

Trust Territory D. I. Love

PEACE CORPS / MICRONESIA
TRUST TERRITORY OF THE PACIFIC ISLANDS

Headquarters
P.O. Box 392
Saipan, Mariana Islands
96950

June 4, 1969

MEMORANDUM

TO : Lco Moss, Micronesia Desk Officer/EAP, PC/Washington
FROM : Roger Flather, Director, PC/Micronesia
SUBJECT: Memorandum of Agreement - Revision of:

1. It is considered timely and appropriate to review the memorandum of agreement between the Peace Corps and the Trust Territory for possible revision. The agreement is almost three years old, and in our view is outdated and in need of revision. With the recent appointment of Mr. Edward Johnston as High Commissioner, the increased interest being given to Micronesia by the U.S. government, the many changes and developments that have taken place since the advent of Peace Corps, consideration of revision at this time is timely.

The purpose of this memo is to point up certain procedural aspects for effecting revision as well as to indicate areas needing change. By writing now, it is hoped all aspects can be discussed and resolved during my forthcoming consultation in Washington. I want to commence discussions with Mr. Johnston in July.

2. Procedures for Revision

a. The original agreement was signed by the High Commissioner and the Director of the Peace Corps. It is assumed they would sign any revised agreement, or is the nature of the agreement such that it could be worked out in-country between the HICOM and Peace Corps country director (with prior consultation with PC/W of course)?

*assume
CO-EG*

b. The original agreement was essentially worked out by general counsels for the Peace Corps and Department of Interior, on the advice of the EAP region and the Office of Territories, respectively. At time of initial discussions, field staff were not in-country. This process could be repeated for revision, or after receipt of PC/W (EAP and GC) guidance, better effected in Saipan by the HICOM and country director. If the latter, final concurrence and review

*III
5*

by PC/W and Office of Territories could be effected. One important reason for wanting some discussion and/or negotiation here is the desirability if not essentiality of reviewing the agreement with the Congress of Micronesia, or at least those aspects which involve the Micronesian community procedurally. Formalizing relationships with the Micronesia community and coming up with a realistic memo of agreement are intertwined to a substantial extent. And furthermore, if one views the Congress of Micronesia as a true legislative branch of equal or almost equal status to the other branches (and the trends are certainly in this direction), then the entire subject of a memo of agreement may be within the purview of the Congress of Micronesia. We may not be at this point yet, but it is a consideration and in any case some review with the Congress of Micronesia is advisable. The High Commissioner will more than likely have some thoughts regarding the extent the Congress of Micronesia should be involved.

3. Suggested Changes

The revision could follow the present format, merely adding or deleting or revising as needed. Or the agreement could be redrafted from scratch. The current agreement was a patchwork job, including all things for both sides, and it shows. Hence, there is some redundancy, some defensiveness, some admonishment, some anticipation of relationship difficulty. It comes through more as a sword's points document, unwanted but necessary, than as a document between two parties which need certain working arrangements spelled out, but between which also the spirit of good faith and partnership exist. Certainly a rewrite could favor good faith and partnership at the same time covering essential points.

a. Initial unnumbered paragraphs

First - OK but could be deleted. I recall the intent of this initially was to educate. This need has passed but inclusion of some historical data could be advisable.

Second - OK

Third - Idea of first sentence OK. Idea in second sentence implies placing Peace Corps on notice, where as in fact, our experience has been that Peace Corps has carried lion's share of burden of considering will of the people. Perhaps this is best revised by including TT along with Peace Corps in giving full consideration to the will of the people in so far as Peace Corps matters are concerned.

Fourth - OK

III
6

b. Para 1

Change this so that the presence of PCVs contributes to development of Micronesia or some such. Contributing to TT programs is the means not the end. The exclusive use of "TT programs" has been misunderstood rather generally by PCVs and Micronesians. The second sentence could be more direct - rather than "establish procedures for liaison," "maintain liaison." The theme of an equal, three way partnership ~~exists~~ - Peace Corps, TT, and Micronesian leadership - could be stated here. Also, that the Peace Corps Director will attend Cabinet meetings, and that like relationships will be maintained at the district level between District administration and the Peace Corps district director, could be stated here.

c. Para 2 - OK

This paragraph should reflect a three way (PC, TT and Micronesian leadership) programming, planning, reviewing, approving, implementing partnership, procedures for which to be maintained at the district and headquarters levels.

d. Para 3 - OK

Except "on the basis of facts" and "through Peace Corps and TT consultation or discussion" should be included. The current version could result in unilateral action.

e. Para 4 - OK

But not really necessary. Appears to be an offset to para 3.

f. Para 5 - OK

The sentence, "All PCVs will serve under the immediate supervision of local supervisors, either Micronesian or American," has the general interpretation of TT supervisors, as distinct from supervisors, such as for the Ponape Transportation Board, Coop Federation, district legislature, etc., who are not TT employees. While the number of assignments outside the TT heirarchy will always be small, they do and will continue to exist. This paragraph should indicate that all PCVs will have a supervisor to be identified in the job description and approved in the programming process, and that such supervisor could be a TT employee in the executive branch, a legislator or other person in the legislative branch, a judge or other person in the judiciary, or a person in the private sector. The point is not that all PCVs have to be supervised by the TT, but that supervision be provided, acknowledged and approved before the fact.

Since the TT must approve all assignments and can always review them, including their supervisory aspects, I see no weakening in whatever protection TT feels it must have on this score by our suggestions. This issue has been a basis for misunderstanding and friction in the past.

g. Para 6

The HICOM has never done this. The new HICOM might, and if the matter were brought to his attention as a flaw in past procedure, definitely would I am sure. In the absence, Peace Corps has carried the full responsibility for not just informing Micronesia leadership, but for ensuring to the maximum extent possible responsiveness of Peace Corps activities to the will of the people through as much participation as can be obtained. With or without the TT informing the Micronesian leadership of Peace Corps developments, Peace Corps would continue to maintain the fullest possible communication process.

What we would want to see in this paragraph is an elevation of Micronesian leadership to equal status to the Peace Corps and TT in the program process. Attached is a draft memo which has not been sent to the HICOM, but the contents of which have been informally discussed with the Congress of Micronesia Speaker and President. The memo suggests one possibility for a three way procedure. Again, however, the main point in a new agreement would be an active rather than a passive or reactive role for the Micronesian community.

h. Para 7

This was written to reflect a one time situation and has no further relevance. It has been cause for misunderstanding. A replacement paragraph could specify that Peace Corps will pay for allowances but any job supplies and equipment, etc., would be TT's responsibility.

4. Enclosed is a rough draft revision agreement prepared some time ago. No attempt has been made since to review it to be consistent with the suggestions contained in section 3 above. However, it is provided as a base input for consideration. Until the procedural aspects cited in section 2 above are resolved, there is not much point in going further with an agreement re-write. However, please note the next to last paragraph of this rough draft, where in the objectives of the Peace Corps and the distinctiveness of volunteerism, community involvement, extra curricular activities, etc., are mentioned. A new agreement could profit by inclusion of these criteria for programming and working with PCVs. These concepts could also be contained in para 1 or 2 if the current agreement format were followed.

Trust Territory

June 4, 1969

The Trust Territory of the Pacific Islands is administered under a United Nations Trustee Agreement by the United States through the Department of Interior. Peace Corps effort in Micronesia is primarily to assist the Micronesians in their development by working with the Micronesian legislative bodies and through the appropriate Trust Territory administration programs.

Through the High Commissioner, whose office is ultimately responsible for all United States efforts in Micronesia, the Peace Corps shall coordinate all emerging requests for volunteer service from Micronesian legislative bodies, or their designated Peace Corps Planning/Advisory councils in the various districts.

To ensure the necessary continuing liaison between Trust Territory Programs and requested Peace Corps efforts, the Director of Peace Corps/Micronesia shall be included in the High Commissioner's Cabinet, as a member of the United States Mission in Micronesia.

To facilitate and enhance the Peace Corps Volunteers supplemental efforts to the Trust Territory programs, the volunteers and their assignments will be reviewed and evaluated periodically by the District Peace Corps Director and the assigned supervisor, Micronesian or American, of that specific Trust Territory program. When, for lack of understanding, cooperation or support, either the supervisor or the volunteer is dissatisfied with the job performance or expectancy, all parties shall attempt to resolve the matter in accord with the best interests of the Micronesians. The local district Peace Corps Council (advisory committee, et al.) shall review such situations when necessary, and shall recommend to the Distad and to the District Peace Corps Director their resolution.

Should any occasion arise in which the High Commissioner concludes, after reviewing the fully documented charges with the Director of Peace Corps Micronesia, that the continuing presence in the Trust Territory of any volunteer or staff is not to the benefit of the Trust Territory, Peace Corps/Micronesia will review the charges with the volunteer and/or staff member. If, after review, the Director agrees that such persons should leave the Trust Territory the case will be forwarded to Peace Corps/Washington with the Director's recommendation for appropriate action, either reassignment or termination. If the Director disagrees with the High Commissioner's decision, he shall so note his reasons and seek resolution through continuing discussion. If this means fails to resolve the issue, the High Commissioner's decision will prevail with the Director documenting his reasons both to the High Commissioner and to Peace Corps/Washington, for Peace Corps resolution.

III
9

Noting the developments that have taken place since 1966, when Peace Corps commenced service in Micronesia, and the Trust Territory budget was inadequate to meet all the demands, Peace Corps may now seek support for volunteers serving in Trust Territory programs in the form of goods, funds for support equipment and services. Such assistance will be through the TT supervisors documented requests with the concurrence by the District Peace Corps Director. Assistance for Micronesian initiated and directed programs will be sought, where appropriate, from the municipal and/or district legislatures.

In the training of new volunteers appropriate Trust Territory staff personnel will cooperate fully in orientation, training and placement of volunteers. The detailed job descriptions of the volunteers shall be submitted and reviewed by the Peace Corps staff, taking into account the objectives of the Peace Corps Act and Peace Corps programming criteria. The distinctiveness of a Peace Corps Volunteers community involvement will be noted in placement and in expectancies. Volunteers are not to be programmed as contract personnel.

This memo of agreement is negotiable at any time when new circumstances and factors warrant its revision. Such negotiations should be in consultation with the appropriate committee (s) of the Congress of Micronesia and with the Congress's concurrence.

II
10