

MEMORANDUM

NATIONAL SECURITY COUNCIL

ACTION

September 21, 1972

SECRET

MEMORANDUM FOR:

MR. KISSINGER

FROM:

JOHN A. FROEBE, JR. *JA*

SUBJECT:

Micronesian Status Negotiations:
Ambassador Williams Requests
Instructions on Unilateral Termination

At Tab A is a draft memorandum from you to the President attaching a memorandum to him from his Personal Representative for Micronesian Status Negotiations, Ambassador F. Haydn Williams, asking his instruction on our position concerning the minimum period after which the Micronesians could exercise their right to terminate unilaterally a Compact of Association. The next round of negotiations begins September 28.

Ambassador Williams took the position at last April's round of negotiations that the minimum period before either side could exercise a right of unilateral termination would be 15 years, plus one year's notice. In addition, any unilateral termination would include a pre-negotiated strategic arrangement (denial and basing rights) that would legally survive termination of the Compact, and would be approved by affirmative two-thirds majorities of both the Micronesian legislature and electorate. (The Micronesians countered with a five-year waiting period.) Now, Ambassador Williams, after consultation with State, Defense, and Interior, plans to hold the minimum period during which our denial and basing rights would survive to 50 years. Thus, we would have these rights guaranteed for at least 66 years from the date of the Compact.

In commenting on Ambassador Williams' report to him on the April talks, the President indicated that 15 years was not sufficient. Because of a lack of clarity in the report, however, the President may not have been fully aware of the linkage between the waiting period for exercise of unilateral termination and the survival of our denial and basing rights.

Ambassador Williams argues in his present memorandum that for him to change the U. S. position at next week's negotiations to increase the 15 year

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waiting period would very likely risk the Micronesians' breaking off the talks. I accept this estimate, particularly in light of the recently increased independence sentiment in Micronesia described in the attachment to Ambassador Williams' memorandum.

I believe that denial and basing rights of at least 66 years gives adequate protection to our interests in Micronesia, and have recommended in your memorandum to the President that he approve Ambassador Williams' proposed position.

RECOMMENDATION:

That you sign the memorandum to the President at Tab A.

Col. Kennedy concurs.

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THE WHITE HOUSE
WASHINGTON

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MEMORANDUM FOR

Ambassador Franklin Haydn Williams
The President's Personal Representative
for Micronesian Status Negotiations

SUBJECT: Micronesian Status Negotiations

The President has considered your memorandum of September 20, 1972, concerning the conditions of any unilateral termination of a Compact of Association between the United States and Micronesia, and has approved the position that you have recommended to the effect that:

-- Supplementary to his instructions of July 20, 1971 and March 27, 1972 to you, any unilateral termination of a Compact by either side could occur only after a period of 15 years, plus one year's notice.

-- United States strategic arrangements (denial and basing), which would be pre-negotiated, will legally survive any unilateral termination of a Compact by a minimum of 50 years.

Henry A. Kissinger

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