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THE PROBLEM OF PUBLIC LAND IN MICRONESIA

Introduction

The problem of public land--its identification and especially its disposition--has created numerous complications in negotiations to determine the future political status of the five districts of the Trust Territory of the Pacific Islands which are expected to comprise Micronesia at the conclusion of the trusteeship. From the beginning of the trusteeship the United States has recognized the vital significance of land to Micronesians and has maintained and stated publicly that public lands in the Trust Territory, largely inherited from prior Spanish, German and Japanese administrations, belong rightly to the Micronesian people and that they were being held in trust for the people by the United States through the Trust Territory Administration.

Since the October 1971 Third Round of status talks at Hana, Maui, Hawaii, the United States has consistently held to the following position with respect to public land issues:

- a. Presently known and identified U.S. military and civil land requirements (leases and options) would be negotiated prior to termination of the trusteeship and would be an integral part of the status settlement.
- b. Should new or emergency U.S. military requirements for land arise in the post-trusteeship period, the U.S. Government and the Micronesian Government would negotiate in good faith any additional uses of land by the U.S. military.
- c. At termination of the trusteeship title to all public lands still held by the TT Administration would be transferred to the new Micronesian Government to do with as it wished.
- d. The U.S. would have no eminent domain authority following termination of the trusteeship (subsequently modified for the Marianas as part of the separate Marianas Status Negotiations).

The Congress of Micronesia and especially its Joint Committee on Future Status (JCFS) has given close attention to the Micronesian desire for return of the public lands. Recognizing at once the difficulty and the desirability of resolving the problem, the Third Congress (July-August 1969) passed HJR 67 setting up a Joint Committee on Land Acquisitions to represent the people of Micronesia in all matters pertaining to

land acquisitions by U.S. Government agencies; but this committee never functioned.^{1/} Additionally, the Fourth Congress approved on February 28, 1972 a House Joint Resolution (HJR No. 40) to create a Joint Committee on Public Lands of the Congress "to investigate the policies, plans, programs, and objectives of the Trust Territory Government with regard to the leasing of public land and the use thereof".^{2/} No such committee was named, however.

In the course of the Fifth Round of negotiations between the U.S. and the Joint Committee on Future Status which was held in Washington July 12-August 1, 1972 the U.S. first described with specificity the lands needed for defense purposes following termination of the Trustee-ship. This paper presents a relevant chronological record from that date.

Public Land Issues During 1972

In his opening remarks at the Fifth Round of status talks on July 12, 1972 Ambassador Haydn Williams, the President's Personal Representative for Micronesian Status Negotiations, state: "The United States has agreed that in the future, Micronesia would have free control over its internal affairs, its government, its laws, its land....".^{3/}

This point was central to the work of the Joint Drafting Committee which after considerable work came up with a draft for a Preamble and Title I (Internal Affairs), Title II (Foreign Affairs) and Title III (Defense) of a Compact of Free Association. Of particular relevance, it also included a draft of Annex B to the Compact, which outlined the rights and uses the U.S. would have in the lands and waters of Micronesia. As announced in the final Joint Communique of August 1, 1972 the committee draft was approved by both delegations at the final plenary, the delegations agreeing "that the draft Compact language remains tentative and preliminary pending final agreement on the Compact as a whole".^{4/}

At the conclusion of the Fifth Round the Micronesian Joint Committee returned home for the special session of the Congress of Micronesia which the High Commissioner had convened to meet in Ponape on August 14 for the particular purpose of considering the draft Compact. At that session Senator Salii recommending on behalf of the JCFS approval of the draft Compact arrived at in Washington, said "The partial draft Compact... represents...an agreement which meets and exceeds all of our minimum

requirements, if not our every desire". Calling it "the future of Micronesia", the Senator said it is "a future which we can recommend to the Congress and ultimately to the people".^{5/}

The Ponape special session figured largely in discussion at the Sixth Round of Status Negotiations held at Barbers Point, Hawaii, September 28-October 6. On the subject of land Senator Lazarus Salii, Chairman of the Joint Committee on Future Status (JCFS) announced that the JCFS had appointed a sub-committee on land "which will deal with the United States' request for military land use in Micronesia".^{6/} This land sub-committee requested the metes and bounds of U.S. military land needs in the Trust Territory. The U.S. replied that the land requirements in the Marianas were irrelevant since the U.S. was negotiating separately with that district, and that the land requirement in the Marshalls was already clearly delineated, being identical to the land used now. As to Palau, the U.S. informed the JCFS that it had not settled on specific plots of land in Palau and would have to send some type of "survey group" to Palau to look at the land and consult with local people before finalizing its plans.^{7/}

Senator Salii, stressing the "urgency" of completing the draft Compact,^{8/} stated: "We will be happy to cooperate with you in the conduct of a survey to determine the exact specifications of your land requirements in Palau.... We shall also give further attention to... the steps necessary for the implementation of the Compact's provisions, particularly with respect to your land requirements".^{9/} The U.S. side offered no objections to having Micronesian observers from the land sub-committee present during the land survey, and agreed to expedite its survey and to keep the Micronesian delegation informed of its activities.^{10/} It immediately turned to planning the survey, keeping Senator Salii and the JCFS land sub-committee informed concerning plans for a U.S. survey group to go to Palau in the near future.^{11/}

Meanwhile the Congressional election in Micronesia, a month after the recess of the talks at Barbers Point, had resulted in the defeat of two members of the JCFS. A further complication then arose with the adoption on November 20, 1972 by the traditional and elected leaders of Palau of a resolution declaring on behalf of the "entire people of Palau"

that they are "unequivocally opposed to the use of land in Palau by the United States military" and requesting the Congress of Micronesia "to implement this declaration". A copy of this resolution was transmitted to Ambassador Williams by Senator Salii in a letter of November 29 in which he stated that in light of the resolution and the changes in JCFS membership, further negotiations should be postponed until "immediately after the First Regular session of the Fifth Congress of Micronesia", i.e., March, 1973.^{12/}

On December 13, 1972 the Opening Round of the Marianas Political Status Negotiations convened on Saipan. The subject of public land, comprising 90% of the land in the Marianas, formed a part of the opening statement by Senator Edward Pangelinan, Chairman of the Marianas Political Status Commission. Senator Pangelinan outlined the problems inherent in the subject and suggested a focus for future study and discussion in working out with the United States the separate Commonwealth status requested by the Marianas.^{13/} In his response Ambassador Williams said that "special consideration should and will be given to the disposition of the public lands of the Marianas now held in the public trust".^{14/} This commitment has been an important part of the subsequent status negotiations with the Marianas.

Following the Marianas opening round, Ambassador Williams and Captain Crowe met on Guam on December 18, 1972 with Senator Salii, who was accompanied by Representative Timothy Olkeriil of Palau, and arranged a joint visit to Palau.^{15/} During this visit, December 19-21, the local leadership orally indicated an unwillingness to negotiate for U.S. land requirements until Palauan public lands were returned to the district.^{16/} Both High Chief Reklai and the Acting Ibedul, however, said that they were in full accord that, despite the declaration, the survey for U.S. military land use leases should go forward, and Senator Salii said that if the U.S. considered an early survey imperative, it could be arranged. His advice, however, was to wait and make it a joint effort with the JCFS land committee.

Developments During 1973

On February 23, 1973 the High Chiefs on behalf of the Palauan leadership gave the United Nations Visiting Mission a resolution which said that the Palauan chiefs "refuse to consider any plan for the use of their land by the Army so long as there had been no satisfactory solution

to the dispute concerning lands taken by foreign individuals or Governments".^{17/}

Meanwhile on February 22 Senator Salii wrote the Ambassador saying:

"By now I am sure that you are familiar with the position taken by the people of Palau with relation to the question of the United States Delegation's proposal for options for military land in Palau. That position is that the people of Palau will consider the question only after all so-called 'public land' in Palau District has been returned to the traditional chiefs in trust for the people.

"If your delegation is unable to agree to this condition prior to the start of the next round of talks, we will assume that you are either unable to do so or no longer desire the options previously requested. In that event, it is our intention to continue the negotiations on the basis that no land in Palau District will be made available to the United States. If, however, you agree to this condition, we will be prepared to discuss its implementation and the eventual sending of a land survey team to Palau."^{18/}

In his reply of March 16 Ambassador Williams said that the Senator's letter was the first word received on the subject from any responsible source since the Koror visit.

"The United States" he said, "has made its position on land perfectly clear during the course of the negotiations. It intends to return to the Micronesian people title to all Micronesian lands now held under trust. The central questions are: to whom should the land be returned and when.

"I understand that there is a diversion of opinion within the Trust Territory and within the Congress of Micronesia on these questions. From your letter do I understand correctly that the JCFS now favors early action on the part of the Trust Territory administration transferring title to public trust lands in Palau to the traditional chiefs of that District for local decision as to the subsequent control and disposition of such land? Does the JCFS and the COM favor this same action for the other Districts as well and if so when?...

"Since my trip to Palau I have been giving the public land question my attention as I am basically in sympathy with the desire of those who seek an early resolution to this problem. At the same time you may

recall that you have said, and we have said, that the negotiations for U.S. land requirements as agreed in Annex B must be completed before the signing of a Compact.

"This entire question is one that deserves the most careful consideration. Therefore, it is very important that I have the further thoughts of the JCFS on this subject and the ramifications of your suggestion for all of the districts concerned. I would also be interested in the views of the JCFS on how it thinks the talks should proceed given the new position outlined in your letter that the political status negotiations should await the resolution of the disposition of the public trust lands before proceeding."^{19/}

Meantime the Fifth Congress of Micronesia met in its first session in January-March 1973 but passed no legislation relevant to public land or status negotiations. In a letter of March 27 to Ambassador Williams Senator Salii stated, however, that the position of the JCFS on the question of public lands was also the position of the Congress of Micronesia (COM). Salii wrote:

"With reference to the question of to whom and when all public lands in Palau should be returned, the position of the Joint Committee on Future Status was, I had hoped, made clear in my letter of February 22nd. During the recently concluded session of the Congress, the Committee met and made the decisions which went into the letter, after meetings with the traditional chiefs and local elected leaders of Palau. Each member of the Joint Committee saw the finished draft of that letter and concurred in it. Accordingly I do not believe that it can be said that on this question there is a division of opinion on the question of public lands in Palau. Further, these questions had not been discussed in Congress until the Joint Committee took its position. Therefore, in the absence of any specific instruction to the contrary from the Congress on this question, you may consider the position of the Joint Committee as the position of the Congress.

"As to ramifications for other districts, no position has been taken by either the Congress or the Joint Committee.

"The situation, simply stated, is this: as we both understand, there can be no signing of any compact agreement until agreement has been reached on all issues, including U.S. land requirements. And in the

case of Palau no negotiations regarding U.S. land requirements can take place unless and until all public land in Palau is returned to the traditional chiefs in trust for the people.

"I recognize that this position may necessitate some additional consideration by your delegation as to its priorities. We would expect therefore to receive your response on this question prior to the resumption of talks, in order to avoid any unfortunately premature conclusion of them. We have arrived at a tentative date for the resumption of these talks, and I can assure you that I have every intention of going forward at that time should we receive your response. If we do not receive it, however, we must regretfully assume that the United States is unwilling or unable to accept our position, and hence has no further desire to continue negotiations. On the other hand, your reply might conceivably either agree to our position or abjure further U.S. demands for military facilities in Palau."^{20/}

The Ambassador's reply of April 14 noted that the Senator's letters of February 22 and March 27 had "introduced new elements and new conditions relating to the negotiations" and that the Senator's request "that Palau be singled out for special early consideration raises many complicated legal and jurisdictional questions, problems that cannot be resolved quickly."^{21/} The Ambassador assured Sali'i that the problem was being studied "as a matter of priority" but he pointed out that the introduction of "this new element" as a pre-condition to "further talks" had clearly made it impossible to proceed as earlier suggested with a meeting of the two delegations in May. He proposed instead that the heads of delegations meet in Hawaii during the first week of May.^{22/}

Pursuant to the Ambassador's suggestion, he and U.S. Deputy Representative James M. Wilson, Jr. met at Makalapa, Honolulu, on May 4 with Senator Sali'i, his co-chairman Representative Ekpap Silk, and Senator Bailey Olter of Ponape, also a member of the JCFS. At this meeting Senator Sali'i acknowledged that the JCFS insistence that there could be no resumption of negotiations until the public land had actually been returned was a new element.^{23/} The Senator said, however, that he felt a firm statement by the U.S. that it was willing to return the lands to the traditional leaders in the near future would be sufficient to permit talks to resume. He felt land negotiations should now be carried on with local authorities directly. Emphasizing that this was a very complicated

and complex problem, the Ambassador said that in principle the U.S. has no difficulty considering the early return of public lands to the districts, if that is what the districts want. But it would be necessary to consult with the TT administration and with the districts. On the question of return of land to districts other than Palau, the Senator said he thought each district could decide for itself and that all would probably want their lands returned. Representative Silk and Senator Olter agreed. 24/

With respect to Palau, the Ambassador reminded Senator Salii that the requirement for an early survey in Palau was due to the JCFS insistence on knowing exact metes and bounds of U.S. land requirements.

Senator Salii said that the JCFS planned to visit the districts beginning in July to discuss status matters, and the Ambassador said the U.S. for its part would be undertaking further study on the public land question. The principals agreed to meet informally, concentrating on the land question, before calling a further formal round of negotiations. 25/

Following their meeting in Honolulu the Ambassador and the Senator flew to Majuro. On May 8 they met first separately and then jointly with the District Administrators where the Ambassador announced that the next round of status talks had been postponed by the declaration of the Palau chiefs regarding the return of all public lands in that district to the people. He said that while the U.S. has no difficulty in principle with such return, "what poses a problem is that the United States is requested to consider one district and not all the other districts. The issue is not return of public lands as such, but when and to whom these public lands should be returned". 26/ Senator Salii informed the DISTADS that since United States options to use Palau land for military purposes were specifically mentioned in the present draft Compact of Association, the declaration of the Palau leaders on the subject in effect "blocks" further progress on the talks. 27/

On the following day, May 9, Ambassador Williams sent a memorandum to Senator Salii reviewing with him the complexities of the situation regarding return of the lands in Palau, stressing the U.S. intention to give detailed study to the broad legal, jurisdictional and traditional matters involved, and requesting that the JCFS provide its views and

answers to a list of questions as follows:^{28/}

1. Should public land be returned simultaneously in all districts or should the districts have individual option as to timing and procedures?

2. Who would take title of the land on its return? If a corporate body, how and by whom should such body be established and what should be its composition?

3. What should be the procedures for adjudicating rival land claims at the district level?

4. Should the land management function and legislative authority concerning public land be transferred to the districts along with the transfer of the land?

5. How should tidal lands and lagoons be treated?

6. How can the rights of homesteaders be protected?

7. What should be done to protect current leases of public lands for public purposes in the districts and how should additional leases be handled to meet further public needs?

The Ambassador added:

"The U.S. Government hopes that the Joint Committee can provide it with its views and answers to the questions posed in this memorandum at an early date. Pursuant to our discussion on May 4, I would like to propose that the informal meeting of the heads of delegation in June be devoted to an exchange of views on the general subject of this memorandum."

Meanwhile on April 30 the Palauan District Legislature passed Resolution No. 73(1)-30 accusing the Administering Authority of delaying the return of its public land and requesting the United Nations "to assist the people of Palau to support the purpose and intent of this Resolution". On May 21, Ambassador Williams was visited on Saipan by eleven chiefs from Palau, headed by High Chief Reklai, who had accepted his invitation to call on him. At the chiefs' request the Ambassador reviewed the subject of U.S. land requirements in Palau and the U.S. position on the return of public lands. Asked for their views, the Palauans responded that the U.S./Palau land question must be settled through the chiefs and land disputes must be resolved before any land settlement in the draft Compact can take place. The chiefs said further

that a return of land to them would be accompanied by a commitment to negotiate. The chiefs agreed in principle finally to accommodate the U.S. needs, reserving for negotiation the location and amount of land desired, and term and type of use.^{29/}

Shortly after this meeting on Saipan, the United Nations Trusteeship Council convened its annual session in New York in June at which the U.S. representative reported on the land issue, pointing out that the return of public land is a highly complex issue which cannot be resolved quickly.^{30/} Following that session, which he had attended, Senator Sali met in San Francisco with Ambassador Williams on June 19.^{31/} On the public land question Senator Sali provided preliminary answers to the questions raised by the Ambassador in his memorandum of May 9, 1972 along the following lines:

a. In each district other than Palau district legislatures could decide when, how and to whom public land would be returned. The decision had already been made for Palau that the land should be returned to the traditional leaders.

b. Responsibility for land management should be transferred to the districts along with title to the land.

c. Transfer of public land should be conditional on agreement regarding land now used for public purposes and procedures for acquiring additional such land in the future.

d. The central government should not have power of eminent domain.

With regard specifically to the land issue in Palau, Sali said that "subsequent actions taken" had quietly nullified the declaration of November 20, 1972 and that the chiefs were now not opposed in principle to U.S. military options but wanted first to be assured that the land would be returned to them. Sali said he foresaw future land negotiations being conducted at district level with landowners but that since such negotiations were an integral part of the larger status talks, the JCFS would want to be involved.

The Ambassador described his meeting with the Palauan chiefs on Saipan in May and noted their statements that they would be willing to commit themselves in advance to negotiate in good faith the options called for in Annex B of the draft Compact, provided they had firm assurances that the public land would be turned over to them. The U.S. would then be able to negotiate with the land owners concerned. The Ambassador

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stressed the need to explore the public land matter thoroughly from all points of view. He noted in this regard that the Office for Micronesian Status Negotiations had invited some TT land experts to come to Washington the following week for consultations and that later in the summer the Office for Micronesian Status Negotiations staff members would be visiting the districts on fact-finding missions.

Following the return of the three TT officials from these Washington discussions on land, the JCFS, arguing that officials of the executive branch of the TT Government were answerable to the legislative branch, moved to obtain any reports and documents of the Washington discussions and issued subpoenas for them. In a cable to Senator Salii on July 25 deploring this action of the JCFS Ambassador Williams said he hoped both sides could continue to work cooperatively and would avail themselves of expert advice in solving this key problem.^{32/} Salii's reply of the following day advised the Ambassador that "the committee intends to pursue whatever remedies are available to it to obtain the documents and the testimony requested.... These persons are all employees and officials of the Trust Territory Government, over which the Congress of Micronesia has full and complete authority".^{33/}

Subsequent to this exchange the U.S. sent its first fact-finding group to the field in July 1973, headed by U.S. Deputy Representative Wilson, which spent several weeks visiting the western districts of the Trust Territory. A similar group followed visiting the eastern districts. Both groups sought to ascertain first hand in the various districts the problems, attitudes and desires of the people with respect to the return of their land. Meetings were held throughout Micronesia with district legislatures, traditional chiefs, land commissioners, municipal councils, administration officials and other appropriate groups.

Ambassador Williams had advised Senator Salii regarding the purpose of the trips of these U.S. groups and had invited members of the JCFS to accompany them.^{34/} Except for the presence of Senators Salii and Pangelinan during the Palau visit of the western group, this offer was not taken up.

During the summer of 1973 two sub-committees of the JCFS also toured the districts and reported their reports both dated November 20, 1973 to the Congress of Micronesia. These reports covered a number of status

questions but stressed the importance of land as a fundamental element of Micronesian society.^{35/} In the western districts "it was the nearly unanimous sentiment of the people...that the so-called public lands in the districts should be returned to the people".^{36/} There were, however, wide variations in views as to how and to whom the lands should be returned. The western districts sub-committee found that the majority of the people in Palau "were willing to consider the subject of military lands in Palau if the public lands in that district were first returned to the people".^{37/} The eastern sub-committee reported that "at the minimum the future government of Micronesia should retain the discretion to accept or reject a request by the United States Government for land for its future military needs".^{38/} It pointed out, however, that there was an absence of consensus among the people with whom they met on the issue of disposition of public land in the eastern districts, and that therefore the sub-committee made no specific recommendation on the subject, believing that the issue should be explored further.^{39/}

Meantime the United States, following the return of the two fact-finding teams on public land, was preparing its findings. On September 21, Ambassador Williams cabled Senator Salii^{40/} pressing for answers to the questions posed in his memorandum of May 9 on the subject. Senator Salii's reply, sent on October 5, explained that the delay was due to the JCFS attempt "to get the views of the people of Micronesia on this important question";^{41/} but he said that the information should be treated "in a flexible manner" and that the conclusions and recommendations "represent our impressions from the district hearings".^{42/} These were as follows:

1. Return of public lands should be accomplished by legislation adopted by the Congress of Micronesia. In the case of Palau, "because settlement must take place prior to the next round...and because of the clear choice of the Palauans as to who should receive (them), return of public lands in that district (should) be accomplished by executive decree by the High Commissioner or Secretary of the Interior, i.e., to quit claim all interests in public lands with respect to Palau. Simultaneous transfer to all districts is not necessary".

2. In general, legislation authorizing the transfer of land to the people of the district should provide that title be transferred to persons or organizations of persons specified by the people concerned.

3. In the absence of traditional means the Trust Territory courts should be utilized to adjudicate all conflicting land claims at the district level. No transfer of land from the Trust Territory Government should be immune from suit;

4. The land management function and legislative authority over land should be transferred to the districts along with the land; no eminent domain authority should be vested in the central government;

5. Title to tidal lands, lagoons and all submerged Trust Territory lands should also be returned to the districts.

6. An exception to the return of lands to the districts should be made for the purpose of protecting homestead entrymen who have not yet fulfilled the requirements for a certificate of compliance.

7. Public land presently used for public purposes should also be returned to the districts with the provision that the government could continue to use those lands presently used for public purposes.

Salii noted in his message that the people of Palau had requested the return of public lands in Palau prior to their further consideration of U.S. land requirements in that district. He stressed the position of the JCFS that the U.S. should agree "in principle to the return of these lands...to be accomplished by legislation adopted by the Congress of Micronesia", and that a response was expected prior to the next round of talks.

Receipt of this message enabled the U.S. to complete its study of the public land question as it impinged on the status negotiations. This was followed by announcement by the Secretary of the Interior of a new U.S. land policy contained in a formal statement of November 4, 1974, entitled "Transfer of Title of Public Lands from the Trust Territory of the Pacific Islands Administration to the Districts: U.S. Policy and Necessary Implementing Courses of Action".

In summary the policy statement, noting the extensive consultations with Micronesians which had preceded its issuance, provided for the transfer, to those Districts requesting it, of the title to public lands in each District, subject to certain conditions. The Statement requested the Congress of Micronesia to pass enabling legislation to effect the early transfer of title. It likewise requested the district legislatures to make known formally the wishes of the people in their districts as to their public land and to set up a legal entity for its return, if

such is desired. Additionally, a list of limitations and safeguards provided for the land needs, present and prospective of the Trust Administration; protected the interests of homesteaders and other tenants on public land; outlined conditions for transfer of title to those public lands needed to meet U.S. defense needs under the terms of proposed future status arrangements; provided for means of settlement of unresolved claims to public lands, and for terms of disposition of tidelands and other marginal areas.

The Ambassador forwarded copies of the Policy Statement and an accompanying background paper to Senator Salii under cover of a letter of November 1 expressing the hope that they would serve as a framework for the resumption of status negotiations.^{43/} In his letter the Ambassador said: "You will note that the U.S. is inviting full Congress of Micronesia involvement in establishing the mechanisms for returning the public land to district control and effecting necessary changes in legislation. We believe such participation in this matter of concern to every Micronesian should help to insure that the desires of the people are met in fact. We thus assume that the Congress will wish to cooperate fully in this matter".

It was agreed that a meeting would be held with the JCFS on the public land issue to be followed, if all agreed, by the resumption of formal status discussions in Round VII. JCFS agreement to the prospective Round was contingent on results of the preliminary meeting on the land issue. This meeting convened in Washington on November 13. In addition to the JCFS there was also present a delegation from Palau headed by the two High Chiefs and the Speaker of the District Legislature. The Ambassador noted that the purpose of the meeting was to clarify the new U.S. land policy and to answer any questions pertaining to it.^{44/} He stressed the fact that the U.S. had been holding land in trust for the people and was now willing to let the districts control it if this was their desire. "The central significance of the U.S. decision to return control over public land to those districts requesting it, is that the people of Micronesia, acting through their elected and territorial government and other types of leadership, are being asked to assume responsibility for managing matters pertaining to land, culturally the most prized and socially and economically the most significant commodity in Micronesia".^{45/}

With specific reference to lands in Palau, the Ambassador said: "I wish to emphasize that all of the lands in the Palau District on which, during previous negotiations, the U.S. has asked options for military use, are in fact included in the lands we are prepared to transfer to district control".^{46/}

The Ambassador expressed the belief that the policy met the principal Micronesian desires and should permit the Congress and the District Legislatures "great latitude in accommodating the major and sometimes diverse desires and concerns of each district relating to public lands".^{47/}

In his response Senator Salii stated that the terms and conditions set forth in the U.S. policy statement "will be generally acceptable to the Micronesian Delegation upon satisfactory resolution" of five points:^{48.}

1. Curtailment of the TT Government's power of eminent domain;
2. No agreement to lease of lands to the U.S. military as a precondition to return of title to public lands;
3. Leases on military retention lands should be subject to renegotiation before the termination of the Trusteeship Agreement;
4. Leases to individuals of land leased by the Trust Territory Government, but unused, should be terminated; and
5. All future negotiations for U.S. military land requirements must be conducted and concluded only with approval of the Congress of Micronesia and of a district legislature, if it so desires.

Ambassador Williams' response treated the Senator's points as follows:^{49/}

1. Power of eminent domain has been and will be exercised very sparingly; it can be shared with the districts but not given up entirely during the Trusteeship;
2. Regarding military land, the Ambassador sought clarification and said that the prospective recipients of title should be involved in making a commitment to meet U.S. needs;
3. The U.S. policy does not address the problem of military retention land, much of which has already been returned to the public domain;
4. With respect to Trust Territory Government leases, if there are any subleases on unused lands, this situation will be corrected; and
5. As to manner of negotiation U.S. does not oppose the idea of leasing military land from or through the Congress of Micronesia or its agent or

"this Delegation, on behalf of the Legislature and the people of Palau, does hereby make a formal commitment to negotiate in good faith with the United States in order to accommodate the United States' defense requirements in the Palau District".

At the conclusion of the informal session, the Delegations issued a joint release which reported that they had "reached agreement on the basic principles relating to the transfer of title to Micronesian public land to the districts of Micronesia. Both delegations noted that they look forward to the early implementation of this policy regarding return of public lands".

The Seventh Round opened on November 14. In his opening remarks the Ambassador noted that "after an interminable period of waiting, stretching back over the years, indeed, the centuries, Micronesians now have the opportunity and responsibility to control, in accordance with their own laws and customs, the most precious commodity in all of Micronesia-- land".^{54/}

In his response Senator Salii said:

"Our Delegation preconditioned the resumption of these talks upon the return of so-called 'public' lands in Micronesia to their rightful owners.

"On the eve of our departure from Micronesia to Washington, we received from you a response to our request. It came as the people of Micronesia had long asked in the form of an official United States Government Policy. In its essence the policy is an agreement, a commitment, on the part of the United States that it will return the so-called public lands to the districts of Micronesia immediately.

"The actual implementation of this policy will, out of necessity, have to be held in abeyance for a few months pending certain actions on the part of the Congress of Micronesia and the District Legislature".^{55/}

Subsequently, the following January (1974) the JCFS presented to the Congress its report on Round VII. The Committee's letter of transmittal signed by all twelve members (with Representative Moses signing as alternate for Senator O'iter), addressed to the Speaker of the House and the President of the Senate stated: "We are pleased to report agreement with the United States concerning the return of so-called public lands to the people of Micronesia".^{56/}

Variance of views on financial consideration brought the Round to an earlier conclusion than originally foreseen, but at the closing plenary on November 21, Salii stated: "We are very pleased that it has been possible for the two sides to agree on the principles for the return of public land".^{57/}

In Palau a special session of the District Legislature was convened to consider these developments, and on November 30 two relevant resolutions were adopted.^{58/} Resolution No. 73(S)-1 endorsed the Palau District position that public lands be returned to the traditional leaders of Palau and created a "body corporate consisting of said traditional leaders to be known as MENGKERENGEL A CHUTEM BUAI into which title to public lands shall be transferred to be held in trust for the people of Palau". The resolution specified that transfer of title to public lands in the district, whether by legislative enactment or executive order, should be made to this body.

The second resolution, No. 73(s)-3, declared it to be the consensus of the Legislature members, both elected and traditional, that the U.S. Land Policy Statement "as clarified and qualified" by the statement of the Palauan Leaders of November 12 (cited above) is "just, fair and long over due" and requested its speedy implementation with respect to Palau. The November 12 statement was declared by the resolution to be "hereby ratified, confirmed, adopted in its entirety and incorporated by reference by the Legislature in light of the interests, desires and wishes of the people of Palau". The resolution further urged the Congress of Micronesia to pass the necessary enabling legislation at its forthcoming session, but declared that if it fails to do so, the High Commissioner, the Secretary of the Interior or any other "responsible and proper authority of the United States Government are hereby most respectfully and urgently requested to consider and act favorably upon said Palau Legislature's statement by returning title to all 'public lands' in Palau through the medium of Executive Action no later than the last day of May, 1974 to its traditional leaders to be held in trust for the people of Palau".

Developments of 1974

Other districts too were giving thought to the resolution of the public land problem. It had been an integral part of the Marianas Status Talks from their inception in December 1972. In a letter to Ambassador Williams of January 11, 1974 the traditional leaders of Ponape, with the District

Legislature concurring, affirmed that they expected all public lands in that district "to be returned to the people of Ponape" but that the Trust Territory Government could, "upon approval of the designated representatives of the people of Ponape" use such lands as it needs. The letter requested information as to the location and extent of such needs.^{59/}

The Second Regular Session of the Congress of Micronesia convened on Saipan on January 14 with the subject of return of public land high on its agenda. On February 11 the Administration bill the "Public Land Transfer Act of 1974", was introduced on the floor of the H.ouse.^{60/} As H.B. No. 298 it was assigned to the House Committee on Judiciary and Governmental Relations. On the following day, similar action was taken in the Senate^{61/} and the bill (S.B. No. 296) was assigned to the Judiciary and Governmental Operations Committee.^{62/} The Senate Bill became the focus of attention and hearings, superseding an earlier bill (S.B. No. 245) on the subject which had been introduced in the Senate by Senator Pangelinan on January 31.^{63/}

A subsequent letter of February 15 from the Trust Territory Attorney General to the Chairman of the Senate Judiciary and Governmental Operations Committee expressed the view that the variations of S.B. No. 245 from S.B. No. 296 are "contra-agreement variances" or "extra-agreement variances" from "what was discussed and agreed upon by both delegations in Washington".^{64/}

Meantime Deputy Representative Wilson met on Saipan with Senator Salii. In a conversation on February 1 Salii assured Wilson that the Palauan leadership remained firm on their Washington commitment and underlined the subsequent approval action by the Palau District Legislature (in resolutions cited above). With regard to proposed language in the Administration bill, which subsequently became S.B. No. 296 Salii said that not only Palau but also the Marshalls, Ponape, Yap, and Truk would not accept the idea of making a commitment as a precondition to return of public land which they believe to be rightfully theirs in the first place, even though Palau had been willing to give the commitment voluntarily and had done so when it was not made a precondition.^{65/} Salii stressed the importance of the exact language of the Palau declaration as stated in Washington.

On March 2 the Senate adopted Standing Committee Report No. 221 on S.B. No. 296^{66/} proposing extensive amendments. Senator Salii then stated: "I would just like to emphasize the point that this bill will, in fact, return to the people of Micronesia the so-called public lands which have been held, ostensibly, in trust for the people of Micronesia but which, for all practical purposes, have been controlled by the Administration. While there might be sections of the bill which might not fully satisfy one or more districts, the basic accomplishment of the bill is that most of the so-called public lands will be returned to the people of Micronesia".^{67/}

On the same day, March 2, the bill passed second and final reading of the Senate.^{68/} The bill was received by the House on the following day^{69/} (the penultimate day of the session), but a subsequent motion for recess meant that the bill could not be considered during the session^{70/} which came to a close on March 4.

In the wake of the Congressional session, Senator Salii and his co-chairman Representative Silk met for informal talks with Ambassador Williams and Deputy Representative Wilson at Carmel, California on April 1 to make plans for the next round of talks.^{71/} Salii observed that the failure of the House to pass the public land legislation was a major disappointment, but he hoped this could be remedied in the special session then requested for September/October. The Ambassador and Mr. Wilson reviewed some of the U.S. problems with the bill as it had emerged from hearings, and the Ambassador asked what the sentiment was now for having the public lands returned by Secretarial Order rather than COM action. Senator Salii said he thought it preferable to wait and see if the Congress would not pass an acceptable bill in the special session.

With regard to U.S. land requirements the Ambassador repeated that there could be no signature of the Compact until these requirements had been met and recalled the need to send a military survey group to Palau. Salii said he felt it would be in the United States' best interests not to push for the survey just now but let the matter cool pending Congressional action on public land in the special session. Salii expressed confidence that the Chiefs would live up to their word as expressed in their declaration of November, 1973.

A few weeks later at the end of April, the Ambassador and Salii met briefly on Guam and in a subsequent letter of May 2 the Ambassador wrote Salii that he hoped that by early summer the Palau survey could proceed so that subsequent negotiations for land options could get underway.^{72/}

Palau itself announced apparent readiness to cooperate. A resolution of the Palau District Legislature of May 2, noting that negotiations for options required determination of sites, invited the U.S. "to show the Palauan Legislature at an early time the sites and locations of such possible options".^{73/}

On June 4, 1974 the forty-first session of the U.N. Trusteeship Council convened in New York and U.S. Representative Ambassador White reviewed for the Council developments during the past year on the subject of public land in Micronesia.^{74/} The Council subsequently noted "with satisfaction" and reported to the Security Council that the U.S. had announced its decision to return control over public lands to the districts.^{75/}

In early July the two status delegations met informally on Guam, following which the Ambassador accompanied by OMSN Director Captain Richard Y. Scott traveled to Palau. In a discussion on July 16 of prospective land legislation at the COM special session, members of the Palauan Congressional delegation with whom the Ambassador met declined to comment specifically. The Ambassador stated that the U.S. did not want a land bill full of conditions which would make a veto necessary.^{76/} In a meeting with the Palau District Legislature following up its resolution of May 2 (cited above), the Ambassador asked for advice and suggestions as to when a small technical/engineering team should come to Palau to look over, with Palauan assistance, various sites for possible future facilities.^{77/} The Ambassador stressed that the U.S. had no plans for military activity in Palau in the foreseeable future, and there was no timetable for exercising the options. The Ambassador remarked that legislation for the return of public land was expected from the forthcoming special session of the Congress. Legislator Joshua Koshiba commented that Palauans felt that the High Commissioner should solve this problem even without COM action. The consensus of the meeting was that there was no objection to the coming of a military survey team to explore sites in Palau.

The High Commissioner convened the special session of the Congress which met July 23-August 9 for the particular purpose of dealing with the subject of public land. Senate Bill No. 296 as amended was passed by the House, and was transmitted to the High Commissioner on August 22. On September 21 the High Commissioner addressed the President of the Senate and the Speaker of the House letters transmitting his veto message disapproving the bill due to its "many substantive and technical deficiencies".^{78/} The veto message included a detailed analysis of these deficiencies. At the same time it was announced that the High Commissioner was "prepared to take whatever executive action might be necessary to fulfill the administration's commitment to facilitate this transfer".^{79/}

Following adjournment of the special session, a U.S. survey team, headed by Rear Admiral Crowe visited Palau August 19-30 and explored suitable sites for the U.S. land requirements set forth in Annex B to the draft Compact. The team was in close touch with Palauan leaders who facilitated the mission.^{80/}

Nevertheless on October 18 the Palauan District Legislature passed Resolution No. 74(2)-23^{81/} denouncing the High Commissioner's veto of the land bill, charging that by the veto "the United States has clearly demonstrated once again its utter unwillingness to return...public lands in accordance with the expressed desires of the people of Micronesia". Declaring that return of the lands by executive action would result in "undesirable withholding of lands for the United States military", the resolution requested the JCFS "to suspend negotiations with the United States on the Draft Compact".

The U.S. and Micronesian principal negotiators met informally in Honolulu October 29-30 and discussed among other matters the transfer of title of public lands to the districts.^{82/} Senator Saliil said that the shift in Palau's position regarding the U.S. options as shown in the District Legislature's resolution of October 18 was due to concern over two issues: eminent domain powers to be retained by the Trust Territory Government, and U.S. military retention land. Ambassador Williams said he hoped Palauans understood that there was no military retention land in Palau and that lands being considered under Annex B would be included in the transfer of public lands. With respect to the veto of S.B. No. 296

the return of public land, the Ambassador said that testimony of the TTPI Attorney General had set forth U.S. requirements for an acceptable bill. The route now lay through executive action. To this Salii commented: "It's the result that counts and not the method and I do not rule out transfer by executive action".^{83/} The Ambassador outlined the steps that Palau would have to take before title to its public lands would be transferred by executive action and before negotiations for land options could begin.

On his return to Saipan from Honolulu, Senator Salii, in a press release from the Congress of Micronesia, termed the meeting "very successful".^{84/} He noted that among the items discussed had been the issue of the return of public lands. In the release statement, the Senator, reporting that he had been informed by the Ambassador at the meeting that the Department of the Interior was in the process of drafting an executive order on the land return, said that the Joint Committee on Future Status took the position that it should participate in the drafting of the executive order to ensure that Micronesian interests are protected. According to the release, Senator Salii "indicated" that the Draft Compact is complete with the exception of Annex B concerning land use and options, and he said no specific date had been set for the next round of negotiations "due to the U.S. position on Annex B, which requires further detailed negotiations prior to the next formal talks".

Ambassador Williams followed up the Honolulu meeting of principals with a letter of November 15 to Senator Salii. Among other points, the Ambassador said that the Department of Interior had agreed that Micronesian leaders will be invited "to participate" in a discussion of executive action to be taken for the return of public land. As requested at Honolulu by Salii, the Ambassador also reviewed in his letter the steps which Palau should take in order to expedite the land negotiations.^{85/} He also outlined these steps in his letter of the same day to Speaker Lull of the Palau District Legislature,^{86/} a copy of which he forwarded to Senator Salii. The steps which he listed were: (1) Palau would have to request transfer; (2) the District Legislature would have to create a legal entity to receive title; and (3) in order to meet the Palauan commitment to negotiate "in good faith" the District Legislature would have to empower a local body with authority to negotiate regarding the U.S. land

options and to enter into a binding legal agreement. In both letters the Ambassador stressed the need, in light of intervening developments, for reaffirmation of the Palauan commitment of November 20, 1973 to negotiate "in good faith". In the letter to Speaker Luli the Ambassador, refuting certain points in the October 18 resolution of the Palau District Legislature (cited above) stressed that, contrary to the resolution's assertion, the amount of land to be returned by executive action on request would be exactly the same as that which would have been returned by the land bill.

On November 18 Senator Salii cabled Secretary of the Interior Morton stating that the JCFS position was that the return of public lands "should be accomplished by legislation enacted by the Congress of Micronesia".^{87/} Salii therefore sought the Secretary's approval of the re-passage of S.B. No. 296 over the High Commissioner's veto, and further urged in his message that representatives from the Department of the Interior, the Trust Territory Administration, and the Congress of Micronesia meet on Saipan "to attempt to cope with a mutually acceptable draft bill for the forthcoming COM session".

On November 20 Salii sent by cable a response to the Ambassador's letter of November 15.^{88/} Referring to the recent Honolulu meeting with the Ambassador, he repeated the JCFS preference for legislation rather than an executive order to return the public land. He said an executive order would be acceptable if: no conditions were set regarding return of public lands; only those conditions in S.B. No. 296 "and no others" were included in the order; and the order had prior "approval" of the JCFS, "rather than merely the views of local leaders". In the absence of such approval, Salii's message read, "I cannot agree to resumption of negotiations with you".

The Director of Territorial Affairs (DOTA) in Interior, Mr. Stanley Carpenter, was in touch with the leadership of the Congress of Micronesia to arrange a meeting for consultation with Micronesian leaders. After considerable uncertainty as to venue and timing, the meeting was set for December 9 in Honolulu.

Meantime Ambassador Williams replied on November 29 to Salii's message of November 20 expressing his surprise at the letter and at the message to Secretary Morton since they represented "departure in many important respects" from understandings at the recent Honolulu meeting.^{89/} The

Ambassador stated that neither he nor his associates had any recollection of any "conditions" laid down by Salii at the Honolulu meeting. The Ambassador also recalled that Salii had initially requested in writing that the lands be returned by secretarial or executive order. Stressing that the U.S. policy is responsive to what the U.S. understands to be the wishes of the people of Micronesia, the Ambassador said: "We now know of nothing that should stand in the way of the...return of public lands to the districts to be held in trust for the people on exactly the same basis that was endorsed by the JCFS last year".

Salii's rebuttal came in a letter to the Ambassador dated from Saipan December 2 and pointed to considerable difference of interpretation or recollection of the Honolulu meeting of principals.^{90/} Salii wrote that while he had not ruled out the return of lands by executive order, he thought he had made clear that this was only a secondary alternative to return by COM legislation. Additionally he maintained he had been quite clear that executive action would not be acceptable unless the JCFS had the right to "approve" the order prior to its issuance; the JCFS had insisted on the right of approval as well as consultation. Salii asserted that he had never requested that the return of public lands, with the conditions given in the U.S. Policy Paper, should be done by executive rather than legislative action. He charged that U.S. "divide and conquer" tactics were confusing the issue in Palau, and he asserted that any unnecessary delay in the return of public lands was occasioned by the issuance of the Policy Statement without any consultation with Micronesians, by the veto of the land bill, and by refusing to accept issuance of an executive order conditioned on Micronesian approval. Without such acceptance, Salii said in effect, the JCFS could not participate fully in the prospective meeting called by DOTA to consider the order.

A meeting on Saipan called by the Congressional leadership to discuss the prospective DOTA meeting resulted in a letter to Secretary Morton of December 4 signed by the Speaker and the President and some twenty other traditional and elected leaders representing every district except the Marshalls. The letter followed a line similar to that in Senator Salii's letter, protesting the U.S. unilateral issuance of the Land Policy Statement and the High Commissioner's veto of the land bill.

The letter demanded consultation and approval regarding any executive action but only as a secondary alternative to legislative action for the return of the public land, and stated: "We will regard the issuance of an Executive Order returning title to so-called public lands, absent the approval of the Congress of Micronesia, as a breach of faith of the highest order on the part of the United States Government".^{91/}

Meantime in Palau a special session of the District Legislature adopted a resolution on December 4 (No. 74(S)-1) to the effect that in the light of U.S. assurances that the method of return of public lands does not affect the amount to be returned and that the major conditions set forth in the Palauan Delegation's statement of November 12, 1973 would be taken into account in the return, the Legislature's resolution of October 18, 1974 (cited above) "is hereby rescinded and nullified" and the "previous position of the Legislature regarding the U.S. Land Policy is reaffirmed so that public lands in Palau might be returned with dispatch".^{92/}

As a preliminary to the consultative meeting, Ambassador Williams, in a letter of December 7 forwarded to Mr. Carpenter the following statement on U.S. Land needs in Palau: "The U.S. is willing to transfer title to public land in Palau in advance of the negotiations called for in Annex B of the Draft Compact with the understanding that the commitment to negotiate in good faith, as set forth in the Palauan statement of November 12, 1973, remains valid. In view of subsequent resolutions by the Palau District Legislature the prospective negotiating authority will need to reaffirm this commitment."^{93/}

The meeting took place December 9-10 in Honolulu under the chairmanship of Mr. Carpenter, and was attended by some eighty Micronesian leaders from all districts.^{94/} Principally at issue was the method of implementation of the U.S. Policy Statement on return of public land. Mr. Carpenter stressed that either method of implementation (by legislative or executive action) would return the same amount of land to the people of Micronesia. While all districts expressed a desire for expeditious return of public lands the Marianas, Marshalls and Palau supported a secretarial order, while Ponape, Truk and Yap supported the legislative method.

The walk-out of the Speaker and the President, followed by representatives of Truk and Ponape and some members of split delegations in the

Marianas and Yap, dramatized the tension and emotional interest in the subject, and pointed up differences among the districts. Speaker Henry and President Nakayama followed up the rather contentious session with a letter of December 12 to Secretary of the Interior Morton declaring that while they were not "angry" as a newspaper article had asserted, they were "very determined on this matter", feeling that return of land should be done by legislative action of the Congress and that otherwise there might be serious repercussions on the status negotiations.^{95/}

On December 13 in Saipan, Senator Salii, who did not attend the Honolulu meeting, announced that he had recommended to the Joint Committee on Future Status that "future political status negotiations between the United States and Micronesia now be terminated".^{96/} The Senator said that the proposed issuance of an executive order to return public lands "which does not protect Micronesian interests is an indication that the United States will have no hesitancy in taking similar action with regard to any other issue". Salii said he had recommended that this position (termination of status talks) be taken by the full COM membership in the forthcoming session. Referring to the JCFS position of which the U.S. was informed "about a year ago", that no agreement on future status could be reached until the return of public lands, Salii called the unilateral issuance of an executive order "a breach of faith of the highest order". His statement continued: "The key to the success of the status negotiations is land, or more precisely--control of Micronesian land. The United States' primary interest in Micronesia is land for military bases". Salii said that those members of the JCFS who had been contacted, as well as the COM leadership, had expressed "full support for "terminating the negotiations permanently".

Senator Salii was subsequently queried in the course of his appearance on the TT Headquarters Education for Self-Government Program entitled "Dialogue for Micronesia", as to what might happen if dissension over the public lands issue resulted in the status talks being called off indefinitely.^{97/} The Senator suggested that a new government to be established under a Micronesian Constitution could pursue negotiations. Another possibility, he thought, could be through direct contact with the United States Congress. The final possibility as he saw it was indefinite continuation of the Trusteeship and resumed talks at a later date. He termed present

negotiations "futile" and a "mockery of the Congress of Micronesia". He warned that executive action to return the lands could result in a complete stop of the negotiations, commenting that "whoever has control of the land will be able to control the negotiations".

A Micronesian News Service release of December 18 carried excerpts from what was described as a COM staff study by attorneys Michael White and Brian Farley, both of whom attended the land meeting in Honolulu.^{98/} The study challenged previous reports of the meeting (see above) and asserted that the traditional chiefs of Palau did not support the U.S. land return plan. Declaring that an executive order would ignore Micronesian land rights, the study charged that such action would in fact mean a reduction in the amount of public land returned for, unlike the vetoed S.B. No. 296, it would not return the military retention lands.

Salii expressed agreement with the study and said: "The U.S. restrictions on the return of our land have not changed even though we strongly objected to four major points over one year ago. And now, with Interior Secretary Morton preparing to issue an executive order with these restrictions still attached, Morton will become an unwitting victim of Ambassador Williams' and Carpenter's miscalculated designs in Micronesia".^{99/}

On December 26, 1974 by Secretarial Order Number 2969, Secretary Morton transferred the Trust Territory Public Lands to District Control. The accompanying press release stated that the Order, which becomes a part of the Trust Territory Code, "provides the legal framework for each district of Micronesia to request and receive title to applicable public lands within its jurisdiction". The Secretary forwarded the Order to Micronesia in a letter of December 26 addressed to the Speaker of the House and the President of the Senate.^{100/} In his letter, pointing to the recent Honolulu meeting as latest evidence of the acknowledged fact that "there is certainly no congruency of opinion among Micronesians as to the most desired method" for return of public lands, the Secretary stated that "our main goal--to transfer title and control as the Micronesian peoples desire--need not be made hostage to this disunity of opinion". He stressed that the Order "when effective in every district will provide for the transfer of the same amount of land as any other approved mechanism of implementing the policy statement".

The Secretary concluded his letter with a reminder that "the United States is the only nation which has ever guaranteed the legality of the rights of Micronesians to their own land and has defended their land from foreign exploitation without fair compensation". He wrote further: "I feel....that there is no real connection between the public lands question and future political status. The peoples of Micronesia have asked for the return of their lands. In a manner consistent with its special responsibilities and its obligations to the United Nations, the United States has responded simply and directly by endorsing this request through the issuance of the policy statement and the Secretarial Order. This is a concern and a solution grounded in the present system of government under the Trusteeship; it is of concern for the future only in that it provides for a considerably wider degree of Micronesian ownership of land prior to the termination of the Trusteeship Agreement.

"It is in this light that the public land transfer has always been considered. It is in this light that the original Micronesian requests were made and through which the United States has fulfilled them".

FOOTNOTES

1. Laws and Resolutions, Third Congress, Congress of Micronesia
p. 170 (Aug. 27, 1969)
2. Laws and Resolutions, Fourth Congress, Second Session, 1972
3. Proceedings of the Fifth Round of Micronesian Status Negotiations,
Office for Micronesian Status Negotiations p. 40
4. Joint Communique, ibid p. 20
5. Journal of the Senate, Second Special Session, Fourth Congress of
Micronesia p. 25.
6. Proceedings of the Sixth Round of Negotiations, Office for Micro-
nesian Status Negotiations, p. 12
7. Memorandum from Captain Crowe to Ambassador Williams, November 7, 1972
8. Proceedings of the Sixth Round, p.31
9. ibid pp 32-33
10. ibid
11. Letter from Captain Crowe to Senator Tmetuchl, November 16, 1972
12. Letter from Senator Salii to Ambassador Williams, November 29, 1972
13. Marianas Political Status Negotiations, Opening Round, Office for
Micronesian Status Negotiations, p.7
14. ibid, p.10
15. MEMCON by Captain Crowe, December 18, 1972
16. Ambassador Williams' memorandum (undated)
17. UNTC: T/1741, 16 May 1973, paragraph 504
18. Letter from Senator Salii to Ambassador Williams, February 22, 1973
19. Letter from Ambassador Williams to Senator Salii, March 16, 1973
20. Letter of March 27, 1973 from Senator Salii to Ambassador Williams
21. Letter of April 14, 1973 from Ambassador Williams to Senator Salii
22. ibid
23. Two memoranda of conversation, "Micronesian Status Negotiations",
May 4, 1973
24. ibid
25. ibid
26. MNS release, May 8, 1973
27. ibid
28. Full text in State 149099, 301348Z July 1973
29. Status LNO Memorandum, May 23, 1973

30. Press Release USUN 53(73), June 8, 1973
31. Ambassador Williams' memorandum of meeting of June 19, 1973
32. State 146603, 252338Z July 1973
33. HICOMTERPACIS 260530Z July 1973
34. Ambassador Williams' letter to Senator Salii, August 15, 1973
35. Report of the Eastern Districts Sub-Committee, p.7
36. Report of the Western Districts Sub-Committee, p.3
37. ibid, p.4
38. op cit, p.8
39. ibid, p.5
40. State 189183, 212352Z September 1973
41. Transmitted to Ambassador Williams by State 199863, 0091722Z
October 1973
42. ibid. The Western Districts Sub-Committee Report stated that its recommendations on public land should be "framed as point-by-point response to Ambassador Williams' memo to Chairman Salii of May 9, 1973", p.12
43. Letter of November 1, 1973 from Ambassador Williams to Senator Salii
44. Micronesian Status Negotiations, Proceedings of the Seventh Round, Office for Micronesian Status Negotiations, p. 15
45. ibid, p.16
46. ibid, p.17
47. ibid, p.18
48. ibid, pp. 18-20
49. ibid, pp. 21-22
50. ibid, p.22
51. ibid, p.23
52. ibid
53. ibid, pp. 33-35
54. ibid, p.2
55. ibid, p.5
56. Report to the Congress of Micronesia on the Seventh Round, Joint Committee on Future Status, January 1974, p.1
57. Proceedings of the Seventh Round, p.7
58. Copies of resolutions forwarded by Palau District Legislature
59. Letter to Ambassador Williams of January 11, 1974 signed by five Manmwarakis and five Nahnkens

91. Letter from President and Speaker to Secretary of the Interior,
December 4, 1974
92. Palau District Legislature Resolution No. 74(S)-1, December 4, 1974
93. Letter of December 7, 1974 from Ambassador Williams to DOTA
94. See also MNS report in HICOMTERPACIS 131005Z DEC 74
95. Letter of December 12, 1974 from Speaker and President to Secretary
of the Interior
96. Text in COM release, ibid
97. MNS release in HICOMTERPACIS 161356Z DEC 74
98. HICOMTERPACIS 181108Z DEC 74
99. ibid
100. Letter from Secretary of the Interior to Speaker and President
of the Congress of Micronesia, December 26, 1974