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William S. F. Haynes

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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<u>YES</u>	<u>NO</u>	<u>UNCERTAIN</u>
SPARKMAN	PELL	SYMINGTON
CHURCH	CLARK	MC GOVERN
MC GEE	BIDEN	JAVITS
HUMPHREY	CASE	PEARSON
SCOTT (PA)	PERCY	
GRIFFIN	MANSFIELD	

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:

<u>YES</u>	<u>NO</u>	<u>UNCERTAIN</u>
JACKSON	BYRD (VA)	STENNIS
TOWER	HART	SYMINGTON
GOLDWATER	SCOTT (VA)	MC INTYRE
THURMOND	CULVER	NUNN
CANNON	LEAHY	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

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,

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

FHW:kkc

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THE MARIANAS COVENANT (H.J.R. 549, AS AMENDED)
NEED FOR EARLY APPROVAL

The Covenant to establish a Commonwealth of the Northern Mariana Islands in political union with the United States of America (H.J.R. 549, as amended) should be approved without delay. Prompt action will:

- be an important step toward fulfilling a U.S. international obligation by honoring the principle of self-determination
- promote the cause of peace and stability in the Western Pacific by assuring that those strategically located islands will not again become the object of international rivalry and armed hostility
- strengthen U.S. security interests in the Pacific and the defense of the vital military facilities located on nearby Guam
- provide a structure for the building of the institutions of self-government long desired by the people with funds already authorized by the Senate pending approval of the Covenant
- act as an incentive to the other parts of the Trust Territory to move ahead with decisions on their future political status
- forestall the administrative confusion and political uncertainties and tension which would be the result of delayed action
- demonstrate U.S. respect for the due process of self-determination and the overwhelming wishes of the people as expressed in a U.N.-observed plebiscite.

Failure on the part of the Senate to approve the Covenant would:

- undermine confidence in the American sense of purpose in the Pacific and throughout the Trust Territory
- create uncertainty as to the political future of the Northern Marianas and thereby tension and deep frustration
- contribute to a potentially unstable political situation and possible conflict between the Northern Marianas and the rest of the Trust Territory by denying both parties their desire to go their separate ways
- raise serious questions as to U.S. credibility and make the future negotiating environment for the termination of the U.S. trusteeship over the Pacific Islands much more strained and difficult
- undermine confidence in the U.S. and raise doubts as to whether agreements can be reached even when they have been worked out over a period of years with the full blessing and advice of those Committees of the Congress charged with legislative responsibility for the Trust Territory of the Pacific Islands.

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THE NEED FOR EARLY SENATE APPROVAL
OF H.J.R. 549, AS AMENDED

The Northern Marianas Commonwealth Covenant should be approved without delay. The Covenant will serve the national interest in many ways. It helps fulfill an international obligation assumed by the U.S. and it honors the principle of self-determination. It strengthens U.S. security interests in the Western Pacific and the defense of nearby Guam without expanding the international commitment of the U.S. It has been approved by the Marianas Legislature and by an overwhelming majority of the people in a U.N. observed plebiscite. Its passage by the Senate is supported by the Congress of Micronesia and the Guam Legislature. In July 1975 the President urged early Congressional action. In response the House approved the Covenant and the Senate Interior Committee reported the bill out favorable last October.

The question of the future political status of the islands of the Pacific has been pending for years and has been the subject of close consultation between the Congress and the Executive Branch since 1969. Negotiations leading to Commonwealth for the Northern Marianas were entered into only after consultation with the Congress. The talks were in response to the long-expressed desires of the people of the Northern Marianas for political union with the U.S. going back to the end of World War II. The final draft Covenant was submitted to the Interior Committee for review prior to its signature in February of last year.

Reasons for Early Approval:

- Approval now will be an important step in bringing the Trusteeship over these islands to an early and honorable end in accordance with the U.N. Charter and Trusteeship Agreement.

- Early approval will enable the Northern Marianas to move ahead in cooperation with the COM with a smooth and orderly separation which both parties desire. The COM has made it clear to the Senate that it honors the popular will of the people of the Northern Marianas and supports early Senate approval of the Covenant.

- Approval will clear the way for the appropriation of funds for self-government in the Northern Marianas which the Senate has already authorized pending final resolution of the Covenant.

- Approval will strengthen the chances of reaching a mutually satisfactory agreement with the other islands of the Trust Territory by resolving the uncertainty of the future status of the Northern Marianas.

- Finally since the Covenant has been negotiated in good faith and since the people of the Northern Marianas feel so strongly about being reunited with Guam under common U.S. citizenship, early approval of the Covenant by the Senate will be seen as a fulfillment of a moral commitment and increase the confidence and credibility of the U.S. in the Northern Marianas and throughout the Trust Territory.

Consequences of Delay or Deferral by the Senate:

- Deferral or Defeat of H.J.R. 549, as amended, could create serious problems in the Northern Marianas and damage U.S. credibility in the remainder of the Trust Territory and in Guam.

- Deferral or Defeat would be a great psychological letdown for the people. While they entered into the negotiations with the full knowledge that Congressional approval would be required, they have nevertheless been encouraged over the years by the strong expressions of support from members of the Congress and from visiting Congressional delegations for their aspirations to become a territory of the U.S. like their sister island Guam with whom they have close family, religious and historical ties.

- Deferral or Defeat will undermine and seriously weaken the pro-American political leadership in the Northern Marianas which has joined in a common cause to bring their islands under the American flag. It would at the same time encourage and strengthen the very small but highly vocal and critical anti-American minority which opposes union with the U.S.

- Deferral or Defeat could undo the progress that has been made between the COM and the Northern Marianas in reaching agreement for an orderly separation, and could forestall planning for the relocation of the capital of Micronesia.

- Deferral or Defeat would deny the people of the Northern Marianas the right to move forward toward self-government under the terms of the Covenant which were carefully negotiated with the advice and advance approval of the Interior Committees of the U.S. Congress since those provisions dealing with the drafting of their own Constitution become effective only upon the approval of the Covenant by the U.S. Congress.

- Deferral or Defeat will greatly complicate and lessen the chances for a satisfactory conclusion of the negotiations with the COM. Delay will not change the fundamental political fact that the political aspirations of the Northern Marianas are for union with the U.S. while the rest of the Trust Territory is seeking an increasingly distant and temporary future association with the U.S. To ignore the fact that nearly 80% of the people of the Northern Marianas have already voted for Commonwealth and to then force them to continue to participate in the political process of the other districts would be awkward, disruptive and detrimental to the interest of all parties concerned.

- In summary, rejection of the Covenant by the Senate after approval by the House and after years of close consultation between the Northern Marianas and the Executive Branch and the U.S. Congress, or a decision by the Senate to postpone indefinitely the effective date of approval would seriously undermine confidence in the American sense of purpose in the Pacific, promote needless uncertainty and frustration in the Northern Marianas and create a much more complicated and difficult negotiating environment for the U.S. in its efforts to conclude a satisfactory agreement with the rest of the Trust Territory. An indefinite delay might indeed adversely affect the long-term interests of all parties concerned for no useful purpose.