

MEMORANDUM

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NATIONAL SECURITY COUNCIL

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ACTION

*West*

January 15, 1976

MEMORANDUM FOR WILLIAM G. HYLAND

FROM: THOMAS J. BARNES *[initials]*

SUBJECT: Your Meeting with Ambassador Haydn Williams, Friday, January 16, 11:30 a.m. (Robert Wolthuis from Mr. Friedersdorf's office will also be present.)

Ambassador Williams originally requested an appointment with General Scowcroft and Mr. Friedersdorf to discuss tactics in trying to win favorable votes in the Foreign Relations and Armed Services Committees next week on the Northern Marianas Covenant.

Ambassador Williams will be primarily interested in discussing White House involvement in this effort. The Ambassador will also be interested in the status of his recommendation (Tab A) last month that the President direct a new review of our policy objectives in the continuing negotiations with districts of Micronesia other than the Northern Marianas. We sent such a recommendation (Tab B) to Brent Scowcroft January 13. In addition, the Ambassador may bring up his express intention to resign at an early date as the President's Personal Representative for Political Status Negotiations for Micronesia (Tab C).

Background

The Marianas Commonwealth Covenant passed the House of Representatives on July 21. The Senate Interior Committee approved it in October. The Bill has since run into opposition in the Senate Foreign Relations and Armed Services Committees. Opposition has come from liberals such as Senator Hart, who believe the Act is an exercise in imperialism; and conservatives such as Senator Byrd, who oppose taking up the burden of an alien and distant people. There are also those such as Senator Percy, who while they do not oppose the Covenant as such, believe we should delay approval until we complete negotiations with the remaining districts of Micronesia. Ambassador Williams is particularly concerned with an amendment that Senator Percy has proposed to this effect.

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Attached at Tab D is a letter from the Ambassador to General Scowcroft and Mr. Friedersdorf in which he analyzes the vote in the two committees and complains that some Congressmen believe that the issue has relatively low priority in terms of White House backing.

In his letter the Ambassador stresses the need for a Republican champion of the Bill on each committee. He hopes Senator Griffin will fill this role in the Foreign Relations Committee and Senators Tower or Goldwater in the Armed Services Committee. He asked specifically for the White House to reinforce his request to Secretary Rumsfeld to talk with Senator Percy as soon as possible. He also asked for a special White House effort with Senators Case, Javits, Pearson, Bartlett, and Taft.

We understand the Senate Foreign Relations Committee has scheduled markup of a resolution to approve the Covenant for Tuesday, January 20, and the Armed Services Committee will take up the legislation either Tuesday, January 20, or Wednesday, January 21.

In a December 11 meeting with Ambassador Williams, Brent Scowcroft agreed to recommend Presidential involvement in the effort to overcome opposition to the Covenant in the Foreign Relations and Armed Services Committees. He also indicated he would ask Secretary Rumsfeld and Secretary Kissinger to attempt personally to turn around Senators Percy and Javits, respectively, on this issue. We reminded him of this stance in the memorandum at Tab C.

We have staffed letters for the President's signature to the Chairmen and ranking minority members of the two committees. In addition, we have sent forward to General Scowcroft suggested talking points for use in conversations with Secretaries Kissinger and Rumsfeld.

We fully support Ambassador Williams' suggestion for a full review of our basic objectives in the political status negotiations with the other districts of Micronesia. Micronesians outside the Northern Marianas have recently made clear that they are not amenable to a free association arrangement that would meet the terms of Ambassador Williams' present negotiating instructions. A Micronesian Constitutional Convention on November 8, 1975 approved a new Constitution of the "Federated States of Micronesia" that provides for a sovereign state and makes clear that a treaty approved by a complicated ratification process would have to cover delegation to another government of major powers such as foreign relations and defense.

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Your Position

You will want to assure Ambassador Williams that we are moving ahead to involve the White House on behalf of the Marianas Covenant.

You may wish to tell the Ambassador that we are currently processing a directive to the Chairman of the Under Secretaries Committee calling for a full review of U. S. policy towards the future status of Micronesia, with the exception, as he recommended, of the Northern Marianas District. We believe we should move ahead with the review regardless of what Senate action on the Marianas Covenant should be.

You may also tell the Ambassador that we are currently considering possible replacements for him.

Talking Points

-- We are fully committed to winning Senate ratification of the Marianas Covenant. As Brent Scowcroft promised, we are moving ahead to involve the White House.

-- The White House will deliver Presidential letters to the Chairmen and ranking minority members of the Foreign Relations and Armed Services Committees today or tomorrow.

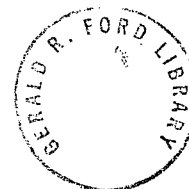
-- (If Ambassador Williams asks about Brent Scowcroft's indication that he would request Secretaries Rumsfeld and Kissinger to talk to Senators Percy and Javits respectively on the issue.) Brent Scowcroft hopes to make these calls.

-- I agree that the principal problem in the Senate is that there is no strong advocate for the Marianas Covenant Bill as there is in the House in the person of Congressman Burton.

-- I understand several Senators recently visited the Northern Marianas. Do you think this exposure helped our position?

-- If Percy will not drop his amendment, perhaps we can try to persuade him to alter the language until it is acceptable.

-- I have seen your recent letter to the President. We are moving ahead with your proposal for a new policy review.



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-- The other Micronesians seem to be moving farther away from the idea of permanent association. What do you think are the reasons?

-- What do you think our basic objectives should be in our negotiations with the other districts?

-- Do you think we can meet our objectives through independent status for the other districts combined with a treaty relationship with the United States.

-- I am sure the President regrets very much losing you from this important post. Your successful negotiation of the Northern Marianas Covenant was an outstanding achievement. You have served four years in what was supposed to be a rather brief assignment.

-- I understand that the State Department is now coming up with recommendations for a replacement. We will want to look closely at all the candidates in order to choose the right man for a tough job.

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THE WHITE HOUSE

WASHINGTON

Old Executive Office Building  
Room 373  
Washington, D.C. 20506

December 10, 1975

The President  
The White House  
Washington, D.C. 20500

Dear Mr. President:

Since my last report to you on June 17, 1975 there have been some important developments which bear on the future political status of the Northern Marianas and on the remaining districts of the Trust Territory of the Pacific Islands.

The Covenant to Establish the Commonwealth of the Northern Mariana Islands in Political Union with the United States of America which you forwarded on July 1, 1975, to the Congress with your request for early favorable action was approved by the House on July 21, without a dissenting vote. Since that time the matter has been before the Senate. The Interior Committee approved the measure on October 22, 1975. It was then referred jointly to the Senate Foreign Relations Committee and to Armed Services. Extensive hearings by these Committees have been completed. The deadline for their final action, originally set for December 3, has now been extended by unanimous consent to January 27, 1976. At that time a joint committee report and recommendation on the Covenant will be filed with the Senate along with the report of the Interior Committee.

Opposition to the Marianas Commonwealth Covenant has heretofore been limited to a very few Senators (Byrd of Virginia, Pell, and Hart of Colorado), but the number is growing. Senator Charles Percy has now taken the lead in calling for deferral of approval of the Administration's bill until the future political status of the remainder of the Territory is determined, and it would appear that Senator Percy prefers that the Covenant not be approved.

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Members of the three committees concerned (Interior, Foreign Relations and Armed Services) and their staffs now believe that passage of the Covenant is in jeopardy and that in the absence of strong support from the Administration, the legislation is very likely to be defeated.

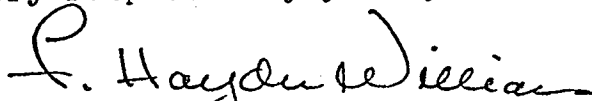
The negotiations with the remainder of the Trust Territory of the Pacific Islands have been in abeyance during the past year. The October 1974 ad referendum agreement on a Compact of Free Association has neither been accepted nor rejected by the Congress of Micronesia; the only formal action by the Congress was a call for renegotiation of the financial provisions of the Compact. Further negotiations were, however, put aside by the Micronesians while they awaited the results respectively of the Law of the Sea meeting in Geneva, a territory-wide informal status referendum and the Micronesian Constitutional Convention. With these events now behind them, the Joint Committee on Future Status is calling for an informal meeting preparatory to a resumption of formal negotiations sometime in the spring of next year.

The draft Micronesian Constitution appears to conflict in a number of fundamental respects with the draft Compact of Free Association and my current instructions. In view of this and other related developments, including the Micronesian position on Law of the Sea, I recommend that a full U.S. policy review be undertaken for the purpose of updating the National Security Council, Under Secretaries Committee Micronesian policy paper of November 14, 1973. I believe this review should reconsider United States basic objectives in Micronesia in the context of larger American interests and the Pacific Doctrine which you enunciated during your recent trip to Asia and the Pacific. I recommend that this reassessment be undertaken immediately by the NSC-USC Interagency Group for Micronesia and that an updated policy paper with recommendations be submitted to the NSC-USC by March 1, 1976 for its consideration and subsequent transmittal to you. In the meantime, informal efforts will be made to draw out the Joint Committee on Future Status on a number of important issues relevant to the United States policy reassessment.



Finally, I respectfully request your assistance in attaining the Senate's early approval of the Northern Mariana Islands Commonwealth Covenant. Failure of this legislation could have a very serious effect not only on future United States-Marianas relations but also on the prospects for attaining minimum U.S. objectives in the status negotiations with the Micronesians and therefore on the position and strength of the United States in the Pacific Ocean area.

Very respectfully yours,



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

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NATIONAL SECURITY COUNCIL

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ACTION

January 13, 1976

MEMORANDUM FOR BRENT SCOWCROFT

FROM: THOMAS J. BARNES *X*

SUBJECT: Review of U. S. Policy on Micronesia's Future Status

The Problem

The President's Personal Representative for Micronesian Status Negotiations, Ambassador F. Haydn Williams, wrote a letter (Tab B ) to the President on December 10, 1975. The letter recommended a full review of our policy on the future status of Micronesia excluding the Northern Marianas District. The Ambassador recommended that the review reconsider U. S. basic objectives in Micronesia and submit an updated policy paper with recommendations to the NSC by March 1, 1976 for subsequent transmittal to the President.

I believe such a review would be timely. Micronesians outside the Northern Marianas have recently made clear that they are not amenable to a free association arrangement that would meet the terms of Ambassador Williams' present negotiating instructions. These instructions, dated November 14, 1973 (Tab C), include among U. S. primary objectives: denial of the area for military use by third parties; establishment of U. S. authority over all matters that relate to foreign and defense affairs of Micronesia; and obtaining U. S. rights to land options for military training areas and future bases.

Recent Development

A Micronesian Constitutional convention on November 8, 1975 approved a new constitution of the "federated states of Micronesia" that sets clear parameters for Micronesia's future relationship with the United States. The new constitution provides for a sovereign state and makes clear that a treaty, approved by a complicated ratification process, will have to cover delegation to another government of major powers such as foreign relations and defense.

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The Micronesian Congress held a territory-wide informal status referendum last July. The results were confusing due to public misunderstanding and the possibility of voting for two options. In any event, the two most populous districts, Truk and Ponape, voted overwhelmingly for independence.

Also in the Law of the Sea forum, the Micronesians have claimed a far-flung marine area and have insisted on being a full party to any Law of the Sea treaty.

At the same time, there seems to be rethinking even in DOD of the need for an ironclad "denial" arrangement affecting the non-Marianas districts of Micronesia. The strategic relevance of the Northern Marianas to our unfettered use of Guam as a military base was the main concern of our military planners. The other Micronesian islands were of less concern. Several island entities south of Micronesia have become independent or quasi-independent states in the last few years. Island states, like Fiji, Tonga, and the Solomons, are as likely targets as Micronesia for any future base-hunting foreign power. There seems no compelling need for us to attempt to gain ironclad exclusion rights over all the Micronesian islands if we do not have the same rights in the South Pacific. At the same time, Micronesians clearly expect to negotiate defense arrangements with the United States.

#### Course of Action

Our goal should be to try to complete the ratification process of the Covenant with the Northern Marianas. Opposition to the Covenant has arisen in the Senate Armed Services and Foreign Relations Committee. There is a possibility some Senators will push an amendment that will delay ratification of the Covenant until we conclude a status agreement with the other districts of Micronesia. We should move ahead with our review of our policy towards these other districts regardless of what the Senate action should be. Showing that we are prepared to offer or even encourage an independence option for these other districts should facilitate approval of the Covenant, which reflects the strong desires of the people of the Northern Marianas for a permanent association. (The 1973 instructions gave Ambassador Williams authority to offer an independence option to the non-Marianas districts, but only as a tactic.) An independent or quasi-independent status for the other districts, including a treaty arrangement with the United States for the handling of foreign and defense affairs, should also facilitate approval in the United Nations of the manner of our termination of the trusteeship. We would also expect to retain our missile tracking facilities on Kwajalein.



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Procedure

We have prepared a memorandum for the Chairman of the Under Secretaries Committee directing that the NSC-USC Inter-Agency Working Group for Micronesia undertake a review of U. S. policy toward the future status of Micronesia. (The study is to exclude the Northern Marianas district unless the Congress acts unfavorably on the Northern Marianas Covenant.)

The memorandum directs that the study review U. S. interests in this issue and present a new range of options in our negotiating strategy and appropriate recommendations for the President's considerations.

RECOMMENDATION:

That you sign the memorandum to the President at Tab I requesting authority to issue the memorandum in his name.

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## NATIONAL SECURITY COUNCIL

~~CONFIDENTIAL~~URGENT ACTION

December 12, 1975

MEMORANDUM FOR: BRENT SCOWCROFT

FROM: THOMAS J. BARNES *df*

SUBJECT: Summary of Your December 11 Meeting  
with Haydn Williams

Ambassador Williams brought up the following three issues:

-- The Senatorial delay in the vote on the Northern Marianas Covenant.

-- His December 10 letter (Tab A) to the President recommending a full U.S. policy review to update the Under Secretaries Committee Micronesian policy paper of November 14, 1973.

-- His desire that, within the next couple of months, someone take his place as the President's personal representative for Micronesian Status Negotiations.

On the first issue, you agreed to get the President involved, to ask Secretary Rumsfeld to attempt to influence Senator Percy, and to ask Secretary Kissinger to try to turn Senator Javits around. Senator Bartlett is also a key target. You felt that approaches to Senators Hart and Scott would be fruitless. You also agreed to signal White House interest in this problem to both State and Defense. [Williams gave his estimate of Senate voting in a December 5 letter (Tab B) to Max Friedersdorf.] Haste is essential because the markup in the Senate Arms Services Subcommittee is now scheduled for 1400 Tuesday, December 16.

On the second issue, you agreed that we need a complete re-evaluation of Ambassador Williams' current negotiating instructions, and directed me to get started on that project, which I will ask Jay Taylor to initiate immediately.

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On the third issue, you agreed that Ambassador Williams' contribution was above and beyond any reasonable call of duty since he had stayed four years in a role that was supposed to take a few weekends. You said you would defer to him on the timing of the announcement of his departure, as well as on the date he would leave. Williams said that State was searching for a new Deputy who would have the possibility of succeeding him, but that the White House might want to take a strong role in the selection. He emphasized that his job was difficult bureaucratically and that other Departments and Agencies must understand that the power comes from the White House.

Necessary Actions:

- ||| a. Brief the President on the problem. Ask for help with |||  
Senator Bartlett.
- b. Ask Secretary Rumsfeld to attempt to influence Senator Percy.
- c. Ask Secretary Kissinger to try to turn Senator Javits around.
- d. Discuss with the President a replacement for Williams.
- e. Ensure that the State selection of any Deputy for Williams has your full endorsement, or alternatively, designate someone yourself.

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THE WHITE HOUSE

WASHINGTON

Old Executive Office Building  
Room 373

Washington, D.C. 20506

January 15, 1976

General Brent Scowcroft  
Assistant to the President  
for National Security Affairs

Max L. Friedersdorf  
Deputy Assistant to the President  
for Legislative Affairs

The White House  
Washington, D.C. 20500

Dear Brent and Max:

As you know, we are approaching the final votes in the Senate on the Marianas Covenant. The Senate Foreign Relations Committee and the Armed Services Committee have until January 27, 1976 to mark-up and submit their reports on HJR 549, as amended. The Senate Foreign Relations Committee has scheduled its mark-up for next Tuesday, January 20, and the Armed Services Committee is also likely to act next week.

The outcome of the vote in these two mark-up sessions remains uncertain but is sure to be close in both. In the Foreign Relations Committee the opposition is being led by Senator Pell, who is determined to defeat the Marianas Commonwealth Covenant outright, and by Senator Percy, who advocates deferring approval until an agreement or agreements have been reached with the entire Trust Territory. Senators Byrd (Va) and Hart (Colo) remain the most vocal opponents of the legislation in the Armed Services Committee.

Our best intelligence on the views held by members of the Senate Foreign Relations Committee indicates the following line-up next Tuesday:



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YES

SPARKMAN  
CHURCH  
MC GEE  
HUMPHREY  
SCOTT (PA)  
GRIFFIN

NO

PELL  
CLARK  
BIDEN  
CASE  
PERCY  
MANSFIELD

UNCERTAIN

SYMINGTON  
MC GOVERN  
JAVITS  
PEARSON

We have had some reports that Symington and McGovern may vote "yes", and we are hopeful that Pearson's vote will also be affirmative. Senator Javits is on the fence and a real effort should be made to win him over. Although we put Senator Church in the yes column, his vote cannot be taken for granted. Therefore, we are trying to get Senator Jackson to talk to him again.

The vote in the Armed Services Committee appears to be shaping up as follows:

YES

JACKSON  
TOWER  
GOLDWATER  
THURMOND  
CANNON

NO

BYRD (VA)  
HART  
SCOTT (VA)  
CULVER  
LEAHY

UNCERTAIN

STENNIS  
SYMINGTON  
MC INTYRE  
NUNN  
BARTLETT  
TAFT

The Department of Defense is concerned that McIntyre, Nunn and Taft may now be leaning against the Covenant and Symington is very uncertain. If these votes were to go against the Covenant it would be defeated in the Armed Services Committee.

There have been several developments affecting the Covenant during the current Congressional recess. Senator Bennet Johnston of the Interior Committee visited Saipan January 1; he was followed on January 5 by a delegation of four Senators. Also, at our suggestion, the Marianas leadership has corresponded with Senator Percy inviting him to Saipan and urging his support for early Covenant approval; Peter Poole, of Percy's staff, is now on Saipan talking to Micronesian leaders about status issues.

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While on Saipan, the Senators met Senator Lazarus Salii and Representative Luke Tman of the Congress of Micronesia, who reiterated that the Congress of Micronesia was not opposed to the Covenant and had accepted the popular decision of the Marianas people to join in political union with the United States and to separate from the other districts as soon as possible.

All members of the Senate Foreign Relations Committee or their staffs have been briefed on the substance of the Covenant and made aware of the Administration position. I have personally briefed Chairman Sparkman, and Senators Pell, McGee, Case, Javits, Percy and Griffin. Members of the Office for Micronesian Status Negotiations have briefed key staff members for each committee member except Mansfield, whose office indicated he would prefer to rely on briefings prepared by the staff of the Senate Foreign Relations Committee. We have briefed the Committee's Chief of Staff, Pat Holt, Robert Barton who has staff responsibility for the mark-up session next week on the Marianas Commonwealth and other members of the Senate Foreign Relations Committee staff.

We have made a similar effort on the Armed Services Committee and I have personally briefed the Chairman and Senators Jackson, Byrd (Va), Hart (Colo), Thurmond, Tower and Bartlett. Additionally, the Department of Defense has briefed key Senators and staff personnel have been briefed by the Department of Defense and my office.

I have written Secretary Rumsfeld asking him to urge Senator Percy to drop his amendment and support the Administration's request for early Senate approval of the Covenant. I have also asked him for Defense's help in moving Senators Stennis, Bartlett and Taft over to the yes column. Secretary Kleppe has already written both Committees expressing his support and urging speedy approval of the Covenant but I am asking him and Kent Frizzell to make a special effort with Senator Pearson of the Senate Foreign Relations Committee and Senator Bartlett who sits on both the Armed Services and Interior Committees.

With only a few days left and time running short we are mounting a final push and we need your help. We will be contacting and consulting with as many members of the two committees and their staffs as possible over the next few days

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urging the members to be present to vote yes or if not to give the Chairman their favorable proxies. We still need informed and enthusiastic support from the Republicans and at least one Republican champion on each committee who is willing to take on the opposition in the mark-up sessions. I hope Senator Griffin will fill this role in the Foreign Relations Committee and either Tower or Goldwater in the Armed Services. Anything the White House can do in this regard will be important. It would also be helpful if the White House could reinforce my request to Secretary Rumsfeld to talk with Senator Percy as soon as possible.

A special White House effort to win over the following Senators could make a great difference in the outcome of the vote early next week. They are: Senators Case, Javits, Pearson, Bartlett and Taft, all of whom are in the no or the uncertain column. An effort to assure Senator Scott's (PA) presence and his assistance with the other Republicans on the Foreign Relations Committee would be helpful too. I would also appreciate the good offices of the White House in arranging a meeting for me with Senator Goldwater in advance of next Tuesday's vote. Finally, if the President in addition to his letters to the two Chairmen could call Senator Mansfield it might be possible to swing the key vote of the majority leader in favor of the Marianas Covenant. This could be of great importance to the final vote of the full Senate.

The Office for Micronesian Status Negotiations has provided you with talking points as to why early approval of the Covenant is important. The greatest threat now is posed by the Pell-Percy-Byrd-Hart coalition which will in all probability argue for an indefinite postponement of action on the Covenant. Such action would be in no ones interest.

In closing I would like to report again that while I know it is unfair and without basis in fact, nevertheless, Senators and Committee staff members have said and continue to say that the Covenant is in trouble because of the lack of strong and convincing support for its passage from the Defense Department and because it seems to have a relatively low priority in terms of White House backing. I do hope that these false impressions can be corrected over the next several days.

Sincerely yours,

*Haydn*

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



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