

November 11, 1975

SUMMARY POINT PAPER ON MARIANAS COVENANT
FOR CONGRESSIONAL BRIEFINGS ON H.J.R. 549, AS AMENDED

I. Status of Legislation.

- The President of the United States, on July 1, 1975, strongly endorsed the Covenant and urged early, positive Senate action to approve the Covenant.
- H.J.R. 549, as amended, has been approved without dissent by the House and by unanimous vote of the Senate Committee on Interior and Insular Affairs. The bill is now jointly referred to the Senate Committee on Foreign Relations and the Committee on Armed Services for action by December 3.
- Senate Foreign Relations Committee held hearings on November 5th and will hold a mark-up session on November 13th. Senate Armed Services Committee will hold hearings on November 17th.

II. Background.

- The Covenant is the result of 2 1/2 years of negotiations between the United States Government and representatives of the Northern Mariana Islands. The Covenant is not an international agreement. In essence it is a federal relations act, in that it sets forth the future relationship between the Northern Mariana Islands and the federal government.
- The Northern Mariana Islands are located just north of the American Territory of Guam and have been administered by the United States as part of the U.N. Trusteeship since 1947. The U.S. is obligated under the U.N. Charter and Trusteeship Agreement to develop the peoples of the Territory for self-government or independence and to recognize the freely expressed will of the people in an act of self-determination.
- The Interior Committees of both Houses of Congress were fully briefed and consulted at every step in the negotiations with the Northern Mariana Islands. Other Committees, individual members of the Congress, and Congressional staffs were briefed and consulted upon request. The views and substantive guidance provided by members of the Congress were of vital importance in arriving at the basic nature of federal relationship and key provisions of the Covenant.

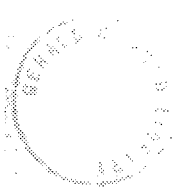
III. Highlights of the Covenant.

- Northern Marianas will be under the sovereignty of the United States, federal laws will apply, and U.S. citizenship is conferred on specified categories of persons.
- U.S. will have exclusive responsibility and authority for foreign affairs and defense.

- Northern Marianas will have local self-government under its own Constitution.
- Real property interests of the Government of the Trust Territory of the Pacific Islands will be transferred to the Government of the Northern Mariana Islands.
- All federal land requirements have been met by the Covenant, including the option to lease land for military purposes. Appropriation of funds for the military land lease option will be submitted to the Congress in separate legislation. The U.S. Government has five years after approval of this Covenant to take up the land lease option.
- There is no current intention or authorization to build any military facilities in the Northern Mariana Islands. If a requirement should develop, the U.S. Congress will be approached for the necessary authorization and appropriation.
- This legislation, as amended, authorizes an annual appropriation of financial assistance of \$14,000,000 per year for seven years, and makes the Northern Mariana Islands eligible for federal programs and services.
- The Commonwealth will not come into being until termination of the U.S. trusteeship over all the Trust Territory. In the meantime, if the Covenant is approved, the Marianas can begin implementing further steps toward achieving self-government.

IV. Self-determination and the Plebiscite:

- The people of the Northern Mariana Islands, for more than twenty-five years, have in many different ways expressed their desire to enter into a permanent political relationship with the U.S. and to accept the rights and responsibilities of U.S. citizenship under the U.S. Constitution.
- The Covenant has been approved in succession by the Marianas Political Status Commission, the Marianas District Legislature, and the people of the Mariana Islands District.
- In a free act of self-determination, the people of the Northern Marianas were given the opportunity to determine their future political status in a United Nations' observed plebiscite. On June 17, 1975, 95% of the registered voters cast their ballots and a 78.8% majority voted for Commonwealth.
- The Marianas Municipal Councils and District Legislature have urged early approval of the Covenant by the U.S. Congress so that they can begin writing their own Constitution and moving toward self-government.



V. Attitudes concerning support of the Covenant.

- The U.N. Trusteeship Council has acknowledged the strong separatist trends in the Northern Marianas and the desire of the people for political union with the U.S. The Council sent a special mission to observe the plebiscite. The mission commented on the fairness of the plebiscite.
- The Congress of Micronesia has accepted the results of the plebiscite and its representatives supported Senate passage of the Covenant during Senate Foreign Relations Committee hearings.
- The people of Guam strongly support passage of the Covenant. The Guam Legislature has unanimously passed a resolution indicating this support.

VI. Status of negotiations with the other districts.

- Action on the ad referendum Compact of Free Association, negotiated by the U.S. with a Joint Committee of the Congress of Micronesia, is currently held in abeyance at the request of the Joint Committee.
- There are indications that the Micronesians will desire to renegotiate the provisions on financial support, foreign affairs, defense, and termination following the outcome of the Micronesian Constitutional Convention, an analysis of the recently conducted status referendum and possible broadening of the composition of the Joint Committee.
- The United States is ready to resume negotiations when the Congress of Micronesia is ready.

VII. Reasons for voting "YES" on the Covenant.

- The Covenant is mutually beneficial. The people of the Northern Mariana Islands clearly believe their best interests will be served in achieving self-government by voluntarily bringing their islands permanently under the American flag. American sovereignty over the Northern Marianas is equally advantageous to the United States. Specifically the Covenant:
 - Fulfills U.S. international obligations under the United Nations Charter and Trusteeship Agreement.
 - Honors the principle of self-determination.
 - Unites the peoples of the Marianas with their Guamanian relatives with common citizenship under one flag.
 - Promotes the cause of peace and stability in the Pacific Ocean area.
 - Strengthens U.S. security interests in the Western Pacific and increases the security of nearby Guam.

- Increases the confidence and credibility of the U.S. Government in the Marianas and throughout the Trust Territory thus increasing the prospects of an amicable and beneficial U.S. relationship with the rest of Micronesia.

VIII. Importance of early action by the Senate.

- The Trusteeship must be brought to an early and honorable end. Early approval of the Covenant will be an important step in this direction and will enhance the prospects for bringing about an early and successful conclusion to our negotiations with the remainder of Micronesia.
- All parties in the Trust Territory who are concerned as well as the U.S. House of Representatives and the Senate Interior Committee have spoken on this matter. All are in favor of the Covenant and of early action. None of the attitudes of the parties concerned will change as they reflect long-held opinions and firmly rooted perceptions of their best interests.
- The people of the Northern Marianas are not able to implement further steps leading to their achievement of self-government and their long-standing desire to become closely associated with the United States until the Covenant is approved. Delay in approval of the Covenant would hinder their development of self-government and achievement of their free choice for self-determination and therefore be a violation of U.S. international obligations.
- A continuation of the unnatural and awkward participation of the Northern Marianas in the territory-wide political processes, once they have clearly spoken for separation, would create confusion, complicate matters for all concerned, decrease the chances for a smooth and orderly transition, and would be potentially disruptive.
- Early approval will clear up the question of the future political status of the Northern Marianas and resolve it in a mutually beneficial manner. This is the best solution to an issue that has been pending for more than thirty years.

IX. Termination of the Trusteeship Agreement.

- If approved by the Congress, those provisions of the Covenant which are compatible with the Trusteeship Agreement will be implemented.
 - Full Commonwealth status, including U.S. citizenship and sovereignty, will not come into effect until the trusteeship is terminated for all of the districts simultaneously.
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- The U.S. will continue to work with the U.N., keeping it fully informed and seeking its advice, in the course of negotiations with the Micronesians leading toward termination of the Trusteeship Agreement.
- When all of the districts are ready, hopefully in the 1980/1981 time frame, the U.S. will take up the matter of termination with the U.N. Trusteeship Council and Security Council.
- Finally, it is the intention of the U.S. to seek the agreement of the U.N. Security Council on the termination of the U.S. Trusteeship over the Trust Territory of the Pacific Islands.

