

Week in Review

SUMMARY OF NEWS OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS

Prepared by Micronesian News Service

Saipan, Mariana Islands

March 19-23, 1973

CONTINENTAL HOTEL SUIT DISMISSED

U.S. District Court Judge Samuel P. King granted the motion of defendants to dismiss the Saipan Continental Hotel case. The judge handed down his 32-page opinion and ruling in Honolulu March 21. At issue was the question of whether Continental should be required to comply with provisions of the U.S. National Environmental Protection Act (NEPA) in its construction of a hotel adjacent to Saipan's popular Micro Beach. The hotel is being built on public land leased to the company by the Trust Territory Government. In addition to the airline, High Commissioner Edward E. Johnston was named as a defendant in the suit, which was brought by attorneys from the Micronesian Legal Services Corporation on behalf of ten Saipan residents.

According to Carlos Salii of the TT Attorney General's Office, who represented the High Commissioner in the proceeding, Judge King's ruling on the dismissal motion held in essence that the TT Government is not a Federal agency under the definition of such an agency contained in the Administrative Procedures Act, and that therefore the National Environmental Protection Act, which applies to federal agencies, does not apply to the TT.

The decision was a lengthy one, and copies of it had not arrived on Saipan for attorneys from either side to examine.

AMBASSADOR WILLIAMS COMMENTS ON STATUS TALKS

U.S. Ambassador Franklin Haydn Williams told a subcommittee of the House Interior Committee in Washington that "considerable progress has been made in the negotiations, but that uncertainty within Micronesia is making the status negotiations more difficult." Williams, who is President Nixon's Personal Representative for Micronesian Status Negotiations, made his comments in testimony before the subcommittee March 15. The Ambassador presented the lawmakers with a picture of where things presently stand in the status talks.

He told the subcommittee that the Congress of Micronesia has neither approved nor rejected the joint agreements of the U.S. Delegation and the Micronesian Delegation as reflected in the partial draft compact.

He said that the U.S., since the Micronesian Congress session in Koror, has urged the Congress to create a constitutional convention, but the last two sessions of the Congress failed to pass such a bill.

Concluding his testimony before the House subcommittee, Williams said, "the objectives of the U.S. in these negotiations will continue to be directed

Williams said that he is in correspondence with the Chairman of the Micronesian delegation about the next steps and the continuation of their joint effort to complete a draft compact of free association and that the separate talks with the Marianas Future Status Commission would be continued.

CONGRESS OF MICRONESIA JOINT COMMITTEE ON PROGRAM AND BUDGET PLANNING HOLDS HEARINGS

The Joint Committee on Program and Budget Planning of the Congress of Micronesia is presently conducting hearings in the districts to review the 1975 fiscal year budget of the TT. According to the committee's chairman, Representative Raymond Setik, the group is reviewing the district budgets "to see if all the operations expense is strictly necessary". He said, "All operations money must directly benefit the Micronesian people. All unnecessary fat in the operations must be removed and used in the capital improvement programs which have a long-term benefit for the people of Micronesia.

The committee is expected to review the Headquarters budget on March 28 and 29.

PUBLIC HEARINGS ON UJELANG

The Air Force will hold public hearings on Ujelang, in the Marshall Islands, this week to give the former residents of Eniwetok Atoll an opportunity to testify on the environmental impact of the Pacific Cratering Experiments (PACE) project.

Under an injunction issued by a Hawaii court October 1972, the military has been prohibited from proceeding with the project until a proper environmental impact statement has been filed and the court can rule on it. In addition to the Ujelang hearings, public hearings will be held in Honolulu early in April as part of the process of obtaining information for the environmental impact statement.

PACE is a non-nuclear series of text explosions which the Air Force intends to detonate on certain islands at Eniwetok. The resulting craters, some of which will be several hundred feet in diameter, will be studied and compared with nuclear craters. The testing project was well underway last year when the court ordered a halt in response to a lawsuit filed on behalf of the people of Eniwetok by attorneys for the Micronesian Legal Services Corporation.

Legal Services Director Ted Mitchell said on Saipan last week that he and two MLSC attorneys from the Marshall Islands, Chips Barry and Jim Licke, would attend the Ujelang public hearings. He said Micronesian Legal Services Corporation had insisted on holding the hearings on Ujelang, rather than in Majuro or some other more easily accessible location, because, in his words, "Ujelang is where the people are, and potentially everybody on Ujelang is affected by the PACE project." Participants in the hearings were to fly by chartered plane from Kwajalein to Eniwetok March 24, where they were to board the TT field trip vessel M/V Robert DeBrum for the voyage to Ujelang.

The hearings will be held March 26 and 27.

In addition to the Micronesian Legal Services Corporation attorneys, several officials from the TT Government will attend the hearings. U.S. military officials representing the PACE project and the Defense Department Nuclear Agency also participated.

The Honolulu hearings, scheduled for April 4 and 5, will be held at an Army base, Fort DeRussy in Waikiki. According to Mitchell, scientists will be invited to testify in Honolulu on the environmental effects of PACE.

LAND CASES HEARD

The first Micronesian land dispute case to be heard by the United States Court of Claims began March 19 at the TT High Court on Saipan. The land dispute, involving plaintiff Veronica L. Camacho of Saipan against the U.S. Government, is the first land trial ever to be heard by the U.S. Court of Claims in Micronesia.

The land in question is at Asperdido, where the present Kobler Field is located. The suit, filed by Mrs. Camacho's attorney, Bill Nabors, contends that the property was acquired by the U.S. Federal Government without proper and just compensation to the lawful owners. Court of Claims Commissioner Phillip Miller is presiding over the court case. Representing the U.S. Government is Department of Justice attorney Herbert Pittle. Upon conclusion of the hearings on Saipan, Court of Claims Commissioner Miller will travel to Koror, Palau for more land case hearings.

The results of the land hearings in Micronesia will be presented for final review to a body of judges making up the Court of Claims. The decision of that body is final, except for the possibility of further appeal to the U.S. Supreme Court.

PAN PACIFIC EDUCATIONAL AND COMMUNICATION EXPERIMENTS BY SATELLITE (PEACESAT)

Electronic equipment for the ground terminal which would link Saipan and the Trust Territory with several Pacific nations through a system known as Pan Pacific Educational and Communication Experiments by Satellite (PEACESAT) arrived on Saipan last week. A PEACESAT staff member will fly to Saipan this week to install the terminal at Broadcast Center on Capitol Hill.

Once the installation is complete, the National Aeronautics and Space Administration (NASA) will be asked for authorization to transmit from Saipan for test purposes pending formal long-term approval.

According to PEACESAT Director John W. Bystrom, the purpose of PEACESAT is to demonstrate the benefits of currently available telecommunication technology to the needs of sparsely populated, less industrialized areas of the world. The project provides an intercontinental laboratory to develop improved communications methods for educational, health, and community services in the Pacific.

OFFICE OF HIGH COMMISSIONER RECEIVES ALL BILLS

All sixty-two bills passed by the First Regular Session of the Fifth Congress of Micronesia have now been officially transmitted to High Commissioner Edward E. Johnston.

The High Commissioner and his staff have thirty days, following the day on which each bill is officially received, to consider legislation passed by the Congress. Action on at least some bills is expected this week, with most of the action deadlines falling during the month of April.

Thus far, only one bill, relating to penalties for the starting of unauthorized fires, has been signed into law, becoming Public Law 5-1.

APPLICATIONS FOR TT DIRECTORS OF EDUCATION

The TT Department of Education has received a total of 33 applications--and more may be still coming--for the position of Education Director. On April 2 the TT Board of Education will meet on Saipan to go over the applications and make a recommendation to High Commissioner Edward E. Johnston. The High Commissioner will then submit his nominee for the position to the Congress of Micronesia for its consideration.

The position of Director of Education has been vacant since the departure of R. Burl Yarberry in June of last year. For the past nine months, Deputy Director John Richard has filled the post on an acting basis. The High Commissioner's nomination of Truk District Director of Education Chutomu Nimwes to replace Yarberry was turned down by the Congress Joint Committee on Administrative Appointments in August, 1972, and since that time no further nominations have been made.

Richard is being assigned to the TT Government's office in San Francisco, California. He will be responsible for the recruitment and orientation necessary for new teachers and other education personnel who are hired to work in the TT.

NOW, BRIEFLY, HERE ARE SOME OTHER ITEMS OF INTEREST WHICH MADE NEWS DURING THE WEEK:

The U.S. Coast Guard has announced that all of its navigational aid stations in the TT, with the exception of the Yap station, will be closed this year. The stations affected are at Saipan in the Marianas, Angaur in Palau, Eniwetok and Ebeye in the Marshalls, and Wake Island.

A government survey team headed by Marianas District Agriculturist Les Weaver left Saipan March 22 for a one-day survey flight to Pagan in the northern Marianas to get a first-hand look at the damage caused by the fire that swept over nearly the entire island during the week of March 12.

Nauru is proposing to install lights for night landing operations in Ponape. At present, Air Nauru, Nauru's only airline, lands at Ponape once a week for an operational stop on its flight from Nauru to Kagoshima, Japan.

A Civic Action team completed in early March a camp facility in Palau, which will provide housing for the men while they engage in a number of capital

improvement projects in Palau. The most extensive and important of the projects planned is the rehabilitation of the Airai Airport.

Commander Naval Forces Marianas George C. Morrison began touring the eastern districts of the TT last week to participate in a number of events scheduled to take place in Truk and Ponape and to visit a Civic Action Team in the Marshalls.

Three new medical personnel have arrived on Saipan. The two physicians-- Dr. Bromeo Z. Mortera and Dr. Theodore McCarthy--have joined the staff at Dr. Torres Hospital on Saipan. John Hedderick, a Public Health Advisor, will be in charge of communicable disease control in TT.

A South Pacific Commission Health Engineer, Cloud Richard, was on Ponape last week working on the installation of an experimental waste digester. The project, implemented in Ponape on a trial basis, will attempt to make cooking gas out of chicken, cattle, or pig manure.

The Community College of Micronesia Guild of Performing Micronesian Arts was on Guam last week making appearances at Guam's local schools and taping television shows. The group was under the sponsorship of the Guam Federation of Teachers.

Dedication ceremonies for the new Truk Farmers' Market in Moen were scheduled for March 23. Since some needed equipment has not yet arrived, it is predicted that it will be another three to four weeks before the market is fully operational. The new building was completed under the supervision of a Civic Action team.

Saipan's annual "Youth Takes Over" day took place March 22. Designed to enable high school students to understand the scope of the functions and programs of the government, the program involved students acting as High Commissioner, District Administrator, as well as other department heads at the Headquarters and District levels.

The destructive coconut beetle Brontispa has been discovered in American Samoa, and officials there have appealed to the TT for help in combating the threat. Bermin Weilbacher, chief of the TT Agriculture Division, is contacting all TT districts to locate a quantity of the beetle's natural enemy, a wasp-- the Tetrastichus Brontispa, for dispatch to American Samoa to combat the situation.

Uh Municipality, Ponape District, was the scene March 22 of a colorful ceremony commemorating the achievements and accomplishments made in the Cultural Education Projects. The project, funded by the TT Office of Aging, has among its goals and objectives, the revival and preservation of the cultural history and traditional skills of the Ponapean way of life by making use of the older people's time, skills, and knowledge. The ceremony was sponsored jointly by the Ponape Community Action Agency and the five paramount chiefs, the Nanmwarkies.

The Third Regular Session of the Third Ponape District Legislature convened March 19 in Kolonia. District Administrator Leo A. Falcam delivered his "State of the District Message."