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MEMORANDUM OF CONVERSATION

DATE: October 29, 1974 and October 30, 1974

PLACE: CINCPAC Guest House, Pearl Harbor, Hawaii

PARTICIPANTS:

For the United States:

Ambassador Haydn Williams

Mr. James Wilson

Mr. Tom Johnson (counsel)

For the Joint Committee on Future Status:

Senator Lazarus Salii

Representative Ekpap Silk

Mr. Paul Warnke (counsel)

Mr. Michael White (counsel)

October 29, Morning Session

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After the initial pleasantries were completed, Ambassador Williams suggested that we discuss the question of the return of public land in Palau. Senator Salii said that the Palau District Legislature (PDL) passed its October 18 resolution (according to which Palau would not accept the return of lands by executive action) because they found the reasons for the HICOM's veto of the public land bill unacceptable. In particular, they found unacceptable the comments in the analysis of the bill regarding military retention land and eminent domain. Ambassador Williams asked if there might be some misunderstanding regarding the amount of land which would be returned by executive action. He indicated that he had heard from Alf Bergesen that such a belief might be one reason for the October 18 resolution. Senator Salii said that this was not the problem. Ambassador

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(3) Modification of Section 101 ("not be inconsistent" instead of "remain consistent").

Ambassador Williams said that this change was acceptable but that the interpretation of the change contained in the September 9 letter was unacceptable. Mr. Warnke explained that the intention of the change was only to make it clear that the Micronesian Constitution could be amended in the future. The trouble was with the word "remain". He said all agreed that the Constitution could not be changed so that it became inconsistent with the Compact. Ambassador Williams said that the change was acceptable on that understanding.

(4) Modification of Section 102 to conform with Sections 201 and 301. Ambassador Williams began by suggesting that rather than modify Section 102 we change Sections 201 and 301 to conform to the existing language of 102. Salii, White and Warnke all indicated that this would be acceptable--that their only concern was that all three sections be parallel. Wilson noted "defense matters" would be necessary in Section 301.

(5) Modification of Section 202 (regarding the application of international agreements). Ambassador Williams began by explaining that the language suggested by the JCFS was too vague to be workable. Mr. Warnke replied to the effect that they only wished it to be