

[8/29/69]

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THIRD CONGRESS, 1969
SECOND REGULAR SESSION

PUBLIC LAW NO. 33-15
(S. B. 55)

AN ACT

To create a Micronesian Political Status Delegation to the United States to confer with members of the United States Congress and with other members of the United States Government with a view toward seeking an early resolution of the future political status for Micronesia; to appropriate money therefor and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

1 Section 1. There is hereby created a Political Status Dele-
2 gation to the United States, consisting of not more than ten
3 members of the Congress of Micronesia to be appointed jointly by
4 the President of the Senate and the Speaker of the House of Rep-
5 resentatives. Such appointment shall be made upon the approval
6 of this act. All members of the Delegation shall by majority vote
7 elect a chairman and a vice-chairman during its first meeting.

8 Section 2. The Delegation shall appear through such of its
9 members as it shall designate before the United States Congress
10 or any member or committee thereof or before any bureau or depart-
11 ment or officer of the United States Government. It shall actively
12 seek, support, and press for an early resolution and determination
13 of the future political status of Micronesia or in connection with
14 United States legislation regarding the same. It shall further
15 take part in preliminary discussions regarding the relations which
16 shall in the future prevail between Micronesia and the United States
17 and the specific provisions of law and other measures which shall
18 serve to formilize these relations.

19 Section 3. In carrying out the aforesaid mission, the Delega-
20 tion and all its members shall to the best of their ability adhere
21 to the desires and policies of the Congress of Micronesia, as
22 expressed by resolutions or otherwise.

12 seek, support, and press for the passage of legislation
13 of the future political status of Micronesia or in connection with
14 United States legislation regarding the same. It shall further
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1 Section 4. Actions of the Delegation shall be subject to
2 the subsequent ratification of the Congress of Micronesia.

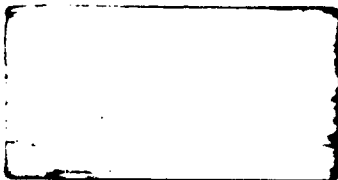
3 Section 5. The sum of \$40,000, or so much thereof as may be
4 necessary, is hereby appropriated out of the General Fund of the
5 Congress of Micronesia not otherwise appropriated for the purpose
6 of carrying out the provisions of this act. The sum herein appro-
7 priated shall be expended at the request, direction, and approval
8 of the Chairman of the Delegation. A portion of this sum may be
9 set aside and used at the direction of the Chairman as representa-
10 tion fund. The term "representation fund" as used herein shall be
11 broadly construed to the end that the purposes of this act may be
12 fully served. All unencumbered and unused balances shall revert
13 to the General Fund of the Congress of Micronesia.

14 Section 6. Any expenses of the Delegation incurred by any
15 appearance under the provisions of Section 2 of this act, or in-
16 curred at the request of the Delegation or its Chairman shall be
17 paid from the appropriation herein provided. Each member of the
18 Delegation shall be entitled to receive per diem at standard rate
19 from the funds appropriated by this act. The Delegation shall
20 have power to appoint such technical, administrative, clerical,
21 and stenographic assistants as it deems necessary for the effec-
22 tuation of its purposes and at such level of salaries as it
23 considers appropriate. The Delegation may contract for legal,
24 technical, and other services which may be deemed necessary or
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1 terms and conditions and for such compensation or fees as the

2 Delegation may see fit.

3 Section 7. This act shall take effect upon approval by the
4 High Commissioner, or upon its becoming law without such approval.

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August 29th, 1969

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Edward E. Johnston
Edward E. Johnston
High Commissioner
Trust Territory of the Pacific Islands

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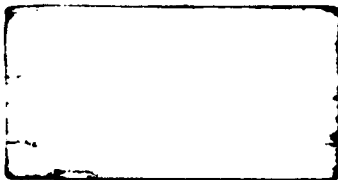
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EVENTS THROUGH ROUND 1. FROM REPORT OF THE POLITICAL
STATUS DELEGATION OF THE CONGRESS OF MICRONESIA (JULY 1970)

CHAPTER I. INTRODUCTION

The report of the Micronesian Political Status Delegation is a further chapter in the continuing investigation of the eventual status of the current Trust Territory of the Pacific Islands. It is not the Congress of Micronesia's first consideration of this subject and it is not - as the contents of this report will make clear - the last. The following report attempts to define how far we have come in our current investigations, where we are now, and what future prospects are.

The Micronesian Political Status Delegation was created under Public Law No. 3C-15, approved August 29, 1969. The Congress of Micronesia authorized the Delegation to

"actively seek, support, and press for an early resolution and determination of the future political status of Micronesia"

and to

"take part in preliminary discussions regarding the relations which shall in the future prevail between Micronesia and the United States and the specific provisions of law and other measures which shall serve to formalize these relations."

In carrying out these tasks, the Delegation was directed to adhere "to the desires and policies of the Congress of Micronesia, as expressed by resolutions or otherwise."

In Senate Joint Resolution No. 63, the Delegation's mission was further defined. It was directed "to identify the major political, legal, and administrative questions which will have to be decided in the event that Micronesia chooses to enter into free association with the United States, and likewise those which will have to be decided if Micronesia

chooses to become an independent state, together with information which will facilitate decisions on all these questions." Free Association and Independence were the two alternatives recommended to the Congress by its Future Political Status Commission in July, 1969.

Preliminary Talks in Washington

The Delegation's first step in its effort to fulfill the Congress' mandate was its acceptance of an invitation from Secretary of the Interior Walter J. Hickel to meet with members of his staff and other officials in Washington and discuss the Trust Territory's political future. To provide a reasonable basis for discussions, the Delegation prepared a list of eleven topics for presentation to the United States in Washington.

These were:

- 1) That the people of Micronesia will draft and adopt their own constitution;
- 2) That the Micronesians will be assured that there will be no confiscation of their land and no military bases will be established on the islands without full consultation and consent of the Government of Micronesia and fair compensation; that land currently held, controlled or possessed by the United States under lease or other arrangements will be renegotiated;
- 3) That the United States, subject to certain exemptions, limitations, and conditions, will conduct Micronesia's external affairs and provide protection from outside aggression and consult with Micronesia before entering into international obligations with respect to Micronesia;
- 4) That Micronesia will agree not to allow any other country to enter into Micronesia for military purposes;
- 5) That the United States will agree to an early settlement of Micronesia's postwar damage claims;
- 6) That the United States will remove all barriers to the free movement of Micronesians into the United States;

- 7) That the United States will also agree to remove all barriers to the free movement of goods from Micronesia into the United States;
- 8) That the United States will seek full consultation with the Government of Micronesia in matters of shipping, civil aviation and communication;
- 9) That Micronesians will have access to the United States Ninth Circuit Court and the United States Supreme Court;
- 10) That Micronesia will continue to have access to banking facilities in the United States, to the use of United States currency and postal services; and
- 11) That the United States will guarantee financial aid to Micronesia.

Your Delegation arrived in Washington at the end of September and, for approximately three weeks, conducted preliminary talks on these eleven topics with a United States Delegation composed of representatives from the Departments of the Interior, State and Defense, and observers from the Senate and House Committees on Interior and Insular Affairs. The Honorable Harrison Loesch, Assistant Secretary of the Department of the Interior, served as Chairman of the United States Delegation during the Washington talks (and later during the Saipan talks).

No conclusions were reached during these preliminary discussions in Washington. On the eleven topics presented, the United States Delegation generally agreed in principle with your Delegation's basic position, with the outstanding exception of the question of land control in Micronesia. Your Delegation insisted that the people of Micronesia should have unqualified control of land in Micronesia and that any United States use of land for military purposes should be subject to negotiation between the Governments of Micronesia and the United States, while the

United States Delegation presented a formula for the acquisition of land which gave the President of the United States the ultimate power to acquire land in Micronesia. The two Delegations also failed to reach agreement on another important point - whether any association between Micronesia and the United States will be permanent or in the form of a revocable compact.

Executive Meetings

The next exchange between United States representatives and your Delegation occurred in January 1970, during the special session of the Congress of Micronesia on Saipan. At that time, your Delegation was informally presented a draft bill by Assistant Secretary of the Interior, Harrison Loesch. The draft bill, which would have made Micronesia an unincorporated territory of the United States, like Guam or the Virgin Islands, was found to be almost totally objectionable. Your Delegation maintains that such a bill is in manifest conflict with the intent of the Trusteeship Agreement, with the direction pointed by the Congress of Micronesia in its mandate to your Delegation, and with the basic premises upon which the Delegation had opened discussions in Washington. Your Delegation indicated its total opposition to any United States act which would provide for the internal government of Micronesia. Your Delegation maintained that the internal government of Micronesia - its design, its administration, and its control - should be reserved solely to the people of Micronesia.

Consultation with the 1970 United Nations Visiting Mission

On March 18, your Delegation met with the 1970 United Nations Visiting Mission on Saipan. Mission members inquired about the Washington talks of the previous October. Your Delegation reviewed the areas that had been discussed but, because of the very preliminary nature of the sessions, did not attempt to assess areas of agreement or disagreement. The role of the United Nations in terminating the Trusteeship Agreement and the processes and procedures involved in such a termination were also discussed.

Discussions on Saipan

At the invitation of your Delegation, discussions with United States representatives were resumed on Saipan from May 4 to May 8, 1970. In these discussions, the United States was represented by an official delegation of the Executive Branch of the United States Government. Its members were Assistant Secretary Harrison Loesch, Chairman, and Mr. Thomas Whittington, from the Department of the Interior; Messrs. Claus Ruser, Sam Peale and U.S. Ambassador to the Trusteeship Council S. Harry Wright, from the State Department; and Commander Al Kuhn and Lieutenant Colonel Thomas Stockton from the Defense Department. In these sessions, the United States Delegation was not accompanied by any representatives from the United States Congress or its committees, as had been the case during the Washington talks.

The May talks on Saipan were surely as thorough and detailed an exchange of viewpoints as has ever occurred between authorized Micronesian