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November 1, 1977

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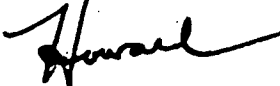
Ms. Patricia A. Krause
Subcommittee on National Parks
and Insular Affairs
1522 Longworth House Office Bldg.
House of Representatives
Washington, D.C. 20515

Dear Pat:

Enclosed is a draft letter for your consideration. A shorter version could emphasize only that, contrary to Mr. Hall, Congress did approve after careful consideration the Covenant creating the new political relationship between the Northern Mariana Islands and the United States. Let me know if I can be of any further assistance.

Best personal regards.

Sincerely,


Howard P. Willens

Enclosure

DRAFT
November 1, 1977

Editor
Honolulu Advertiser
Honolulu, Hawaii

Dear Sir:

An article entitled "Constitution by Default" by Mr. James V. Hall in the Honolulu Advertiser of October 20, 1977, was recently brought to my attention. The article was seriously in error with respect to its contention that the recently-approved Constitution of the Northern Mariana Islands contained several provisions that would not have been approved by the United States Congress. I am writing to set the record straight.

First, each of the constitutional provisions identified by Mr. Hall was specifically authorized by the Covenant between the United States and the Northern Mariana Islands enacted into law on March 24, 1976. Throughout the more than two years of negotiations leading to this agreement, the Subcommittee on National Parks and Insular Affairs of the House Committee on Interior and Insular Affairs and the Senate Committee on Energy and Natural Resources were regularly briefed by the participants in the negotiations regarding these and other prospective provisions of the status agreement. The Covenant was the subject of extensive hearings in

both Houses of Congress during which its various provisions (including those singled out by Mr. Hall) were carefully considered with respect to their legality and justification. By approving the Covenant, Congress expressed its judgment that the provisions of the Covenant relating to land alienation, legislative composition and the right of trial by jury were fully consistent with the United States Constitution as interpreted in the decisions of the Supreme Court.

Second, I am aware of no opposition within the Congress to approval of the Northern Marianas Constitution on the grounds that it is inconsistent with either the United States Constitution or the Covenant. The President's Proclamation of October 24, 1977, confirms the fact that the responsible committees of Congress advised the President that the Northern Marianas Constitution complies fully with the requirements of the Covenant. In addition, no objection to approval of the Northern Marianas Constitution was expressed by any of the numerous federal agencies to which the Constitution was circulated for comment and recommendation. It is incorrect, therefore, to suggest that the decision of the Executive Branch to let the six-month period expire had anything to do with its concern that congressional approval of the Northern Marianas Constitution

would not have been readily forthcoming if it had been sought in a timely manner by the Administration.

On behalf of the Subcommittee on National Parks and Insular Affairs, I would like to assure Mr. Hall and your readers that we take great pride in the process whereby the people of the Northern Mariana Islands have exercised their right of self-determination and have elected to become a self-governing commonwealth under the sovereignty of the United States. I have personally reviewed the Northern Marianas Constitution and find it to be a forward looking and responsive political document that is well designed to serve the Northern Marianas people. I can assure you that the United States Congress will continue to show a keen interest in the implementation of this Constitution and the well being of the Northern Marianas people in the years ahead.

Sincerely,

Phillip Burton
Chairman, Subcommittee on
National Parks and
Insular Affairs