

1974
(CONGRESS--NINTH DAY)

SAIPAN, JAN. 22 (MNS)---REPORTS ON LAW OF THE SEA AND THE BANK OF MICRONESIA WERE PRESENTED IN THE SENATE AND HOUSE, RESPECTIVELY, ON TUESDAY (JAN. 22) AS THE CONGRESS OF MICRONESIA MOVED THROUGH THE NINTH DAY OF ITS CURRENT SESSION ON SAIPAN WITH ACTION ON BILLS AND RESOLUTIONS STILL VERY LIGHT. JUST ONE BILL PASSED FINAL READING IN EITHER HOUSE TUESDAY, ALTHOUGH A NUMBER OF NEW PIECES OF LEGISLATION WERE OFFERED.

PASSED BY THE SENATE AND SENT TO THE HOUSE FOR FURTHER CONSIDERATION WAS A BILL, HELD OVER FROM THE LAST SESSION, THAT WOULD REDUCE FROM 120 DAYS TO 90 DAYS THE PERIOD DURING WHICH A DETERMINATION OF THE LAND COMMISSION MAY BE APPEALED TO THE HIGH COURT (SB 52). SENATOR ANDON AMARAICH (TRUK), CHAIRMAN OF THE COMMITTEE ON JUDICIARY AND GOVERNMENTAL OPERATIONS THAT CONSIDERED THE BILL, SAID TWO AMENDMENTS WERE MADE IN THE ORIGINAL VERSION. ONE WOULD PROVIDE THAT THE PROVISIONS OF THE BILL, IF IT BECOMES LAW, WILL ONLY APPLY TO CASES AFTER THE EFFECTIVE DATE OF THE ACT, AND WILL NOT BE RETROACTIVE. THE OTHER CHANGE MADE BY THE COMMITTEE, AND APPROVED BY THE SENATE, WOULD PROVIDE THAT THE 90-DAY PERIOD BEGINS WHEN THE PARTY IN QUESTION IS SERVED WITH NOTICE OF THE DECISION, AND NOT NECESSARILY WITH THE DATE THE DECISION IS RENDERED. THE BILL PASSED THE SENATE WITHOUT OPPOSITION.

SENATOR AMARAICH ALSO PRESENTED TO HIS SENATE COLLEAGUES A REPORT ON THE ACTIVITIES AND FINDINGS OF THE JOINT COMMITTEE ON LAW OF THE SEA, WHICH HE ALSO CHAIRS. (SEE FOLLOWING STORY) AS HE PRESENTED THE DOCUMENTS, THE SENATOR COMMENTED THAT THE JOINT COMMITTEE CONSIDERS THE LAW OF THE SEA SUBJECT TO BE THE "MOST IMPORTANT" SUBJECT WITH WHICH THE CONGRESS OF MICRONESIA IS PRESENTLY DEALING. IT IS THE AIR OF THE CONGRESS TO ASSURE ADEQUATE REPRESENTATION FOR THE VIEWS AND POSITIONS OF THE PEOPLE OF MICRONESIA AT THIS YEAR'S INTERNATIONAL CONFERENCE ON THE LAW OF THE SEA, WHICH BEGINS JUNE 20 IN CARACAS, VENEZUELA.

TWO SPEECHES WERE DELIVERED IN THE HOUSE CHAMBER DURING THE TUESDAY SESSION. REPRESENTATIVE SASAJO HARUO (TRUK) MADE HIS COMMENTS AS HE PRESENTED A REPORT ON THE FEASIBILITY OF ESTABLISHING A BANK OF MICRONESIA (SEE FOLLOWING STORY).

HIS MARIANAS COLLEAGUE, REPRESENTATIVE FELIPE ATALIG, TOOK THE FLOOR TO DENOUNCE THE INCREASE IN THE PRICE OF GASOLINE ON SAIPAN, WHICH WENT UP TWELVE CENTS A GALLON, TO AN AVERAGE PRICE OF 58 CENTS A GALLON, EFFECTIVE TUESDAY. "I URGE THE CONGRESS TO INVESTIGATE THE FRANCHISE OF MOBIL TO SEE WHETHER IT IS LEGAL FOR THEM TO DO THIS," ATALIG SAID. HE ADDED THAT THE CONGRESS SHOULD ENACT LEGISLATION TO CONTROL PRICES DURING THIS SESSION.

THREE BILLS AND FOUR JOINT RESOLUTIONS WERE INTRODUCED AT TUESDAY'S HOUSE SESSION. THE BILLS ARE ALL APPROPRIATION MEASURES, OF: \$100,000 DOLLARS AS A GRANT-IN-AID TO THE MICRONESIAN BOATBUILDING AND DRYDOCKING CORPORATION IN PALAU (HB 225); \$90,000 FOR THE OPERATING EXPENSES OF THE DISTRICT FISHING AUTHORITIES (HB 226; AND \$166,151.47 FOR THE OPERATION AND CONTINGENT EXPENSES OF THE SOCIAL SECURITY OFFICES FOR FISCAL YEAR 1975 (HB 227).

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THE RESOLUTIONS INCLUDE ONE WHICH WOULD EXPRESS THE SENSE OF THE CONGRESS THAT MAJURO, THE MARSHALL ISLANDS DISTRICT CENTER, IS THE PREFERRED SITE FOR THE HOLDING OF A SPECIAL SESSION OF THE FIFTH CONGRESS IN THE EVENT THE HIGH COMMISSIONER SHOULD CALL ONE LATER THIS YEAR (HJR 78). ANOTHER WOULD DIRECT THE APPROPRIATE COMMITTEES OF THE SENATE AND HOUSE TO UNDERTAKE AN INVESTIGATION OF THE WAY IN WHICH THE PROVISIONS OF THE TRUST TERRITORY CODE RELATING TO PROTECTION OF RESIDENT WORKERS ARE BEING ADMINISTERED, AND REPORT THEIR FINDINGS BACK TO THE CONGRESS (HJR 80). THERE IS ALSO A JOINT RESOLUTION DIRECTING THE JOINT RESOURCES AND DEVELOPING THE AGRICULTURAL AND FISHING PROGRAMS IN THE TT (HJR 79). FINALLY, A JOINT RESOLUTION EXPRESSING THE BEST WISHES OF THE CONGRESS TO THE PEOPLE OF PAPUA NEW GUINEA ON THE OCCASION OF THEIR ACHIEVING SELF-GOVERNMENT WAS INTRODUCED (HJR 81).

THREE BILLS WERE INTRODUCED TUESDAY IN THE SENATE. ONE WOULD PROHIBIT THE MAKING OF OBSCENE OR ANNOYING TELEPHONE CALLS AND PROVIDING PENALTIES FOR SAME (SB 205). ANOTHER WOULD ESTABLISH A CONTEST FOR THE SELECTION OF A GREAT SEAL OF MICRONESIA, AND APPROPRIATE PRIZE MONEY (SB 206). THE THIRD WOULD AMEND THE TRUST TERRITORY CODE TO PERMIT THE VARIOUS DISTRICTS TO PROVIDE FOR HISTORIC PRESERVATION AND ESTABLISHMENT OF PARKS (SB 207).

THE TWO HOUSES ARE IN RECESS UNTIL TEN WEDNESDAY MORNING, WHICH WILL BE THE TENTH DAY OF THE 50-DAY SESSION.
(CONVENTION BILL TO BE AIRED)

SAIPAN, JAN. 22 (MNS)---A PUBLIC HEARING HAS BEEN SCHEDULED ON ONE OF THE MAJOR BILLS THAT IS EXPECTED TO COME OUT OF THE CURRENT SESSION OF THE CONGRESS OF MICRONESIA ON SAIPAN. THE BILL WOULD CALL FOR A CONSTITUTIONAL CONVENTION FOR MICRONESIA (SB 38), AND HAS ALREADY BEEN APPROVED BY THE SENATE.

THE HOUSE COMMITTEE ON JUDICIARY AND GOVERNMENTAL RELATIONS, CHAIRED BY CONGRESSMAN POLYCARP BASILIUS (PALAU), WILL HOLD A PUBLIC HEARING ON THE BILL IN THE HOUSE CHAMBER ON SAIPAN AT TWO P.. THURSDAY, JANUARY 24. AMONG THOSE INVITED TO TESTIFY ARE J. BOYD MACKENZIE, SPECIAL ASSISTANT TO THE HIGH COMMISSIONER FOR DISTRICT AFFAIRS; N. NEIMAN CRALEY, JR., SPECIAL ASSISTANT FOR LEGISLATIVE AFFAIRS; DIRECTOR OF PUBLIC AFFAIRS STRIK YOMA; AND THE CHAIRMEN OF THE TWO STATUS NEGOTIATIONS GROUPS, SENATOR LAZARUS SALII OF THE JOINT COMMITTEE ON FUTURE STATUS, AND SENATOR EDWARD PANGELINAN OF THE MARIANAS FUTURE STATUS COMMISSION.

THE PUBLIC IS ALSO INVITED TO ATTEND THIS IMPORTANT HEARING.

(ALL USERS, PLEASE CREDIT CONGRESS OF MICRONESIA)
(LAW OF THE SEA REPORT GOES TO HOUSE, SENATE).

SAIPAN, JAN. 22 (CONGRESS RELEASE)--SENATOR ANDON AMARAICH OF TRUK, CHAIRMAN OF THE CONGRESS OF MICRONESIA'S JOINT COMMITTEE ON LAW OF THE SEA, SAID TODAY THAT UNLESS THE UNITED STATES MAKES MAJOR CHANGES IN THEIR POSITION, THEY CANNOT ADEQUATELY REPRESENT MICRONESIAN INTERESTS AT THE UNITED NATIONS SPONSORED CONFERENCE ON LAW OF THE SEA, SCHEDULE TO BE HELD THIS SUMMER IN SOUTH AMERICA.

AMARAICH SAID, HOWEVER, MEETINGS ARE CONTINUING WITH REPRESENTATIVES OF THE U.S. STATE DEPARTMENT, AND THAT HIS COMMITTEE IS MAKING EVERY EFFORT TO ASSURE THAT MICRONESIAN INTERESTS ARE INDEPENDENTLY PRESENTED AT THE CONFERENCE.

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THE TRUK SENATOR MADE HIS REMARKS AS HE SUBMITTED A 106-PAGE REPORT TO THE SENATE, WHICH PRESENTS THE JOINT COMMITTEE'S POSITION THAT MICRONESIA CLAIMS GENERAL OWNERSHIP OVER ALL WATERS WITHIN THE MICRONESIAN ISLAND GROUPS, OR ARCHIPELAGO, MEANING, "ALL WATERS WITHIN STREIGHT BASELINES CONNECTING OUR OUTER-MOST ISLANDS," A POSITION THE UNITED STATES HAS REJECTED IN MEETINGS HELD SO FAR BETWEEN THE JOINT COMMITTEE AND DEPARTMENT OF STATE. ADDITIONALLY, THE POSITION ALSO CLAIMS TERRITORIAL SEA JURISDICTION OVER A 12 MILE WIDE ZONE, MEASURED OUTWARD FROM THE ARCHIPELAGO BASELINES, WHICH WOULD GUARANTEE EXCLUSIVE OWNERSHIP OVER RESOURCES AND ALL WATERS WITHIN A 200 MILE WIDE ZONE, MEASURED FROM THE OUTER BOUNDARY OF THE TERRITORIAL SEA.

IN THE REPORT, WHICH WAS ALSO PRESENTED IN THE HOUSE OF REPRESENTATIVES MONDAY BY MARIANAS REPRESENTATIVE HERMAN Q. GUERRERO, CO-CHAIRMAN OF THE COMMITTEE, THREE BASIC POSITIONS ARE DISCUSSED, INCLUDING: TRADITIONAL MICRONESIAN NAVIGATION; ISLAND-EMPIRES THAT EXISTED IN MICRONESIA PRIOR TO THE ARRIVAL OF WESTERNERS; AND TRADITIONAL IDEAS OF OWNERSHIP OF THE SEA.

CONCERNING TRADITIONAL MICRONESIAN NAVIGATION AS A BASIS FOR OWNERSHIP OVER WATERS BETWEEN ISLANDS, THE REPORT CITES THE FACT THAT INTER-ISLAND CONTACT IS STILL MAINTAINED BY LONG AND DIFFICULT CANOE VOYAGES, THE LATEST OF WHICH OCCURED IN MAY OF 1972 FROM THE ISLAND OF PULUWAT IN THE CENTRAL CAROLINES TO GUAM. AS A RESULT, SAYS THE REPORT, MICRONESIANS TRADITIONALLY CONSIDER THAT THEY "OWN THE SEA BETWEEN AND AROUND THEIR ISLANDS IN MUCH THE SAME WAY THEY OWN LAND."

THE REPORT ALSO SAYS PREHISTORIC POLITICAL EMPIRES WERE A RESULT OF LARGE POPULATIONS AND HIGHLY SUCCESSFUL NAVIGATION SYSTEMS THAT LASTED FOR CENTURIES, ALTHOUGH SPOKEN HISTORY STILL IN EXISTENCE LACKS EXACT DETAILS AS TO WHAT EXTENT PERIODS OF CONSOLIDATION OCCURRED. ACCORDING TO THE REPORT, EXCEPT FOR THE MARSHALL AND PALAU WERE UNITED INTO A SINGLE POLITICAL EMPIRE IN PREHISTORIC TIMES, INCLUDING ALL OF THE MARIANA ISLANDS, INCLUDING GUAM, ALL OF WHAT IS NOW YAP DISTRICT, ALL OF THE ISLANDS IN PALAU SOUTH OF ANGAUR, AND ALL OF THE ISLANDS OF BOTH TRUK AND PONAPE DISTRICTS. THE MARSHALLS, SAYS THE REPORT, APPEARS TO HAVE ALWAYS BEEN A DISTINCT POLITICAL ENTITY, ITS PEOPLE TRAVELLING TO HAWAII TO THE EAST AND THROUGHOUT THE CAROLINES TO THE WEST, WHILE PALAU SEEMS TO HAVE BEEN ANOTHER SEPARATE AND DISTINCT POLITICAL GROUP.

IN TRYING THESE IDEAS TOGETHER THE REPORT CONCLUDES THAT THE ONLY WAY ONE CAN UNDERSTAND HOW A MICRONESIAN FEELS ABOUT HIS SEA IS TO ADOPT HIS WAY OF LOOKING AT THE SEA.

A MICRONESIAN SEES THE SEA JUST LIKE LAND, STATES THE REPORT. "ASKING A MICRONESIAN WHO OWNS THE SEA IS LIKE ASKING HIM WHO OWNS THE LAGOONS OR THE LAND...OR LIKE ASKING AN INHABITANT OF A CONTINENTAL NATION WHO OWNS THE MOUNTAINS, FORESTS, DESERT, LAKES OR RIVERS."

"A NATION'S TERRITORY IS ITS SURFACE HABITAT, AND THE SEA IS AT LEAST AS IMPORTANT A PART OF A MICRONESIAN'S SURFACE HABITAT AS IS THE LAND." CONCLUDES THE REPORT: "RIGHTS IN BOTH CATEGORIES OF SURFACE AREA EXIST EQUALLY IN THE MINDS OF MEN AND SHOULD THEREFORE BE EQUALLY RESPECTED."

(ALL USERS, PLEASE CREDIT THE CONGRESS OF MICRONESIA)
(BANK OF MICRONESIA REPORT PRESENTED)

SAIPAN, JAN 22 (CONGRESS RELEASE)---THE REPORT OF THE BOARD OF DIRECTORS OF THE BANK OF MICRONESIA WAS SUBMITTED TO THE HOUSE OF REPRESENTATIVES TUESDAY BY TRUK REPRESENTATIVE SASAUO HARUO, CHAIRMAN OF THE HOUSE COMMITTEE ON RESOURCES AND DEVELOPMENT.

THE REPORT, WHICH CONTAINS A PLAN OF ACTION FOR THE ESTABLISHMENT OF A MICRONESIAN DEVELOPMENT BANK, WOULD PROVIDE MEDIUM AND LONG-TERM FINANCING WHICH MICRONESIA BADLY NEEDS TO MEET ITS DEVELOPMENTAL OBJECTIVES.

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"BY ENACTING AND ESTABLISHING THE MICRONESIAN DEVELOPMENT BANK," SAID HARUO, "IT IS THE EXPECTATION OF THE BANK OF MICRONESIA BOARD, THAT MICRONESIA WOULD BE ABLE TO ATTRACT ADDITIONAL CAPITAL SEED MONEY FROM OTHER COUNTRIES OF THE WORLD, AND OTHER MULTILATERAL SOURCES," HE SAID THAT CONSULTANTS HAD RECOMMENDED TO POSTPONE THE IDEA OF A COMMERCIAL BANK TO A LATER DATE AND BEGIN A STUDY TO MEET CAPITAL NEEDS.

HARUO SAID THAT AN OBVIOUS GAP BETWEEN THE FINANCIAL REQUIREMENTS AND DEVELOPMENT OBJECTIVES EXISTS TODAY IN MICRONESIA, AND THAT FINANCING AVAILABLE BOTH LOCALLY AND FROM THE U.S. SPONSORED ECONOMIC DEVELOPMENT LOAN FUND IS LACKING.

"A RULE, THE MICRONESIAN PEOPLE DO NOT HAVE READY ACCESS TO POSSIBLE DEVELOPMENT CAPITAL FROM EXISTING BANKING INSTITUTIONS PRESENTLY DOING BUSINESS IN THE VARIOUS DISTRICTS OF THE TRUST TERRITORY," HE SAID. IT IS THE CONCLUSION OF THE BOARD OF DIRECTORS OF THE BANK OF MICRONESIA, THEREFORE, THAT A DEVELOPMENT FINANCING INSTITUTION OF THE KIND BEING PROPOSED, WOULD BE THE MOST EFFECTIVE MEANS OF FILLING THE CAPITAL GAP IN MICRONESIA."

HARUO TOLD THE HOUSE THAT THE PROPOSAL BANK WOULD BE ABLE TO MAKE INTERMEDIATE SCALE LOANS WHICH ARE NOW TOO SMALL FOR LARGE LENDING INSTITUTIONS, OR TOO LARGE FOR MICRONESIA'S LOCAL BANKS TO HANDLE, AND INVITED THE CONGRESS TO ASSIST IN MOBILIZING THE SUPPLY OF ADDITIONAL CAPITAL TO MICRONESIA, TO HELP ORGANIZE THIS FLOW, AND TO INITIATE THE TYPE OF DEVELOPMENT THAT THE CONGRESS HAS TALKED ABOUT, BUT HAS NOT BEEN ABLE TO BRING ABOUT BEFORE.

THE BANK OF MICRONESIA REPORT IS EXPECTED TO BE PRESENTED IN THE SENATE TOMORROW.