

QUESTIONS FOR PRESS INTERVIEW

1. Why is the USG refusing to share its materials on Micronesian public lands?

As you know there is litigation now pending in the Trust Territory, and I do not believe that it appropriate for me to discuss the merits of the controversy or the issues involved in that litigation. This is a matter between the JCFS and the TTPI Administration because it involves three Trust Territory employees and their work products prepared for my office, and would be best directed to the Attorney General of the TTPI.

As regards materials relating to the transfer of public lands to Micronesian control, I have directed my office to be as cooperative as possible and we have forwarded some documents to the JCFS. We should remember that the USG was first asked by the traditional chiefs of Palau to transfer control of public lands in the Palau District. This was endorsed by the JCFS. We stated that we certainly agreed in principle to this position but felt we should address the public lands issue not just for Palau but by all the districts. We also stated that the issue was not one of whether Micronesians would control their public lands, because we agreed to this principle at the Hana talks, but it was one involving timing and procedure. Our thinking before the JCFS request was that the future Government of Micronesia would be addressing itself to these kinds of matters as it would be

assuming the current administrative responsibilities of the U.S. Administration in Micronesia. Nevertheless, we have agreed in response to the JCFS request to transfer control of the public lands in the Trust Territory to the Micronesians before a Government of Micronesia is formed. As you can imagine this involves many legal issues as well as changes in administrative procedures.

A great deal of work has been done to facilitate such a transfer and a number of papers and studies have and will be prepared so as to determine how this might best be accomplished with a minimum of difficulty to all parties concerned. As soon as these studies are completed, we will make our findings available to the JCFS for their information and review. I have already made available, to the JCFS, papers recently completed by my office as the result of my office holding extensive public land hearings in each of the districts. These public hearings were held to determine not only what the leaders and the people in each of the districts desired the U.S. to do in transferring the public land. We also explored the many complex administrative and legal issues that must be dealt with in any transfer of public lands to the Micronesians. Now that we have a more precise picture and a more complete understanding of what must be done, we are IN THE PROCESS OF DEVELOPING A METHOD OF ACTUALLY RETURNING those public lands

as we agreed to do. We believe that the transfer of public land should be a joint effort between the United States and the Micronesian people themselves. Only by a joint effort can we avoid misunderstandings and difficulties that can easily arise in such a sensitive matter. We want to avoid problems that could hinder the future Government of Micronesia and that could obstruct the ability of the current Trust Territory Government, until a future Government of Micronesia is formed, to continue its administrative and development responsibilities. I might add that this topic is a major item on the agenda of matters to be discussed between myself and Senators Salii, and Pangelinan.

2. What kinds of materials are involved in the JCFS request and why has the USG prohibited the production of the materials by the three employees?

Let me restate that this is a matter of controversy between the JCFS and the TTPI Administration, not a matter of controversy between the JCFS and the United States Government in Washington, D.C.

As to the kinds of materials the JCFS requested from the TTPI employees, they include: (1) a letter I sent to Senator Salii last May; (2) materials prepared by my Office listing potential issues regarding public land and recommending tentative solutions; (3) background materials presenting factual information and a complete listing of

laws and regulations pertaining to public lands that was prepared by the TTPI employees; (4) a summary prepared by the employees of their impressions of meetings held with my office and their own candid views and recommendations on the public land problem; and (5) a paper prepared by my Office at the conclusion of the working session with these employees also giving perspectives and recommendations on the public lands issue. These papers are working papers, they are still tentative in nature, and no useful purpose would be served by a public release. We will make our completed findings and final recommendations available to the JCFS and the Congress of Micronesia.

Let me also add, however, that we contacted the JCFS early in this matter, they were fully aware that we would be conducting such working sessions with the Trust Territory Government and that we needed more information available from Micronesian sources before a solution to their proposal could be made. We also informed the JCFS of the basic content of the materials in question and notified them that all the factual, background information was already available to them from various sources in the Trust Territory but they were free to obtain the same kind of information from these three employees who volunteered to testify on these matters. We felt, however, that the candid views and recommendations specifically given by the TTPI employees to my Office should not be presented to the Committee; the Committee was informed,

however, that it was free to obtain the opinions of these individuals on any public land issues. The JCFS still has a great deal of opportunity to obtain the expertise and recommendations of the land employees if it desires to without having to subpoena any specific materials.

I might add that the USG considers it necessary and will continue to draw on the expertise of the Trust Territory Government and its Micronesian employees. At the same time, we cannot permit these employees to be intimidated or harassed for providing technical assistance. Harassment of this type is unfortunate and we hope that the Congress recognizes that the problems it asks the Trust Territory and U.S. Governments to solve to the satisfaction of the Congress of Micronesia can only be solved if Micronesians views and perspectives are obtained. Again, we prefer to work jointly with the Micronesians because only by a joint effort can we avoid suspicion and mistrust that can often arise when dealing with sensitive subjects from two different perspectives.

3. If you believe that the transfer of public lands in Micronesia should be a "joint effort", then why isn't the JCFS or COM permitted access to the studies that are being prepared by your office?

As I know you are aware, many studies are nothing more than tentative guidelines or recommendations for more

detailed policy determination. These kinds of studies serve no purpose other than to identify for the office, the current legal, administrative and political issues so as to permit us some perspective of where we are going, and are intended to be only advisory in nature to enable that office to better perform its functions. Other kinds of studies, the background materials, hearings and local views, have been made available to the Congress. Other studies which will include our findings and recommendations will be made available to the Congress in the future. Indeed, we asked last May for information from the JCFS to provide additional guidance for us in meeting their request, but have not yet received a reply.

4. Could you give us some idea of when and how the Micronesian public lands will be returned to the people of Micronesia?

I cannot be specific because we want the Congress of Micronesia to play a large part in any transfer of control over Micronesian public lands, and the time table and mechanics are for the large part their responsibility. We envision that a method that will protect the current administrative responsibilities of the Trust Territory Government for development and administration and that will satisfy our obligations under the United Nations Trusteeship Agreement should be adopted. There are other technical and legal issues which the Congress should also address itself

to, and we intend to provide our own expertise and assistance and recommendations as to what kinds of solutions may be the most practical for all concerned. At the same time, we recognize that outside these technical and legal considerations, this a Micronesian affair and is best resolved by the Micronesians themselves.

5. There has been some accusation that the USG intends to withhold any return of public lands until it obtains land for military bases, is this true?

NO. And, there is no purpose served by any such allegations except to excite emotions and attack the motives of the USG.

6. There has also been a statement that the JCFS has refused to enter into further negotiations until the USG agrees to return the public lands to Micronesia, is this true?

The JCFS has not refused to enter into further status talks until the public lands are returned to Micronesian control. The JCFS has stated that it desires the USG to agree "in principle" to an early return of the public lands in the Palau District to the Chiefs of Palau. We have already agreed "in principle" to an early return of public lands for all the districts of Micronesia, so I think I can say that there is no basis to this allegation.

7. You say your Office held public hearings on the public lands issue, what did you find out that you feel helped you resolve the problem of returning the public lands?

I don't know that there is any one item we feel "solved" the public lands issue. I believe that the important things we found out were the widely divergent views of individuals and leaders within each district, not only different views between the districts. The hearings served to be as much of an exchange of ideas and information as anything else. We shared with them our preliminary views and some of the administrative and legal issues as we saw them, and we received their perspectives on these issues. So the hearings were excellent in that they enabled both sides to understand more fully the ideas and views of one another. This is what we would like to see continue in the future on the whole range of issues now being raised in Micronesia. After all, these issues involved very important matters to the Micronesians and they are the ones that must live with any solution that is attempted. No one is perfect, we have made mistakes in our approaches in the past, and I am sure we will make some in the future, but the important thing to remember is that we are trying to approach these issues for the benefit of the Micronesian people.