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RESOURCES AND
DEVELOPMENT

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Vice Chairman
Polycarp Basillus
Sungiwo Hadley
John Rugulimar
Pedro P. Tenorio
(Vacant)

Congress of Micronesia
House of Representatives
Saipan, M. I.
96950

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STAND. COM. REP. NO. 230

FEBRUARY 24 1974

RE: H.J.R. NO. 88

The Honorable Bethwel Henry
Speaker, House of Representatives
Fifth Congress of Micronesia
Second Regular Session, 1974

Dear Mr. Speaker:

Your Committee on Resources and Development to which was referred
H.J.R. No. 88, entitled:

H.J.R. No. 88, "A HOUSE JOINT RESOLUTION DEMANDING THAT THE
UNITED STATES FORTHWITH TERMINATE THE
UNILATERALLY IMPOSED MORATORIUM ON HOME-
STEADING AND LEASING OF SO-CALLED PUBLIC
LAND ON TINIAN ISLAND.",

begs leave to report as follows:

The intent and purpose of this House Joint Resolution is to demand
that the moratorium on homesteading and the leasing of public land
on Tinian Island be discontinued.

Your Committee held two public hearings and two closed hearings on
this measure. The Administration witnesses testified that there
is no moratorium on the leasing of public land on Tinian. The
Marianas Political Status Commission had asked that they be
consulted before any lease of public land on Tinian be made to a
noncitizen and the High Commissioner and Ambassador Williams
consented to this procedure. Since at this time it appears that
the leasing of public land is not impaired, your Committee has
amended the resolution accordingly.

But the situation is very much different as to homesteading. The
exact number of agricultural and village homestead applications
for which permits have not been issued is somewhat unclear from
the testimony of the witnesses, but it conservatively seems to be
in excess of 150. That of course, is a tremendous number considering
the small population of Tinian.

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The Administration witnesses testified that homestead applications made prior to announcement of United States military plans for Tinian are currently being processed and that permits would be granted as soon as surveying of the sites is completed. They also testified, however, that there is no money available to survey those sites and therefore no permits could be issued. Your Committee has concluded that this statement of the situation is incorrect. First of all, the High Commissioner's memorandum expressly states that "it would not be in the best interests of the future of the Mariana Islands to grant any new homestead permits on the island of Tinian after May 8, 1973", the date when the United States military interests on Tinian were made public. Thus, the High Commissioner's intention is clearly to deny homesteading permits for all pending homestead applications, both those filed before May 8, 1973 and those filed after. Secondly, there is money available for surveying on Tinian even assuming that the Trust Territory budget could not be squeezed to provide sufficient funds. Public Law 5-50, enacted during the last regular session, appropriated \$30,000 for surveying in the Mariana Islands District. None of this money has been expended during the twelve months since it was appropriated. Using the Administration's estimate of the cost of surveying a single site on Tinian, this money would be sufficient to survey 23 sites. Thus, it seems clear that the failure to grant at least some homestead permits has nothing to do with the lack of funds for surveying the sites.

The stated reason for the imposition of the moratorium, too, seems untenable to your Committee. The primary reason given was to prevent homesteaders from acquiring homesteads "which they never intend to farm or to occupy, but only to acquire in order to obtain a quick profit by speculation". By law, a homesteader cannot obtain a deed to his land until he has occupied it for three years, cannot sell, assign or transfer homestead land until he does receive a deed and must comply with many rules and regulations designed to distinguish persons who rightly wish to homestead for village or agricultural purposes from those who are merely trying to pick up a free piece of land. In actual practice deeds are often not issued for five or more years after the granting of the homestead permit. Thus, a homesteader would have to wait from three to five or more years in order to turn a "quick profit", which is to say it would not be possible for a homesteader to use homestead land for such speculative purposes.

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In addition, this moratorium intimately affects the lives of many people on Tinian and directly affects the efforts of the Mariana Islands Political Status Commission, yet neither the people or leaders of Tinian nor the Status Commission was consulted for their views before the policy was imposed. From testimony, it is clear that the people of Tinian would not have approved of the policy if they had been consulted.

The real motive for the imposition of the moratorium seems to be the obvious one - that the United States Government wants its land acquisition for military purposes on Tinian to be as cheap and uncomplicated as possible and is willing to use devious and hypocritical means to achieve this goal. Your Committee has concluded that this is yet another example of the United States placing its interests above those of the Micronesian people, hardly a wise or endearing quality for a government to possess given the fact that it is trying to lure Micronesia into a long term or permanent relationship.

Your Committee made the following amendments to this resolution:

1. Title, line 2 - delete the words "and leasing of so-called public land".
2. Page 1, line 5 - delete the words "early on in the status negotiations with the Marianas," and insert the words "on May 8, 1973".
3. Page 1, line 6 - delete the words "made known its desire" and insert the words "announced its intention".
4. Page 1, line 7 - delete the words ", if not indeed the entire island,".
5. Page 1, lines 9 through 12 - delete the words "in the...public land" and insert the words "since May 8, 1973...homestead permits".
6. Page 1, line 13 - delete the word "suddenly".
7. Page 1, line 14 - delete the words "elected...Islands" and insert the words "leaders...Commission".

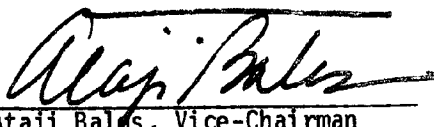
- 8. Page 1, lines 23 through 25 and Page 2, lines 1 and 2 - delete the words "the moratorium...land; and" and insert the words "the real...Tinian; and".
- 9. Page 2, lines 3 through 7 - delete the words "this act...now, therefore," and insert the words "only...land; and" and immediately following insert clauses to read "WHEREAS, the... granted; and" and "WHEREAS, the...purposes; and" and "WHEREAS, ...Agreement; now, therefore,".
- 10. Page 2, lines 12 and 13 - delete the words "and on...land".
- 11. Page 2, line 17 - delete the words "the...America," and insert the words "the President...Congress,".

Your Committee is in accord with the intent and purpose of H.J.R. No. 88, as amended herein, and recommends its adoption in the form attached hereto as H.J.R. No. 88, H.D. 1.


Respectfully submitted,



Sasao Haruo, Chairman



Ataji Balas, Vice-Chairman



Polycarp Basilius, Member

Sungiwo Hadley, Member

John Rugulimar, Member



Pedro P. Tenorio, Member

(Vacant)

A HOUSE JOINT RESOLUTION

Demanding that the United States forthwith terminate the unilaterally imposed moratorium on homesteading ~~and leasing of so-called public land~~ on Tinian Island.

1 WHEREAS, the United States assured the Marianas Political
2 Status Commission, at the beginning of the Marianas status negoti-
3 ations, that it would negotiate in "good faith" as to its military
4 land requirements in the Mariana Islands; and

5 WHEREAS, ~~early on in the status negotiations with the Marianas,~~
6 on May 8, 1973 the United States ~~made known its desire~~ announced
7 its intention to utilize vast areas of Tinian Island, ~~if not indeed~~
8 ~~the entire islands,~~ for an immense military base; and

9 WHEREAS, ~~in the spring of 1973, the United States Government~~
10 ~~ordered the High Commissioner of the Trust Territory of the Pacific~~
11 ~~Islands to immediately impose a unilateral moratorium on homesteading~~
12 ~~and on the leasing of so-called public land~~ since May 8, 1973 no
13 new permits for homesteading on Tinian Island have been granted and
14 on December 14, 1973 the High Commissioner issued a policy statement
15 formally imposing a moratorium on the issuance of any new homestead
16 permits on Tinian Island; and

17 WHEREAS, the moratorium was ~~suddenly~~ imposed without consulta-
18 tion with the ~~elected representatives of the people of the Mariana~~
19 ~~Islands~~ leaders or people of Tinian Island and without consultation
20 with the Marianas Political Status Commission; and

21 WHEREAS, in early September, 1973, the personal representative
22 of the President of the United States for the Marianas status
23 negotiations, Ambassador Franklin Haydn Williams, traveled to
24 Saipan and personally assured the Mariana Islands District
25 Legislature and the Saipan Municipal Council, in a joint meeting,

1 that the Tinian moratorium was "very temporary" and would most
2 probably be ended in a few weeks; and

3 WHEREAS, to date the moratorium remains in effect; and

4 WHEREAS, ~~the moratorium was obviously imposed and has been~~
5 ~~maintained with the treacherous intent of holding down the fair~~
6 ~~market value of land on Tinian so that the United States military~~
7 ~~could acquire the land it wished on that island at a fraction of~~
8 ~~the real value of the land, and~~ the real motivation for the
9 imposition of the moratorium is apparently to simplify and lessen
10 the expense to the United States Government of acquiring land for
11 a military base on Tinian; and

12 WHEREAS, ~~this act of perfidy by the United States is not only~~
13 ~~a breach of faith with the people of the Mariana Islands but is,~~
14 ~~furthermore, a breach of its obligations under Article 8 of the~~
15 ~~Trusteeship Agreement for the former Japanese Mandated Islands,~~
16 ~~and~~ therefore, only about 5% of the land on Tinian is privately
17 owned, the remainder being either public land or military retention
18 land; and

19 WHEREAS, the people of Tinian Island are desperate to obtain
20 land for agricultural and village homestead purposes as evidenced
21 by the more than 150 homestead applications pending for which per-
22 mits to homestead have not been granted; and

23 WHEREAS, the United States interest in obtaining military
24 land with ease and at a low cost has been permitted to take prece-

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1 dence over the interests of the people of Tinian to obtain land
2 for farming and other purposes; and

3 WHEREAS, fulfilling United States interests to the detriment
4 of the people of Micronesia is a serious breach of the trust obli-
5 gations the United States Government voluntarily assumed under the
6 Trusteeship Agreement; now, therefore,

7 BE IT RESOLVED by the House of Representatives of the Fifth
8 Congress of Micronesia, Second Regular Session, 1974, the Senate
9 concurring, that by means of this House Joint Resolution, the
10 Congress of Micronesia demands that the United States of America
11 forthwith terminate the moratorium on homesteading ~~and on the~~
12 ~~leasing of so-called public land~~ on Tinian Island, Mariana Islands
13 District, Trust Territory of the Pacific Islands; and

14 BE IT FURTHER RESOLVED that certified copies of this House
15 Joint Resolution be transmitted to the Security Council of the
16 United Nations, ~~the President of the United States of America~~
17 the President of the Trusteeship Council of the United Nations,
18 the Chairman^e of the Interior and Insular Affairs Committee^s of the
19 United States Congress, the Secretary^{ies} of the United States
20 Departments^s of ^{State, Defense and} the Interior, and the High Commissioner of the Trust
21 Territory of the Pacific Islands.

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23 Date: _____ Introduced by: Felipe O. Atalig
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