

TALKING POINTS

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1. Approach the discussion on public land legislation by way of discussing the Palau land survey and Salii's prior position that no survey until land returned.

- note JCFS position that U.S. must present full detailed information on military land requirements before next round of talks.
- U.S. accepted position but noted requirement for land survey.
- Yet land not yet transferred since COM still considering public land transfer legislation, therefore why did U.S. have to defer survey until its deliberations were complete?
 - COM special session not until fall of 1974.
 - COM may not pass legislation.
 - JCFS VIII occur prior to COM special session.
- What is COM view now on detailed military land requirements and on the land transfer?

2. Draw Salii out as much as possible on the legislation.

- note JCFS/Palauan endorsement of Secretary of Interior policy.
- note inconsistent approach COM has taken regarding the guidelines and safeguards contained in the Secretary's policy.
 - Why did COM reject JCFS endorsement?
 - Why the changes?

3. Note that U.S. Government must retain certain provisions in the legislation that was presented to the COM by the TTPI.

- entities must be able to meet U.S. land requirements and enter into agreements.
- eminent domain power in the TTPI.
- prior land adjudications must be final.
- U.S./TTPI must be held "harmless" from actions arising after transfer.

GENERAL SYNOPSIS of 28 MARCH meeting (HICOM, DOTA, Chapman, OMSN)

- Belief that COM would adopt legislation that will require veto action with the consequence that U.S. will be required to take some kind of action.
- Desire, if this consequence follows, is to build a record upon which U.S. action would be taken, e.g., failure of COM to act within guidelines of Secretary of the Interior policy statement.
- Problem is with timing; COM requests a special session but not until late September or early November. HICOM observed that it was highly probable that such a session, just before November elections, would turn into a political forum.
 - HICOM may consider another earlier special session to consider action on appropriation for salaries of some TTPI agencies which COM was to fund, if funding cannot be taken care of by personnel action.
 - Palau land survey should occur before next round (JCFS VIII) since JCFS position is that more information (complete details of land requirements in the TTPI) must be made available at next round; Salii has said that no survey can be made until lands returned; JCFS VIII will occur before fall, therefore requiring special COM session in early spring to consider public land transfer or requiring U.S. action prior to round eight.
- Problem is also with repercussions of taking unilateral action versus having veto COM action; HICOM believes COM will not agree to U.S. compromises so that U.S. will veto bill anyway while having given away in areas we did not need to compromise on and implement U.S. policy (view supported by several OMSN members and DOD).
- However, Secretary of the Interior already noted that U.S. intention is to give COM more responsibility for self-government; taking unilateral action before COM completes its deliberations on the public land bill would be precipitous and would conflict with this policy approach (some OMSN members and HICOM felt that

- if bill were vetoed and U.S. had to implement its policy unilaterally that U.S. would be severely attacked for not following COM mandate, so it seemed best that U.S. should initiate action before COM puts U.S. in such a position).
- Consensus was that in your discussions with Salii, that you attempt to draw out Salii on the position of the COM and JCFS and Palau regarding public land transfer.

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