedly in accord with House Joint Resolution 233 and I want to compliment my colleague, the gentleman from Pennsylvania (Mr. Fulton) for the statesmanship shown in introducing this legislation and his ability in presenting the case for it.

"My views on the ex-Japanese mandates are well known and I am happy to join with the gentleman from Pennsylvania in urging that the House consider this important resolution and give to it immediate approval.

"The national security of the United States is protected by this measure which, when passed by the Senate and signed by the President, will give us the kind of a title to the new Territory of the Pacific that we should have and which we have earned." (Ibid.)

Representative Mansfield then inserted excerpts from his report made in the House on February 3, 1947. The resolution was then passed without dissent by the House.

The Senate Foreign Relations Committee was concerned about the security implications of the agreement. As stated in the recent report of the House Committee on Interior and Insular Affairs, Subcommittee on Territorial and Insular Affairs on the hearings held July 14, 1975, on the "Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America":

"In 1947, President Truman decided to place the Marianas and the other islands which the United States had captured in World War II in the mid-Pacific under the U.N. trusteeship system. The Congress was concerned that U.S. national interests not be compromised by the agreement with the U.N., and final approval was withheld until the Secretaries of State, War, and Navy had given the Congress their

assurances that our security interests were adequately safeguarded by the agreement." (P.402 of the report).

On July 7, 1947, the Senate Foreign Relations Committee met in executive session with representatives of the Departments of State, War, and Navy and of the Joint Chiefs of Staff, to discuss the pending resolution. Secretary of State George C. Marshall outlined briefly the background of the trusteeship agreement, the United States policy regarding the islands, the application thereto of the trusteeship system of the United Nations, and the desirability of early action by the Congress in authorizing approval of the agreement. Secretary of War Robert P. Patterson, Secretary of the Navy James Forrestal, General of the Army Dwight D. Eisenhower, and Fleet Admiral Chester W. Nimitz gave testimony, principally regarding the security aspects of the trusteeship agreement. Mr. Benjamin Gerig, Chief of the Division of Dependent Area Affairs of the Department of State and deputy United States representative on the Trusteeship Council was called upon to supply technical information which the committee required.

The Foreign Relations Committee in studying the trusteeship agreement was "concerned primarily with learning from the representatives of the State, War, and Navy Departments whether the islands are necessary to protect United States security and if the trusteeship agreement adequately protects our interests in that regard." (Senate, Committee on Foreign Relations, 80th Cong., 1st sess., Report No. 471, July 10, 1947).

Secretary of State Marshall stated that the terms of the agreement fully provided "for our security and our responsibility for general security". (Ibid.) General Eisenhower stated, "It seems to me there are only two questions to be considered. First, is this area necessary to the security of the United States? Secondly, does the agreement under which we obtain it from the United Nations give us all the national security rights and, you might say, permissive functions that we need? In both cases I think the answer is 'Yes'." (Ibid.)

Admiral Nimitz recommended the approval of the agreement in order to resolve the "present uncertain status of the territory" and then talked of the future when he stated:

"It is felt that the relationship of the territory of the Pacific to our own security will assume a far more vital character in the future. The development of new long-range weapons of tremendous destructive potential requires that we be prepared for the future, although it is difficult to foresee at this time what the strategic and tactical uses of these new weapons will eventually be. We feel that we must maintain our hard won control over the area in order that we may deny to any future enemy access to the Western Hemisphere by way of the Central Pacific."

(U.S. Naval Classified Archives Office, Statement by Fleet Admiral Chester Nimitz, CNO, before the Senate Foreign Relations Committee, July 7, 1947, CNO files (SC) A14-7EF.)

The emphasis throughout the testimony and the Committee Report was on the security of the United States. No mention was made of an obligation to "push" the islands toward eventual independence. In fact, the opposite assumption was made. It was assumed that the islands would never become independence but rather become self-governing within a relationship with the United States. In commenting on the article of the agreement obligating the United

States to "promote the development of the inhabitants of the trust territory toward self-government or independence, as may be appropriate to the particular circumstances of the trust territory and its peoples and the freely expressed wishes of the peoples concerned" the report stated, "This article is not a prior judgment of the ultimate status of the trust territory, but merely reflects its sparse, highly scattered population, its relatively underdeveloped, indigenous central government, and its lack of economic resources". (Committee Report).

The report clearly indicates that the United States considered the article specifying the military measures which the United States could take in the trust territory to include those not only for the purpose of maintaining international peace and the defense of the territory itself but also military measures "to safeguard the security of the United States". (Committee Report).

Senator Vandenberg was the only Senator to speak on the resolution when it was presented for the floor vote. He stated,

"The Senate Foreign Relations Committee has unanimously approved the joint resolution. However, before it did so, it called before it for categorical cross-examination the five men who are most responsible for the national security, namely, Secretary of State Marshall, Secretary of War Patterson, Secretary of the Navy Forrestal, General Eisenhower, and Admiral Nimitz.

"I say to my colleagues that each of these five officers of the Government, representing the top responsibility for national security, categorically says that the national security is amply and adequately protected under the strategic

agreement; and each of the five categorically recommends passage of the joint resolution in the name of national security.

"Under all these circumstances, I am sure there ceases to be the slightest controversy, and I hope that the House joint resolution may pass, and that the Senate joint resolution may be indefinitely postponed."

(Cong. Record, Senate, July 14, 1947)

The joint resolution was then passed by the United States Senate. The President approved the trusteeship agreement on the next day.

On February 11, 1948, the President decided to designate the Department of the Interior as the civilian agency to administer the Trust Territory. Draft legislation for an organic act for the Trust Territory was introduced in the Congress on May 21, 1948 (S.J.Res. 221) and was referred to the Senate Committee on Interior and Insular Affairs and the House Sub-Committee on Territories and Insular Affairs of the House Public Lands Committee.

On the same day, legislation (H.CON.Res. 129) was introduced to establish a Senate-House joint committee to study the question of organic legislation for Guam, American Samoa and the Trust Territory. This committee was subsequently established while the organic bill for the Trust Territory was retained in the committee.

The United States Congress, while never enacting an organic act for the Trust Territory, did pass an act in 1954 (68 Statute 330; 48 U.S.C. 1681) providing for Presidential control of the Trust Territory's government, including the authority to desig-

nate the administrative agency or agencies of the islands. This law merely formalized the powers that the President had exercised de facto since the islands had been captured. No bill of rights or self-government provisions were included in this Congressional Act. Amendments to this Act have been the vehicle for the various authorizations for the budgetary support of the Administration of the Trust Territory throughout the succeeding years.

The authorization bills have always been under the jurisdiction of the Senate and House committees having jurisdiction over interior and insular affairs. These committees have also been the ones to exercise the legislative oversight responsibilities for the Congress. Primary responsibility for overseeing Micronesia has been exercised by both the Executive and Legislative Branches of the U.S. Government within the framework of U.S. domestic affairs. Except for confirmation hearings of U.S. Representatives to the United Nations Trusteeship Council the Senate Foreign Relations Committee has not exercised any jurisdiction in matters pertaining to the Trust Territory.

The question of the future political status for the Trust Territory became active once again in 1965 soon after the creation of the territory-wide elected Congress of Micronesia. The first session of the Congress of Micronesia met on July 12, 1965, and immediately began to focus on the issue of political status.

On July 19, 1965, Senator Fong brought up on the floor of the Senate a proposal for annexation of the Trust Territory by the

United States (Cong. Record July 19, 1965). This proposal was supported by Senator Gruening of Alaska and Senator Yarborough of Texas. Senator Fong introduced Senate Concurrent Resolution No. 50 on August 18, 1965, co-sponsored by Senators Yarborough and Gruening (Cong. Record August 18, 1965) that "it is the sense of the Congress that the Trust Territory be included in the State of Hawaii if the people of Hawaii and TTPI agree". Senator Fong again spoke on his proposal for close association of the Trust Territory on September 2 (Cong. Record, September 2, 1965). This resolution did not move out of Committee, but it did focus the attention of Congress on the question of future status in a formal manner.

In August of 1966, the Congress of Micronesia adopted H.J.R. 47 which requested that the President of the United States establish a commission to study and critically assess the political alternatives open to Micronesia.

The Department of the Interior's Office of Territories' Mrs. Ruth G. Van Cleve was questioned on this resolution by Senate Interior Staff personnel and wrote in a letter to the High Commissioner of the Trust Territory:

"On reading H.J.R. 47, several of us concluded that another 'Presidential Commission', even one formally designated, would only lead us down the same road to futility unless Congressional representatives are included." (Letter to William R. Norwood on October 5, 1966).

Her office drafted a bill for a Presidential Commission which called for membership composed of the Executive Branch, the U.S. Congress and the Congress of Micronesia and submitted this pro-

Congressman Bingham and designed to create a Commission very similar to that which we now propose. Because there was still an area of disagreement between the Departments which precluded the presentation of an Executive Branch position, we asked that those hearings be postponed and, in lieu thereof, I appeared before the House Subcommittee on Territorial Affairs and Insular Affairs in Executive Session on July 26 and addressed myself to the problem generally. The Chairman, Congressman Carey, has since asked us on at least two occasions for the Administration's position."

This appeal to the President resulted in the Administration proposal being introduced in Congress on August 23, 1967, as S.J.R. 106. It was introduced by Senator Jackson and co-sponsored by Senators Mansfield, Kuchel, Burdick, Hatfield and Inouye. The proposal called for a seventeen member commission composed of representatives of the federal Executive and Legislative branches. It did not specifically call for Micronesian membership. The purpose of the commission was to assess all the factors bearing on the political future of the Trust Territory. The proposal also stated that the Micronesians should express their wishes "as soon as possible, and not later than June 30, 1972, on the future status of the Trust Territory".

In conducting hearings on this resolution, both the House and Senate Interior and Insular Affairs Subcommittees travelled to the Trust Territory in January 1968 to discuss political status matters with the Congress of Micronesia's Future Political Status Commission. It is noteworthy that these subcommittees were so interested in the process of determining the political future status of the Trust Territory that they spent approximately twenty days inspecting and conducting public hearings in the six

district centers and many of the more remote islands. Some of the outer islands visited were Kwajalein, Dublon, Tol, Uman, Anguar, Koror, Peleliu, Rota and Tinian. Among the visiting team was an unusually large number--nine--of the House Committee on Interior and Insular Affairs.

The Senate Interior Committee had held formal hearings relating to future status on July 21, 1966, and on February 2, 1967, thereby indicating its interest in the subject. In early 1968 after the inspection visit to the territory, the Senate Interior Committee struck out the reference to the date for a plebiscite in the resolution and sent the measure to the floor. The full Senate then passed the resolution on May 29, 1968.

However, the House failed to act on the resolution because of the opposition of the Chairman of the House Interior Committee, Congressman Aspinall, and of the Territories Subcommittee, Congressman Carey. The resolution was reintroduced the following year, on February 18, 1969, in the Senate by Senators Burdick, Fong, Hatfield, Inouye, Jackson, and Mansfield. However, once again, it was stymied by the opposition in the House. In a floor debate on December 18, 1969, with Congressman Bingham who continued to press for a Commission (he had resubmitted the bill on April 3, 1969), Congressman Carey stated:

"The House Committee on Interior and Insular Affairs has consistently taken the posture that the executive departments involved, State, Interior, and Defense, should present a unified position on the question of political status to the Congress in order that Congress through the House Committee on Interior and Insular Affairs can take that position or alternatives to the people of the trust territory.

"Because the executive departments were not able to agree on such a position or the alternatives, they fostered an executive communication during the 89th and 90th Congresses which was introduced by the gentleman from New York (Mr. Bingham) to establish a Commission on the Future Political Status of the Trust Territory of the Pacific Islands. To those of us who have been closely involved with the administration of the trust territory, it is clear that this executive communication was and is requesting the Congress to take the responsibility for making a decision which is properly the function of the executive branch of Government. In this instance the executive branch chose not to rely on the axiom of the executive proposes and the legislature disposes. The Status Commission proposal is merely a ruse for the executive departments to avoid their responsibility."

This position by the two most influential members of the House in terms of territorial and insular affairs determined the manner in which the future course of negotiations for a future political status were conducted. The Report of the Senate Interior Committee hearing on the Covenant, dated October 22, 1975, stated in regard to this point:

"The Congress of Micronesia requested status negotiations and various proposals were considered by the Interior Committees of the United States Congress during the period 1965-1969. Both Committees conducted hearings and visited the Trust Territory to discuss this issue. The House finally determined that it would be more appropriate for the Executive branch to negotiate a status which could then be approved by the Congress." (p.95)

This position also sidetracked two formal attempts by individual members of the House to provide further measures of self government to the Micronesians.

During the Congressional visit to the Trust Territory in January, 1968, at a meeting with the Congress of Micronesia's Future Political Status Commission held on January 21, 1968, chaired by Senator Lazarus Salii of the Congress of Micronesia, Senator Salii said:

"Suggestions have been made to the extent that perhaps after three years we should approach the United States Congress for an organic act for the Government of the Trust Territory. The specific question we would like to ask on this point is: what would be the reaction of this Subcommittee and what would be the anticipated reaction of the United States Congress regarding the creation of a constitutional committee for the Trust Territory?"

Two months later, in response to this question, Mrs. Mink, who had attended that meeting, introduced in the House, on March 12, 1969, House Resolution 8798, a bill to "provide for an Organic Act for the Trust Territory of the Pacific Islands". Representative Lloyd Meeds, also a member of the 1968 visiting team also responded to Senator Sali's request and introduced, on September 30, 1969, a bill calling first for a Constitutional Convention in the Trust Territory of the Pacific Islands and then for territorial status for the Trust Territory. No Congressional action was taken on these bills.

In light of the opposition in the House for direct membership by Congressional members on any commission or team which would develop a position or alternatives on future political status, the Administration began general discussions with the Micronesians through a Micronesian Interagency Committee on Political Status. This Interagency Committee was established in 1969 under the Chairmanship of Harrison Loesch, the Assistant Secretary of the Interior for Public Lands Management (who was responsible for the Office of Territorial Affairs). Later, on March 13, 1971, this Interagency Committee was chaired by Dr. Franklin Haydn Williams who was designated as the "President's Personal Representative for Micronesian Status Negotiations" with the personal rank of Ambassador.

In September of 1969, the Congress of Micronesia's Future Political Status Commission met with the Interagency Committee for the first time to discuss political status. The United States position was almost identical to the Organic Act proposed by Mrs. Mink in March 1968. Moreover, the administration's fall-back position was almost identical to that proposed by Representative Meeds in September 1969. The Congress of Micronesia rejected these positions at the September, 1969, round and the May 4-8, 1970, round of talks.

Secretary Loesch, having maintained personal contact with the Chairman of the Senate and House committees holding jurisdiction over the Trust Territory, met formally in executive session hearings with the Senate Interior Committee and the House Subcommittee on Territorial and Insular Affairs on June 4, 1970. During those sessions a complete briefing was provided by the Administration and advice and guidance was presented by the Congressional members. Again, on July 14, 1970, Secretary Loesch met with the House Subcommittee to discuss in greater detail the United States proposals regarding future political status and the current situation. Again, he received indications of great interest on the part of the Congressional members.

On June 11, 1970, Senator Jackson stated on the floor of the Senate that the Committee on Interior and Insular Affairs had held an executive session on June 4 at which time the Committee heard a report from Assistant Secretary of the Interior Harrison Loesch on current negotiations with the Micronesians about the

future political status of the Trust Territory. (Cong. Record June 11, 1970). He thereby publicly notified the Congress and the public that negotiations were underway on a future political status for the Trust Territory and that the Senate Committee on Interior and Insular Affairs was interested in them and providing consultations on the matter to the Administration.

During the floor action on the Trust Territory authorization bill on September 4, 1970, Representative Aspinall stated, "The Committee (on Interior and Insular Affairs) is especially abreast of developments in the Trust Territory and, in particular, the Congress of Micronesia, concerning the future political status of the Trust Territory of the Pacific Islands". He then went on to say, "We need that area in friendly hands... We need these people to be fit an friendly and we need them where they can be helpful as they were during World War II.... These are our people. These are our friends. We want to keep them that way". (Cong. Record, September 14, 1970). Representative Kyl stated his hope that the islands would decide on an association with the United States and that the United States would have a great deal of responsibility for them "for a long time, in fact in perpetuity". (Ibid.) Representative Saylor of Pennsylvania then spoke of the "vital national security interests" that the United States has in the trust territory. He continued:

"The next few years will be most important in the history of the United States--trust territory relationships. These years will determine whether the people of the trust territory will continue a close relationship with the United States or seek some other status. What must be made clear during these years is that the United States will not be

gouged, blackmailed, or wooed in protecting its own interests of national security or those of the people of Micronesia. The United States does not intend to engage again in military combat to gain freedom for the people of Micronesia and protect her own national security." (Ibid.).

Representative Don H. Clausen of California then commended Representative Saylor for his statement and stated,

"There is no doubt in my mind that the trust territories and the manner in which the United States handles Micronesia and other territories in the immediate future are going to have major significance as far as our ultimate success in maintaining and protecting American interests in the entire Pacific Basin." (Ibid.)

Representative Carey, the Chairman of the Subcommittee on Territories and Insular Affairs, then rose to support the statements of the Chairman of the full Committee (Mr. Aspinall) and the ranking minority member of the committee (Mr. Clausen) and indicate the degree of Congressional interest in Micronesian affairs:

"There is no doubt in my mind that this is mandatory legislation, and no doubt also that it will be productive of a more coordinated and unified and organized policy toward the people of Micronesia.

"This is the aim the chairman of the full committee and I and other members of the committee have had for a long time in trying to get the departments downtown to work together for a clearcut policy on our problems in connection with Micronesia. We do not understate that problem. We recognize it, and although we are far removed from the area, we are closely joined with the people of the area in what is best for the people of Micronesia, because they are joined to our interest also." (Ibid.)

The "mandatory" legislation was to increase the appropriation authorization by ten million dollars for fiscal year 1971 (from fifty to sixty million) and to authorize the appropriation of sixty million for each of the fiscal years 1972, 1973, 1974, and

1975. The program was passed by the Congress. This was an unprecedented five year program of unprecedented amounts of dollars. The five year program reflected the increased interest by the Congress in the economic, educational, and social development of the trust territory, particularly for a period during which the future political relationship of the trust territory with the United States would be negotiated.

The implicit assumption was that a coordinated five-year program of radically increased scope would not only assist in fulfilling the obligation to promote the welfare of the Micronesians but also assist in influencing them toward deciding on a close association with the United States. Not one member of Congress spoke in terms of "pushing" Micronesia toward independence. Not one member of Congress spoke of desiring a loose association between the United States and Micronesia. The expressed sentiment of the Congress was for the future political status of Micronesia to be in a close association--permanently--with the United States.

Ambassador F. Haydn Williams was appointed the President's Personal Representative for Micronesian Status Negotiations in March, 1971, and the Office for Micronesian Status Negotiations within the National Security Council framework was established under his direction in the summer of 1971. Since that time that Office has been responsible for liaison with the Congress on all matters relating to the negotiations with the Congress of Micronesia and the Marianas Political Status Commission.

The Office for Micronesian Status Negotiations made its availability for individual consultations, briefings, and consultations known to all concerned and endeavored to keep the Committee members and staff of those Committees with primary legislative responsibility informed on all status matters.

After the third round of negotiations, held at Hana, Maui, Hawaii from October 4 until October 12, 1971, both the House and Senate Interior Committees held hearings during which Ambassador Williams formally brought the issue of whether the United States should recognize the Marianas' requests for separate status or continue to discourage them. The summary of that round, as had summaries of the previous rounds and as were summaries of all subsequent rounds, was transmitted to the Congress. Committee members and other interested members of the congress and staff were provided the full record of the proceedings and all other written material relevant to all rounds of the Micronesian and Marianas talks.

Since 1971, there have been twelve 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.

For example, Deputy Secretary of Defense Packard, in October, 1971, discussed the matter with the Senate Foreign Relations

Committee during hearings on the Okinawa Reversion Treaty. Representatives of the Department of Defense met with Congressman Saylor on November 15, 1971, to discuss DOD land requirements in Micronesia. In May of 1973, Defense representatives briefed Mr. Blandford, General Counsel for the House Armed Services Committee prior to revealing Tinian base plans to the people of the Northern Marianas. On October 24, 1974, Defense representatives met with three staff members of the House Appropriations Committee and a staff member of the Interior and Insular Affairs Committee for the purpose of briefing the Tinian base plans. On February 15, 1975, Congressman Sikes of the Appropriations Committee was provided a detailed statement by the Secretary of Defense concerning the Northern Marianas negotiations in general and Tinian base plans in particular. In April, 1975, Mr. Fliakas (OSD/I&L) of the Department of Defense testified on the Tinian plans before the Senate Armed Services Subcommittee on Military Construction Authorization. Also, in July, 1975, a Department of Defense representative appeared with Ambassador Williams before the House Armed Services Committee for informational hearings on the Northern Marianas Covenant.

The above examples give some indication of the Department of Defense's participation, other than the normal responses to written Congressional inquiries, in briefing other Congressional Committees than the Interior and Insular Affairs Committees on matters relating to the political status negotiations.

In addition to the formal hearings and briefings, there have been many more informal briefings of the Senate Interior Commit-

tee and the House Interior and Insular Affairs Committee since the Fall of 1971.

Individual consultations with the Chairmen of the full Committees of both Houses began before the decision to engage in separate talks with the Northern Marianas 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 ten such consultations with the Senate and seventeen 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.

Interested members of the Congress were routinely briefed both prior to and after each of the negotiating rounds with the Congress of Micronesia's Joint Committee on Future Status (after the round at Hana there were three more rounds in 1972 and one round in 1973 with two informal sessions in 1974) and with the Marianas Political Status Commission (there were a total of five sessions between December 1972 and February 1975).

The Report of the Senate Interior Committee hearing on the Covenant, dated October 22, 1975, reviewed the Committees' participation in the course of the negotiations with the Northern

Marianas and indicates the depth of detail involved in the consultations. The report states in part:

"The summary (of the second session of Marianas talks, held May 15-June 4, 1973) was transmitted to the U.S. Congress, as had summaries of all prior rounds with the Joint Committee, and formal briefings and discussions were held with members of Congress prior to the negotiation of specific issues. Interested members had been routinely briefed both prior to and after each of the negotiations with the Joint Committee. The Subcommittee on Territories held a formal hearing on the progress of the negotiations on September 29, 1973. and reviewed the details of the tentative agreement....

"After the hearing and subsequent discussions, the third round of negotiations was held in Saipan from December 6 to December 19, 1973. On the basis of the Congressional discussions, specific issues including land requirements were addressed....

"Again the documents were published and submitted to the U.S. Congress, and the details discussed with interested Committees and members. The primary subject of discussion in the fourth round would be the question of lease versus purchase of land in the Marianas together with acreage. The details of the agreements were again reviewed....

"The fourth round of negotiations focussed, as expected, on the land issues....

"With a tentative agreement on virtually all aspects of the agreement, detailed review of the Covenant, which in draft form was available, was held by the U.S. Congress. Issues on which Congressional views were specifically sought, included, inter alia, those set forth below: (local self-government, applicability of federal laws, Washington representative, financial support)." (pp. 57-60).

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 negotiations 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 Territorial and Insular Affairs, as well as other interested members of the Congress.

The full Senate Interior Committee reviewed the provisions of the Covenant on September 12, 1974, and the Senate Subcommittee on Territories again discussed the draft Marianas Covenant and the work to date on a Compact of Free Association with the remaining five districts of the trust territory on September 25, 1974, as a part of hearings on the supplemental authorization request for the Trust Territory.

A special effort was made by the Office for Micronesian Status Negotiations 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. Additionally, the Covenant, together with the statements, was printed and distributed to the Congress prior to the signing in February to determine if any problems remained.

Throughout the negotiations the Congress of Micronesia and the Marianas Political Status Commission has also sought Congressional advice. The Congress of Micronesia retained the Washington

law firm of Clifford, Warnke, Glass, McIlwain & Finney as its counsel for political status matters. Mr. Paul Warnke of that firm, a former appointed official of the Department of Defense, has maintained close liaison with interested Congressional members on the matter of the negotiations.

Before the separate negotiations with the Northern Marianas began, the Marianas retained the services of the Washington law firm of Wilmer, Cutler, and Pickering; and James R. Leonard Associates, Inc., also in Washington and who participated in the Robert Nathan economic study of the Trust Territory. Prior to and after each negotiating session of the U.S. and the Marianas, Howard Willens of the firm of Wilmer, Cutler and Pickering or his associates, briefed interested Committees and members of the Congress and discussed the position of the Marianas.

Congressman Phillip Burton stated in testimony before the Senate Interior Committee on its hearing on the Covenant July 24, 1975, "I, myself, have had at least as many or probably more consultations and discussions with the political leadership of the Northern Marianas in this respect than even countless number of consultations I get with our Ambassador." (Hearing transcript, p.13).

At that particular hearing, held by the Senate Interior Committee to elicit any final public comment on the Covenant, Senator **J. Bennett** Johnston remarked, "We have had consultations which have not approached the status of ad nauseum, but certainly ad

infinitum. We had had so many consultations on this thing, we have almost worn out the subject."

During the House Subcommittee on Territory and Insular Affairs hearing on the Covenant, held on July 14, 1975, Chairman Phillip Burton stated:

"I would like to underscore with the utmost emphasis a number of points. First, I do not know of any committee membership which has repeatedly demonstrated its independence of the executive agencies as has the membership of this committee.

"I do not know of a single judgment made by the executive that could have encompassed more communication by the executive branch seeking advice effectively, consulting before the fact, not after the fact. Anyone who has observed the processes of this committee, or the Congress, could reach no other conclusion but that this committee and the Congress have been consulted at every turn, have participated as fully as any reasonable person could hope that the committee would participate in a negotiation such as this. I want the record to be emphatically clear in those respects. We have been watching this process for a number of years. We have had meetings, consultations, almost without count, not just with the Ambassador, but more importantly, from our point of view, with a great range of individual leaders as well as with the citizenry of the Northern Marianas. For all of those who have an interest in this matter and take the time to examine the record, they will find that consultation and cooperation, if you will, have been self-evident throughout this entire period. For this, Mr. Ambassador, on behalf of all of us, I would like to commend you for your recognition of the inevitably wise involvement of the legislative branch, as you went forward representing the President and the executive branch. I thought it useful to interrupt you at this point so there could be no misunderstanding from any quarter as to the clear and unmistakable nature of the facts with reference to the matters I just stated." (Report, p. 402).

The ranking minority member of the Subcommittee also made the following comments during the hearing on the degree of consultation. **Representative Don H. Clausen stated:**

"Mr. Chairman, as you opened the hearing, you made a statement indicating your great pleasure with the manner in which Ambassador Williams conducted himself, in offering not only continuing consultation advice, but more significantly his cooperation; I would like to offer on behalf of the minority my own personal expression of appreciation and indicate to you, Mr. Ambassador, that in my view, and I am now in my 7th term, the 13th year in the Congress, from the standpoint of a working relationship between a representative of the President of the United States in the executive branch, and the Congress, I think you have served exceptionally well.

"As a matter of fact I think extraordinary might be a better word.

"We are deeply appreciative of the kinds of cooperation you have extended to us while you have been kind in your comments to us, it certainly has been a two-way street, and I believe we are sitting here today on this historic occasion, with the kind of Covenant that I believe has the greatest opportunity for success, and because of the great effort you have made in extending your cooperation to us."

Congressional interest in the question of the future political status has also been evidenced by the interest of certain members of the Senate Foreign Relations and Armed Services Committees in the Marianas Covenant. The Covenant, which would establish a Commonwealth of the Northern Mariana Islands in Political Union with and under the sovereignty of the United States was approved without dissent by the House of Representatives and by unanimous vote of the Senate Committee on Interior and Insular Affairs.

The Senate Foreign Relations Committee and the Senate Armed Services Committee requested and obtained referral of the Covenant to them for action by December 3, 1975. The Senate Foreign Relations Committee held a hearing on the Covenant on November 5, 1975 and the Senate Armed Services Committee is scheduled to hold its hearing on November 17 and 18.

This research paper, hopefully, has clearly indicated the quite extensive Congressional interest and involvement in the matter of the political status of the Mariana Islands, Caroline Islands, and Marshall Islands. This interest dates from the period of World War II when the disposition of these islands after their capture by American forces had to be decided. This interest continued throughout the years building to a peak during the past five years when active negotiations have been underway which will lead to a new political status for these islands.

Congressional consultations and active involvement in the matter of the postwar disposition and political status of the islands was minor. However, the expressed sentiment of Congress played a major role in downplaying the scope of the United Nations responsibilities in the trusteeship system and safeguarding American national security interests in the strategic trusteeship.

Congressional sentiment has always been for a continuing, close relationship between the United States and Micronesia. There has never been any indication that the sense of the Congress was to encourage, or "push" the Micronesians toward independence. On the contrary, the Congress has always dealt with matters pertaining to the Trust Territory within a federal domestic, territorial framework.

Congressional involvement in the matter of the next change in the islands' political status is quite extensive and of major importance in the determination of the actual details of their

future political status. Never before has the U.S. Congress been so involved and so consulted by the Executive Branch in the matter of the political status of these islands than in the past five years. This is a credit to the recognition by the Administration of the Congress' interest in this matter and to the efforts of those members of Congress who have diligently expressed that interest over the years.

Researched by Richard H. Wyttenbach, PhD
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