

(CALL USERS PLEASE CREDIT CONGRESS OF MICRONESIA)
(CON CON SET FOR NEXT JULY)

SAIPAN, NOV. 18 (CONGRESS RELEASE) ¹⁹⁷⁴ THE MICRONESIAN CONSTITUTIONAL CONVENTION WILL TAKE PLACE BEGINNING JULY 12, 1975 ACCORDING TO INFORMATION RECEIVED BY THE CONGRESS OF MICRONESIA'S OFFICE OF THE LEGISLATIVE COUNSEL MONDAY (NOV. 18).

THE DECISION TO CHOOSE THAT DATE WAS MADE BY THE PRE-CONVENTION COMMITTEE, WHICH CONCLUDED A MEETING IN TRUK DISTRICT ON FRIDAY, AND WAS ANNOUNCED BY THE COMMITTEE'S CHAIRMAN, TOSIWO NAKAYAMA.

THE CHAIRMAN ALSO SAID THAT THEY WERE SENDING A DISPATCH TO THE HIGH COMMISSIONER OFFICIALLY INFORMING HIM OF THEIR DECISION, AND THAT THEY HAD INSTRUCTED THE PRE CONVENTION COMMITTEE'S SUBCOMMITTEE ON PERSONNEL TO BEGIN RECRUITING STAFF FOR THE CONVENTION IN ORDER TO GET THEM ON BOARD AS SOON AS POSSIBLE.

ACCORDING TO INFORMATION FROM TRUK, THE COMMITTEE ALSO DISCUSSED AND MADE DECISIONS ON OTHER MATTERS INCLUDING: REVIEWING DRAFT RULES OF PROCEDURES TO BE SUBMITTED FOR THE CONVENTION'S APPROVAL, A REVIEW OF THE CONVENTION BUDGET, CONSIDERATION OF LEGISLATION AFFECTING THE CONVENTION WHICH SHOULD BE RECOMMENDED FOR INTRODUCTION IN THE CONGRESS OF MICRONESIA, AND A REVIEW OF PERSONNEL POLICIES AND STAFFING NEEDS FOR THE HISTORIC MEETING.

THE PRE CONVENTION COMMITTEE, WHICH IS CHARGED BY PUBLIC LAW WITH FACILITATING THE WORK OF THE CONVENTION, ALSO MET WITH DR. NORMAN MELLER OF THE UNIVERSITY OF HAWAII, WHO IS AN EXPERT ON CONSTITUTIONAL PROCEDURES AND WHO ALSO WORKED AS A CONSULTANT IN HELPING TO SET UP THE FIRST SESSION OF THE CONGRESS OF MICRONESIA.

ADDITIONALLY, THE COMMITTEE MEMBERS APPEARED BEFORE THE TRADITIONAL MICRONESIAN CHIEFS CONFERENCE TO GIVE INFORMATION AND TO LISTEN TO SUGGESTIONS ABOUT THE CONSTITUTIONAL CONVENTION.

THE MEMBERS OF THE PRE-CONVENTION COMMITTEE WHO MET IN TRUK WERE: LORENZO G. CABRERA, MARIANAS; DARO WEITAL, PONAPE; CHUTOMU NIMWES, TRUK; AND PETRUS TUN, YAP. ALSO IN ATTENDANCE WAS MARSHALL ISLANDS CON CON DELEGATE CARL HEINE.

(CHIEF SUSUMU AIZAWA ON ESG)

TRUK, NOV. 18 (MNS)---CHIEF SUSUMU AIZAWA OF TOL MUNICIPALITY, WHO IS THE CHAIRMAN OF THE 1974 TRUK MAGISTRATES CONFERENCE AS WELL AS VICE-CHAIRMAN OF THE SECOND CONFERENCE OF TRADITIONAL CHIEFS, WAS THE GUEST SPEAKER THURSDAY (NOV. 17) IN THE THIRD OF A SERIES OF "DIALOGUE FOR MICRONESIA" PROGRAMS BEING PRODUCED ON MOEN, TRUK.

CHIEF AIZAWA SPOKE ABOUT THE IMPORTANCE OF SUCH A CONFERENCE AS THIS ONE BEING CONDUCTED IN TRUK DISTRICT. HE SAID THAT "THIS ALLOWS OPINIONS AND WHISHES OF THE TRADITIONAL LEADERS OF MICRONESIA TO BE HEARD....WHICH IS A MAJOR STEP TOWARD THE UNITY OF MICRONESIA."

CHIEF AIZAWA NOTED ALSO THAT THE FIRST CONFERENCE OF THE TRADITIONAL LEADERS HELD IN PONAPE WAS NOT AS WELL REPRESENTED AS THE SECOND CONFERENCE ON TRUK. HE SAID THAT THIS IS A PROMISING INDICATION AND HOPES THAT THE CONGRESS OF MICRONESIA REALIZES ITS IMPLICATIONS AND VALUES. THE TRADITIONAL LEADER OF TOL ALSO SPOKE ON THE VOTING RIGHTS OF THE TRADITIONAL LEADERS IN THE UPCOMING CONCON. HE POINTED OUT THAT HE WAS ONE OF THOSE WHO DRAFTED THE RESOLUTION ASKING FOR VOTING RIGHTS FOR THE CHIEFS IN THE CONVENTION DURING THE PONAPE CONFERENCE.

IN REGARDS TO MAKING LAWS AS THEY DO IN THE CONGRESS, ¹²¹⁷⁷ CHIEF AIZAWA INDICATED THAT HE DOES NOT WANT TO SEE THE TRADITIONAL LEADERS INVOLVED, FOR THE LEADERS HAVE THEIR OWN WAY OF MAINTAINING AND CONTROLLING THEIR PEOPLE IN AN HARMONIOUS WAY.

IN EXPLAINING HIS ROLE AS A TRADITIONAL LEADER OF HIS COMMUNITY, AIZAWA FIRST POINTED OUT THAT PERHAPS THE OTHER DISTRICTS HAVE THEIR OWN RESPONSIBILITIES TO THEIR PEOPLE. HE NOTED, HOWEVER, THAT HIS ROLE WOULD TAKE A LONG TIME TO EXPLAIN. HE MENTIONED THAT SOME OF HIS RESPONSIBILITIES ARE TO MAINTAIN PEACE IN THE COMMUNITY, GIVE ADVICE TO THE PEOPLE AND KEEP THEM INFORMED ABOUT MAJOR EVENTS.

ONE OTHER THING HE INDICATED AS HIS RESPONSIBILITY AFTER THE CONFERENCE IS TO TELL HIS PEOPLE THAT UNITY IN MICRONESIA IS A VERY IMPORTANT GOAL IN MICRONESIA. HE CONCLUDED HIS COMMENTS BY SAYING THAT IF HE HAS ENOUGH SPACE FOR PEOPLE FROM ALL OVER MICRONESIA TO COME AND STAY IN TOL, HE WOULD BE MORE THAN GLAD TO ACCOMODATE THEM FOR THE SAKE OF MICRONESIAN UNITY.

CHIEF AIZAWA WAS INTERVIEWED BY TWO PANEL MEMBERS: BONIFACIO BASILIUS, CHIEF, HEADQUARTERS PUBLIC INFORMATION DIVISION; AND NOHA REBEN, TRUK PUBLIC INFORMATION OFFICER. DAIZIRO NAKAMURA, CHIEF OF CIVIC AFFAIRS DIVISION WAS THE MODERATOR.

(ALL USERS: PLEASE CREDIT CONGRESS OF MICRONESIA)
(CHIEFS DISCUSS RETURN OF PUBLIC LANDS)

TRUK, NOV. 18 (CONGRESS RELEASE)---THE TOPIC OF VETOED RETURN OF PUBLIC LANDS LEGISLATION WAS ONE OF THE SUBJECTS OF DISCUSSION DURING THE THIRD DAY OF THE TRADITIONAL CHIEFS' MEETING IN TRUK WEDNESDAY (NOV. 13).

ACTING AS A PRIMARY RESOURCE FOR THE CHIEFS DURING THE MEETING WAS CONGRESS OF MICRONESIA LEGISLATIVE COUNSEL KALEB UDUI WHO FIRST EXPLAINED THE SUBSTANCE OF THE LEGISLATION, AND WHAT WAS MEANT BY THE TERM "EMINENT DOMAIN." HE EXPLAINED THAT THE ORIGINAL BILL WAS SUBMITTED BY THE HIGH COMMISSIONER FOR INTRODUCTION IN THE CONGRESS, AND THAT DURING THE TIME THE CONGRESS REVIEWED THE BILL AND HELD HEARINGS ON IT SEVERAL AMENDMENTS WERE ADDED TO THE LEGISLATION AND PASSED BY THE CONGRESS.

SOME OF THE CHANGES WERE:

--THE POWER OF EMINENT DOMAIN (THE RIGHT FOR THE GOVERNMENT TO TAKE AND PAY FOR PRIVATE PROPERTY FOR PUBLIC USES) TO BE SHARED BETWEEN THE TT GOVERNMENT AND THE DISTRICT GOVERNMENTS.

--PUBLIC LANDS LEASED FROM THE TT GOVERNMENT BY THE U.S. GOVERNMENT WOULD NOT BE RETURNED UNTIL AFTER THE NEW ENTITIES ARE COMMITTED TO ENTER INTO NEW USE AGREEMENTS TO ACCOMMODATE THE U.S. REQUIREMENTS FOR LAND IN MICRONESIA. THE CONGRESS CHANGED THIS SO THAT THE LEASES WOULD BE RETURNED AND THE U.S. WOULD THEN HAVE TO NEGOTIATE IN GOOD FAITH WITH THE DISTRICTS FOR NEW LEASES.

--IN THE ORIGINAL VERSION, THE TT AND U.S. GOVERNMENTS WOULD NOT BE LEABLE FOR CAUSE ARISING FROM THE PRIOR USE OF THE PUBLIC LANDS RETURNED: THE CONGRESS TOOK OUT THIS PROVISION ENTIRELY, THUS IMPLYING THAT THEY WOULD STILL BE LIABLE.

--ORIGINALLY, LAND DETERMINATIONS OF OWNERSHIP MADE BEFORE THE RETURN OF LAND COULD NOT BE REOPENED OR RECONSIDERED; THE CONGRESS AMENDED THIS TO PROVIDE FOR A SPECIAL "ADJUDICATORY BODY" WHICH WOULD HAVE THE POWER TO CHANGE PREVIOUS DECISIONS MADE BY LAND TITLE OFFICERS AND LAND COMMISSIONS.

BECAUSE THESE AND OTHER CHANGES MADE BY THE CONGRESS WERE NOT ACCEPTABLE TO THE HIGH COMMISSIONER AND THE U.S. GOVERNMENT, THE BILL WAS VETOED, UDUI EXPLAINED.

HE WAS THEN ASKED BY A CHIEF FROM TRUK WHAT THE CONGRESS COULD DO, AND THE RESPONSE WAS THAT IT HAD THREE CHOICES: 1) DO NOTHING, 2) REPASS THE LEGISLATION OVER THE HICOM'S VETO, AND 3) REDRAFT NEW LEGISLATION WHICH WOULD BE ACCEPTABLE TO THE HICOM.

HIGH CHIEF IBEDUL FROM PALAU THEN TOOK THE FLOOR AND DELIVERED A STRONGLY-WORDED SPEECH ASKING THAT ALL THE TRADITIONAL

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LEADERS WORK TOGETHER TO EFFECTUATE THE RETURN OF ALL PUBLIC LANDS TO THE PEOPLE OF MICRONESIA.

HE NOTED, FOR EXAMPLE, IF THE IT GOVERNMENT TOOK LAND IN TRUK, "WHERE ARE YOU GOING TO MOVE TO? ARE YOU GOING TO MOVE TO THE WATER? IT IS VERY IMPORTANT AT THIS TIME FOR US TO SEEK A GOVERNMENT FOR OUR GENERATIONS AND IF THERE IS NO LAND FOR US WE CANNOT PUT OUR GOVERNMENT ON WATER."

HIS STATEMENT WAS SUPPORTED BY CHIEFS FROM OTHER DISTRICTS WHO ALSO URGED THAT THEY WORK TOGETHER TO SEE THAT PUBLIC LANDS IN MICRONESIA WERE RETURNED TO THE RIGHTFUL OWNERS.

PONAPE CHIEF IRIARTE, ASKED QUESTIONS SIMILAR TO THOSE ASKED BY OTHER CHIEFS WHEN HE QUESTIONED WHETHER THE CONGRESS KNOW IF THE PUBLIC LANDS WERE TAKEN AWAY IN AN UNFAIR FASHION BY FOREIGN GOVERNMENTS. HE ALSO ASKED IF THE CONGRESS BELIEVED THE 1956 NOTICE SPECIFYING LANDS CONSIDERED TO BE PUBLIC LANDS BY THE IT GOVERNMENT WAS ADEQUATE AND WAS IN ACCORD WITH DUE PROCESS OF LAW. COUNSEL UDUI RESPONDED THAT MANY OF THESE THINGS HAD TAKEN PLACE PRIOR TO 1965, WHEN THE CONGRESS OF MICRONESIA WAS FIRST ESTABLISHED, AND THAT IT HAD TO WORK WITH WITH THE PREVIOUS AND EXISTING LAW AND DECISIONS. HE ALSO NOTED THAT HE BELIEVED THE CONGRESS REALIZED THE ONE-YEAR NOTICE WAS NOT AN ADEQUATE NOTICE AND STATED THAT THE RECENT HIGH COURT FULING IN PALAU WOULD APPEAR TO SUPPORT THIS OBSERVATION.

THE CONFERENCE THEN ADJOURNED WITH THE INTENTION OF WAITING FOR SOMEONE FROM THE ATTORNEY GENERAL'S OFFICE IN SAIPAN TO ARRIVE AND ALSO DISCUSS THE RETURN OF PUBLIC LANDS ISSUES.

(ALL USERS PLEASE CREDIT CONGRESS OF MICRONESIA)

(PRE CONCON MEMBERS APPEARED BEFORE CHIEFS)

TRUK, NOV. 18 (COM)---MEMBERS OF THE PRECONVENTION COMMITTEE OF THE MICRONESIAN CONSTITUTIONAL CONVENTION APPEARED BEFORE THE TRADITIONAL CHIEFS CONFERENCE BOTH IN THE MORNING AND AFTERNOON THURSDAY (NOV. 15) IN TRUK TO ANSWER QUESTIONS AND PROVIDE INFORMATION FOR THE TRADITIONAL MICRONESIAN LEADERS.

CONCERNING THE CONVENTION AND RELATED MATTERS, BACKGROUND CONCERNING PUBLIC LAW 5-60, WHICH ESTABLISHED THE PRECONVENTION COMMITTEE AND PROVIDES FOR THE CONVENTION, WAS PROVIDED BY CONGRESS LEGISLATIVE COUNSEL KALEB UDUI. HE EXPLAINED THAT THE LAW PROVIDES FOR DELEGATES FROM THE SIX DISTRICTS WHO ARE FROM THE CONGRESS OF MICRONESIA, WHO ARE TRADITIONAL CHIEFS, AND WHO ARE ELECTED FROM SPECIAL ELECTION DISTRICTS.

THE PRE-CONVENTION COMMITTEE, WHICH WAS ALSO MEETING IN TRUK, HE EXPLAINED WAS CHARGED WITH MAKING THE NECESSARY PREPARATIONS FOR THE CONVENTION AND ALSO WITH CHOOSING A DATE FOR THE CONVENTION. UDUI ALSO TOLD THE CHIEFS THAT THE DELEGATES AT THE CONVENTION WOULD DRAW UP THE MICRONESIAN CONSTITUTION, WHICH WOULD THEN BE REVIEWED BY THE HIGH COMMISSIONER AND THE CONGRESS OF MICRONESIA BEFORE IT WAS SUBMITTED TO THE PEOPLE OF MICRONESIA FOR A VOTE TO APPROVE OR DISAPPROVE AT A REFERENDUM DULY CALLED FOR SUCH PURPOSE.

THROUGHOUT THE MORNING AND AFTERNOON SESSIONS, THE COMMITTEE RECEIVED SUGGESTIONS FROM CHIEFS OF DIFFERENT DISTRICTS AND PROMISED THEY WOULD PASS THEM ON TO THE CONGRESS OF MICRONESIA. ONE OF THE RECOMMENDATIONS WAS THAT THE HIGH COMMISSIONER SHOULD NOT BE THE PERSON TO DECIDE WHEN THE PEOPLE SHOULD VOTE ON THE CONSTITUTION, AS HE IS UNDER THE PRESENT LAW. "I SEE A DANGER IN THE HICOM SITTING ON THE CONSTITUTION UNTIL THE COMPACT (BETWEEN THE U.S. AND MICRONESIA) IS COMPLETED," REMARKED ONE CHIEF FROM PONAPE.

MEMBERS OF THE COMMITTEE ALSO SAID THEY WOULD PASS ON THE CHIEF'S RECOMMENDATIONS THAT ADDITIONAL MONEY WAS NEEDED FOR DISTRICT DELEGATIONS OF THE MICRONESIAN CONVENTION IN ORDER

THEM TO HAVE ADEQUATE STAFFING AND TO PREPARE THE DELEGATES TO ATTEND THE CONVENTION.

ANOTHER RECOMMENDATION MADE BY THE CHIEFS WAS THAT THE LAW SHOULD BE AMENDED TO GIVE THE VOTE TO THE TRADITIONAL CHIEFS WHO ARE DELEGATES TO THE CONVENTION.

SENATOR TOSIWO NAKAYAMA, WHO IS REQUIRED BY LAW AS PRESIDENT OF THE SENATE TO BE CHAIRMAN OF THE PRE-CONVENTION COMMITTEE, SAID THAT "PERHAPS THE CONGRESS MISUNDERSTOOD THE ROLE OF THE CHIEFS. THE CONGRESS HAD FELT THAT THE CHIEFS SHOULD BE TREATED WITH HIGH RESPECT, AND SHOULD PLAY A SPECIAL ADVISORS' ROLE AND NOT FIND THAT THEIR PROPOSALS OR MEASURES WOULD BE DEFEATED BY DELEGATES WHO WERE NOT CHIEFS. "IF YOU FEEL THAT YOU WANT TO HAVE THE VOTE," SENATOR NAKAYAMA CONTINUED, "THE CONGRESS CAN AMEND THE LAWS SO YOU WILL BE TREATED EQUALLY AS OTHER MEMBERS OF THE CONVENTION."

A CHIEF FROM TRUK THEN SPOKE UP SAYING "WE DO NOT BELIEVE IT WILL BE DEGRADING TO DISCUSS AND DEBATE ON THE FLOOR, THAT IS THE CUSTOMARY ROLE OF CHIEFS. LET THEM DEBATE, DISCUSS, AND VOTE," HE SAID.

THERE WERE ALSO MANY QUESTIONS ON THE CONSTITUTION AND THE COMPACT OF ASSOCIATION BETWEEN THE U.S. AND MICRONESIA, AND THE RELATIONSHIP BETWEEN THEM.

UDUI AND NAKAYAMA EXPLAINED THAT THE CONSTITUTION COULD NOT BE IN CONFLICT WITH THE COMPACT.

SEVERAL CHIEFS URGED THAT THE CONSTITUTION BE MADE FIRST, AND THEN THE COMPACT COULD BE CONCLUDED AFTER THAT. UDUI POINTED OUT, HOWEVER, THAT IT WAS NECESSARY TO KNOW WHAT KIND OF ASSISTANCE WOULD BE RECEIVED FROM THE UNITED STATES BEFORE THE CONSTITUTION BE DRAFTED. THE INFORMATION IN THE COMPACT WOULD HELP THE DELEGATES TO KNOW HOW COMPLEX AND EXPENSIVE THE NEW GOVERNMENT WOULD BE, HE NOTED, ADDING THAT "IT IS PROBABLY BEST TO WORK ON BOTH AT THE SAME TIME."

AT THE CONCLUSION OF THE PRE-CONVENTION COMMITTEE PRESENTATION, LARRY G. CABRERA, A MEMBER OF THE COMMITTEE FROM THE MARIANAS ASKED THE CHIEFS TO GIVE THE PRE-CONVENTION COMMITTEE THEIR RECOMMENDATIONS AS TO THE DATE THE MICRONESIAN CONSTITUTIONAL CONVENTION SHOULD CONVENE TO DRAFT THE CONSTITUTION. THE OTHER MEMBERS OF THE COMMITTEE WHO ATTENDED THE MEETING WERE, DARO WEITAL, PONAPE; PETRUS TUN, YAP; AND CHUTOMU NIMWES, TRUK.

(FHP RECEIVES FUNDS FOR IT EVALUATION)

GUAM, NOV. 18 (MNS)---A \$35,000 GRANT HAS BEEN AWARDED TO FAMILY HEALTH PLAN (FHP), GUAM'S LOCAL PREPAID HEALTH MAINTENANCE ORGANIZATION (HMO) FOR A FEASIBILITY STUDY REGARDING THE ESTABLISHMENT OF AN HMO MEDICAL CENTER ON SAIPAN, ACCORDING TO A STORY CARRIED ON MONDAY'S (NOV. 13) PACIFIC DAILY NEWS.

THE GRANT, AWARDED BY THE DEPARTMENT OF HEALTH, EDUCATION AND WELFARE (HEW) WILL FINANCE A STUDY ON THE NEED FOR HMO TYPE HEALTH CARE IN THE NORTHERN MARIANAS, ESPECIALLY IN ROTA, TINIAN AND SAIPAN.

LARRY PETT, GUAM'S MANAGER OF THE LOCAL FHP CATHOLIC MEDICAL CENTER, WILL BE PROJECT DIRECTOR FOR THE FEASIBILITY STUDY AND SAID THE SAIPAN CENTER, IF ESTABLISHED, WILL BE A SATELLITE OFFICE OF THE FHP CENTER ON GUAM, THE DAILY NEWS STORY STATED.

THE STUDY WILL FIND OUT IF HMO TYPE MEDICAL CARE WILL BE ACCEPTED IN THE NORTHERN MARIANAS, IF TRAINED PERSONNEL TO STAFF THE FACILITY ARE AVAILABLE, IF COMMUNICATION AND TRANSPORTATION AMONG THE ISLANDS IS ADEQUATE TO PROVIDE THE CARE FROM THE SAIPAN CENTER, AND IF POLITICAL STATUS NEGOTIATIONS LOOK FAVORABLE.