

THIRTY-EIGHTH DAY

Wednesday, February 19, 1975

The House of Representatives of the Sixth Congress of Micronesia, First Regular Session, 1975, was called to order at 10:20 a.m., Wednesday, February 19, 1975.

Speaker Bethwel Henry presided.

A moment of silent prayer was observed.

The Chief Clerk called the roll. Twenty members were present; Representative Domnick was excused.

COMMUNICATIONS

High Commissioner Communication No. 6-27, transmitting a bill to establish Trust Territory Special Education Programs.

No Departmental Communications were reported.

Senate Communication No. 6-39, informing House of Senate's adoption of C.D.1 to H.B. No. 6-7, H.D.1, S.D.1.

Senate Communication No. 6-40, informing House of Senate's adoption of C.D.1 to H.B. No. 6-26, H.D.1, S.D.1.

Senate Communication No. 6-41, returning H.B. No. 6-5, H.D.1, appropriating \$297,400 for Revenue Division.

Senate Communication No. 6-42, transmitting S.B. No. 6-110, S.D.1, concerning appropriations for youth and recreational facilities in the Marianas.

Miscellaneous Communication No. 6-46, from traditional chiefs of Palau, inviting Congress to unity-related festivities.

Speaker Henry: I will ask the Clerk to read the communication in full.

The Clerk read the letter from the High Chiefs of Palau, dated February 13, 1975, as follows:

"Dear Mr. Speaker:

"In the wake of events and activities that have swept over the question of the Micronesian Future Political Status, the people of Palau have become progressively apprehensive of the need to re-dedicate ourselves to our national goals and commitments.

"In this respect, Mr. Speaker, and in view of the imminence of the Micronesian Constitutional Convention, we wish to be of service to those in leadership, both in the Administration and in the Congress, in bringing to proper focus and awareness that short, but difficult road that will bring us to nationhood--together in one free and cohesive unity.

"To further this end, Mr. Speaker, the people and constituency of Palau shall hold a day of festivities in Koror on the theme: Micronesian Unity, on February 23, 1975. Highlights of the events are planned around extending and offering

our Palauan hospitality to the entire membership of the Congress of Micronesia and staff and the High Commissioner and his key staffs as guest of honor. This is our small way of expressing our pride in our membership in the family of nice people known as the Micronesians. In more physical sense, we wish to provide a short break for the hard-working legislators and bureaucrats to come down and soak up the fresh air and the sunshine of our rock islands - The Heart of Micronesian Charm.

"Please therefore accept this as our formal invitation and pass the same to the rest of the people. Our programs anticipate your arrival at Palau on February 21st, a picnic to the rock islands on Saturday the 22nd, and the main ceremonial events and banquets on Sunday the 23rd.

"We realize your busy schedule of works, but we ask and urge you to come down. It will be an honor to our people and we will try our best to make it a weekend of rest and recreation.

"Our personal regards and we will see you all in Palau.

(Signed by High Chief Ibedu and High Chief Reklai.)

Miscellaneous Communication No. 6-47, from Balerio U. Pedro, requesting financial assistance from Congress to attend U.N. Trusteeship Council's 1975 session.

#### STANDING COMMITTEE REPORTS

Standing Committee Report No. 6-44, submitted by the Committee on Appropriations, re S.J.R. No. 6-1, S.D.1, "Recommending that Mr. Thomas B. Crossan, Jr. be appointed as Program and Budget Officer of the Trust Territory of the Pacific Islands."

Chairman Setik moved for adoption of the report; Floor Leader Tman seconded, and the motion carried by voice vote.

Standing Committee Report No. 6-45, submitted by the Committee on Appropriations, re H.J.R. No. 6-9, "Requesting the High Commissioner and the Joint Committee on Program and Budget Planning of the Congress of Micronesia to seek Federal funds to cover the cost of hooking up water and sewer lines to individual houses in each of the district centers of the Trust Territory."

Chairman Setik moved for adoption of the report; Floor Leader Tman seconded, and the motion carried by voice vote.

Vice Speaker Silk: Point of privilege, Mr. Speaker. Mr. Speaker, it is an honor for me, on behalf of my delegation, to introduce to you several distinguished visitors who are from our district. They are in the gallery now--Leroij Chiyaya Anmonta, Neilan Loek, Neimata Nakamura and Toej Jamodre.

Standing Committee Report No. 6-46, submitted by the Committee on Appropriations, re H.J.R. No. 6-46, "Requesting the Secretary of the United States Department of the Interior, through the High Commissioner, to amend Secretarial Order No. 2918, as amended, to provide for two regular sessions each year for the Congress of Micronesia."

Chairman Setik moved for adoption of the report; Floor Leader Tman seconded, and the motion carried by voice vote.

Standing Committee Report No. 6-47, submitted by the Committee on Judiciary and Governmental Relations, re H.B. No. 6-38, "Amending Subsection (2) of Section 1 of Title 53 of the Trust Territory Code concerning nationality of children born outside the Trust Territory of parents, one of whom is a Trust Territory citizen."

Rep. Basilius: Mr. Speaker, Standing Committee Reports No. 6-47 and 6-48 are quite lengthy, and I am sure that the members of the House haven't had a chance to carefully study the reports. I suggest that we defer action on these two reports, since they are very important. They are with regard to the immigration and naturalization laws of the Trust Territory.

Floor Leader Tman moved that Standing Committee Reports No. 6-47 and 6-48 be deferred; Vice Speaker Silk seconded, and the motion carried by voice vote.

Standing Committee Report No. 6-48, submitted by the Committee on Judiciary and Governmental Relations, re H.B. No. 6-104, "To repeal Sections 1, 2 and 3 of Title 53 of the Trust Territory Code relating to nationality, citizenship and naturalization, and to enact new Sections 1 through 8 in lieu thereof."

(Deferred by above motion.)

Standing Committee Report No. 6-49, submitted by the Committee on Judiciary and Governmental Relations, re S.B. No. 6-78, "To amend Section 22(1)(d) of Title 2 of the Trust Territory Code relating to the organization of the Executive Branch."

Chairman Basilius moved for adoption of the report; Floor Leader Silk seconded, and the motion carried by voice vote.

Standing Committee Report No. 6-50, submitted by the Committee on Appropriations, re H.B. No. 6-8, "To appropriate \$88,000 from the General Fund of the Congress of Micronesia for the purchase of four school buses for Majuro, Marshall Islands District, and for other purposes."

Chairman Setik moved for adoption of the report; Representative Bigler seconded, and the motion carried by voice vote.

Standing Committee Report No. 6-51, submitted by the Committee on Resources and Development, re H.J.R. No. 6-31, "Requesting the District Administrator of the Truk District to formulate a master plan for road development on Tol, Patta, Polle and Wonei Islands in the Faichuk area of the Truk Lagoon, and to submit a proposal to the Congress of Micronesia by December 31, 1975."

Chairman Haruo moved for adoption of the report; Vice Speaker Silk seconded, and the motion carried by voice vote.

Standing Committee Report No. 6-52, submitted by the Committee on Resources and Development, re S.B. No. 6-54, S.D.1, "Amending Sections 1, 3, and 5 of Public Law No. 4C-33; Section 1 of Public Law No. 4C-95; and for other purposes."

Chairman Haruo moved for adoption of the report; Vice Speaker Silk seconded, and the motion carried by voice vote.

#### ASSIGNMENT OF MEASURES

The Clerk called attention to Referral Sheet No. 24 attached to the Order of the Day for the assignment of measures introduced on Tuesday, February 18, 1975. The following Senate measures were also assigned:

S.B. No. 6-97: Assigned to: Education and Social Matters

To amend Subsection (3) of Section 7 of Public Law No. 5-37 relating to the High Commissioner's Special Order No. 9 establishing the Angaur Housing Authority, and for other purposes.

S.B. No. 6-107: Assigned to: Appropriations  
To amend Subparagraph (ii), Paragraph (d) of Subsection (1) of Section 1 of Public Law No. 5-108, and for other purposes.

S.J.R. No. 6-24: Assigned to: Education and Social Matters  
Requesting the United States Department of State to provide for the training of Trust Territory citizens in the foreign service.

## UNFINISHED BUSINESS

None

## BILL CALENDAR

S.B. No. 6-78: To amend Section 22(1)(d) of Title 2 of the Trust Territory Code relating to the organization of the Executive Branch.

Representative Basilius moved for passage of S.B. No. 6-78 on First Reading; Vice Speaker Silk seconded, and the Chief Clerk read the title.

Representative Edwards moved for a short recess; Representative Haglelgam seconded, and the Speaker declared the House recessed at 11:38 a.m., subject to the call of the Chair.

The House reconvened at 11:40 a.m.

Speaker Henry: Let me ask the Clerk to explain the Bill Calendar because there are some changes from the typewritten Calendar.

Chief Clerk: Mr. Speaker and members, in view of the fact that Standing Committee Reports No. 6-47 and 6-48 have been deferred, House Bill No. 6-38, H.D.1, and House Bill No. 6-104 are accordingly deferred. Please delete House Bill No. 6-48, H.D.1, from the Calendar. Also, Senate Bill No. 6-49 is an error. It should be Senate Bill No. 6-78. That is the bill that is up for First Reading presently.

Vice Speaker Silk: Point of information: May I ask the Clerk to repeat the Senate Bill number?

Speaker Henry: It is Senate Bill No. 6-78. This bill is attached to Standing Committee Report No. 49, which we adopted today.

The Speaker declared the House recessed at 11:42 a.m., subject to the call of the Chair.

The House reconvened at 11:45 a.m.

Speaker Henry: The motion before us is to pass Senate Bill No. 6-78 on First Reading. Is there any discussion?

The motion to pass S.B. No. 6-78 on First Reading carried by voice vote.

H.B. No. 6-8, HD1: To appropriate ~~\$88,000~~ \$316,000 from the General Fund of the Congress of Micronesia for the purchase of ~~four~~ school buses for ~~Majuro, Yap, Truk, Palau and the Marshall Islands Districts,~~ and for other purposes.

Representative Setik moved for passage of H.B. No. 6-8, H.D.1, on First Reading; Vice Speaker Silk seconded, and the Chief Clerk read the title. The motion carried by voice vote.

S.B. No. 6-54, SD1, HD1: Amending Sections 1, 3, and 5 of Public Law No. 4C-33;  
*Section 1 of Public Law No. 4C-33* and for other purposes.

Representative Haruo moved for passage of S.B. No. 6-54, S.D.1, H.D.1, on First Reading; Vice Speaker Silk seconded, and the Chief Clerk read the title.

Rep. Balos: Point of privilege. I would like to make some remarks in support of this measure.

#### REMARKS BY REPRESENTATIVE BALOS

Rep. Balos: Mr. Speaker and distinguished members of the House: I take this opportunity to address you today to urge favorable consideration of Senate Bill No. 6-54, which has already passed the Senate.

This measure would broaden the authority and extend the life of the present Special Joint Committee concerning Rongelap and Utirik Atolls, which exists by virtue of House Joint Resolution No. 73 adopted by the Fifth Congress of Micronesia.

The original mandate of this committee was spelled out in Public Law No. 4C-33, which commanded the committee to study three areas pertaining to the exposure of Rongelapese and Utirikese to fallout from a March 1, 1954, hydrogen bomb test at Bikini Atoll. These areas were: Injury, treatment, and compensation.

Since the committee was organized, it has issued an interim report, on May 16, 1972. This report spelled out the way in which it would conduct its work.

Since then, it has visited Japan and the Marshall Islands District, and in February, 1973, its report and recommendations on medical aspects--injury and treatment--were adopted by the Congress of Micronesia.

In February, 1974, the Joint Committee issued its third report, on compensation, which also contained recommendations. This report was also adopted by the Fifth Congress.

This Special Joint Committee, on which I have been honored to be a member, has not only made reports, but its work and its reports have brought practical results for the people of my district.

Because of our recommendations, supported by the Congress, and because we were able to monitor and follow up those recommendations, the following have taken place:

(1) A doctor has been stationed in Kwajalein who can give closer medical monitoring and attention to the people of Rongelap and Utirik, at no expense to the Trust Territory or this Congress.

(2) An LCU has been made available for use by the annual visiting medical team, to ensure better, more extensive examinations.

(3) For the first time, an information booklet in both English and Marshallese has been distributed to the people to help dispel some of the lingering doubts they have concerning their exposure 20 years ago.

(4) The people of Rongelap have formed a special council by which they can agitate for changes in their treatment or compensation, as they feel necessary.

(5) The visiting medical team, headed by Dr. Robert A. Conard, has generally been more responsive and sympathetic to the needs of the people.

(6) The committee introduced a bill which became law, providing certain benefits for these people.

Lastly, Mr. Speaker, two other recommendations have been carried out:

(1) An "inconvenience payment" to the people of Utirik has finally been made, nearly four years after it was first offered. Your Special Joint Committee was instrumental in getting the red tape and misunderstandings straightened out to enable this payment. Furthermore, we saw to it that there are no strings attached to such payment which would foreclose any future compensation.

(2) As provided for in Section 10 of Public Law No. 5-52, on December 2, 1974, an Executive Agreement between the Atomic Energy Commission and the Trust Territory was executed by the High Commissioner. Under this agreement, the AEC agrees to provide, on an annually renewable basis, the sum of \$20,000, to defray costs of Rongelapese and Utirikese medical examinations in the period between their regular medical examinations.

I would also like to make some additional comments about this committee. I want to note that this Congress of Micronesia committee has demonstrated, to the people of Rongelap and Utirik, and to the people of the Marshalls in general, that the people of the Marianas, Palau and Truk are concerned about their welfare--that, in short, we Micronesians care about each other and are willing to work on that basis, and I would be honored to serve on any special committee created to solve a special problem of any other district.

I also want to point out that there is no appropriation in this bill, since it will be provided for in the regular operations budget; and that in this connection, the Joint Committee has expended a very small amount of money in relation to the amount of assistance and financial aid it has brought to these people.

The committee is now entering its final stage of work. We have submitted our recommendations on compensation, and those recommendations have been adopted by the Congress. Passage of this bill will allow us, as we have in the past, to follow up our recommendations and see that they become realities, and thus assist the people of Rongelap and Utirik, who are uniquely and unfortunately one of the few groups of victims of the twentieth century's nuclear technology.

With these thoughts in mind, I urge your favorable consideration and action on S.B. No. 6-54. Thank you, Mr. Speaker.

Rep. Aafin: Mr. Speaker, I would like to state publicly my support for this measure to help out the people of Rongelap and Utirik.

Speaker Henry: Is there any more discussion on the bill?

The motion to pass S.B. No. 6-54, S.D.1, H.D.1, on First Reading carried by voice vote.

H.B. No. 6-163: To appropriate the sum of \$50,000 for the purpose of clearing and rehabilitating public lands on Wotje, Mili, Jaluit and Maloelap Atolls, Marshall Islands District, and for other purposes.

Rep. Setik: Mr. Speaker, this bill is very important to help clear up the islands involved in the Marshalls District, and I move that the bill be passed on Second and Final Reading.

Vice Speaker Silk seconded the motion, and the Chief Clerk read the title.

Rep. Edwards: Point of information: I wonder if this \$50,000 is enough to carry out the project of clearing bomb sites in these areas.

Rep. Setik: Mr. Speaker, the testimony presented to your Committee by the District Administrator of the Marshalls District was that it would not be enough. However, the \$50,000 will be at least enough for the moment. After they make a complete survey of the area, they will come back and seek additional funds.

Rep. Basilius: Point of information: Why do we have to clear those islands?

Rep. Setik: Mr. Speaker, there are many unexploded bombs or shells found in those areas, and your Committee on Appropriations feels that this has been neglected. The Congress of Micronesia adopted H.J.R. No. 6-8, and its provisions will be speeded up by providing the funds to clear the area.

Rep. Haglelgam: Point of information: Who is going to do the clearing? The Trust Territory Government, or the Navy?

Rep. Setik: I believe it will be up to the High Commissioner to see to having someone carry out the work. It might be the Trust Territory government or the demolition team.

Vice Speaker Silk: Mr. Speaker, section 2 of the bill specifies who is responsible for the project.

Rep. Mafnas: I urge the House to pass this bill on Final Reading. There was testimony given by the witnesses during the public hearing of several instances where the people in these islands were injured from the live bombs. Therefore, I think it is very important that these bombs and explosives should be cleared from these islands.

Floor Leader Tman moved for the previous question; Vice Speaker Silk seconded, and the motion carried.

Speaker Henry: The House will now vote on the motion to pass the bill on Second Reading.

The motion to pass H.B. No. 163 on Second Reading carried by roll call vote of twenty ayes; Representative Domnick was excused.

#### RESOLUTION CALENDAR

S.J.R. No. 6-1, SD1, HD1: ~~Recommending that~~ Approving the appointment of Mr. Thomas B. Crossan, Jr., ~~be appointed~~ as Program and Budget Officer of the Trust Territory of the Pacific Islands.

Representative Setik moved for adoption of S.J.R. No. 6-1, S.D.1, H.D.1; Floor Leader Tman seconded, and the Chief Clerk read the title.

Speaker Henry: Is there any discussion?

Rep. Moses: Point of information, Mr. Speaker: Isn't Mr. Crossan already on the job?

Rep. Setik: That is affirmative.

Rep. Moses: Why is it that we have to act on things that have really no bearing on what goes on in the Administration?

Rep. Setik: I think the Standing Committee Report No. 6-44 explained the whole situation, however we have no choice but to act on it. I urge the support of my colleague from Ponape.

Rep. Moses: But act or not act, the guy stays on the job.

Floor Leader Tman: There is a law that requires the Congress or the Committee on Administrative Appointments to give their consent on major appointments in the Administration.

Rep. Moses: True, Mr. Speaker, but the law provides that we consent to the appointments. What about if the Congress does not consent? What happens? Does it make any difference?

Floor Leader Tman: Yes, it does.

Rep. Aafin: I wish to answer that question. If we don't pass this, the person who is being nominated for the position of Program and Budget Officer will not be the Program and Budget Officer.

Rep. Guerrero: Thank you, Mr. Speaker. I have a question here. If it is important that the House give its consent, why in the first place has this person started working with the Trust Territory Government?

Speaker Henry: That was a question directed to the committee, and I ask the committee to answer the question.

Floor Leader Silk: Mr. Speaker, the report of the committee clearly explains the whole story. Now there was a period in which the person was recruited that was a critical period in the budgetary process of the Trust Territory. I realize that it was an unusual action by the Administration to recruit such a person at that time. But our budget was being considered by the Administration for submission to the Department of Interior and the United States Congress. The key personnel in the office had either left or resigned their posts, and there was no way that we could get our budget in a proper manner and keep its integrity when it was submitted to the United States Congress. So the action was taken by the High Commissioner to recruit a competent person to oversee the appropriation of our budget. So that was the problem. I would hope that a similar action in the future would not happen.

Rep. Haruo: I realize that we may once in awhile run into unusual problems and cases. However, the Congress has established a law whereby all these directorships require Congress advice and consent. This practice, I think, is after the fact. The High Commissioner went ahead and recruited this person. Why at a later date does he come around and ask for the Congress advice and consent? Mr. Speaker, I feel that it is appropriate that this Congress must convey its concern for the Administration's practice at this time.

Rep. Guerrero: I was going to follow my question, Mr. Speaker. Was any member of the committee consulted prior to the hiring of this person? I know the immediacy of the need to hire this person as quickly as possible but, out of respect, was the committee or any member of the Congress consulted prior to the hiring of this person? Mr. Speaker, I would like an answer to that question.

Rep. Setik: I don't know whether I would be able to answer fully to satisfy my colleague from the Marianas, but this happened after the fact. Of course the hiring of Mr. Thomas Crossan, Jr., was initiated back in Washington because of the immediate need to get someone as soon as possible on board. In the attached letter from the High Commissioner dated February 4, 1975, addressed to the Chairman of the Appropriations Committee, on the second page of that letter it stated, and I quote: ". . . I thought that I had conveyed the message to my assistants here on Saipan that Mr. Crossan's name should be immediately submitted to the Congress, but, unfortunately, I learned upon my return to the Trust Territory from Washington that this had not been accomplished. . . ." To me, the High Commissioner did his part-- after the recruitment was in the process in Washington. But upon his arrival here, he found that Congress had not been informed. I believe that it wasn't intentional to violate the law. It was a communications breakdown between the Washington level and Saipan.

Rep. Rasa: Although the Administration may have made the wrong move in a particular circumstance, I believe the question before the Congress is whether the person in question is capable of assuming the position. I think it is obvious in everybody's minds over here that the person in question does possess the necessary skills to fill this position.

Rep. Aafin: Mr. Speaker, I know very little about fiscal control, budget programs, etc. with regard to money. But I have had information from certain departments that the said person nominated for the position of Program and Budget Officer knows his job. Therefore,



I support the intent of the resolution and ask that we adopt it.

Representative Haruo moved for the previous question; Vice Speaker Silk seconded, and the motion carried by voice vote.

Rep. Setik: Mr. Speaker, may I ask that the vote on this be by roll call?

Speaker Henry: Yes, the House will vote by roll call.

The Clerk called the roll on the adoption of the adoption of S.J.R. No. 6-1, S.D.1, H.D.1.

Floor Leader Tman: Point of privilege. Thank you very much, Mr. Speaker. I didn't have the opportunity to point out one particular item. I think we should look back in the Administrative Appointments Law. The High Commissioner has the power to name somebody in an acting capacity until the Congress consents to it.

The Clerk announced the result of roll call vote on S.J.R. No. 6-1, S.D.1, H.D.1, as follows: Fourteen ayes; Representatives Edwards, Guerrero, Haglelgam, Haruo, Moses, and Refonopei voted no; Representative Domnick was excused.

H.J.R. No. 6-9, HD1: Requesting the High Commissioner and the Joint Committee on Program and Budget Planning of the Congress of Micronesia to seek Federal Funds to cover the cost of hooking up water and sewer lines to individual houses in each of the district centers of the Trust Territory.

Representative Setik moved for adoption of H.J.R. No. 6-9, H.D.1; Vice Speaker Silk seconded, and the Chief Clerk read the title. The motion carried by voice vote.

H.J.R. No. 6-46, HD1: Requesting the Secretary of the United States Department of the Interior, through the High Commissioner, to amend Secretarial Order No. 2918, as amended, to provide for two regular sessions each year for the Congress of Micronesia.

Representative Setik moved for adoption of H.J.R. No. 6-9, H.D.1; Floor Leader Tman seconded, and the Chief Clerk read the title.

Rep. Haglelgam: Point of information: If we have two sessions, is the Congress budget going to increase and, if so, by how much?

Rep. Setik: May I ask my colleague to repeat the question?

Rep. Haglelgam: Yes, my question is: If we have two sessions in one year, is this Congress budget going to increase and, if so, by how much?

Rep. Setik: The budget will be increased by another ten days' expenses for members, which will cover only the per diem--and also the fare of the members as well as staff. The question of how much--we can provide that for the record.

Speaker Henry: This is a proposed amendment to Secretarial Order No. 2918, so it is required that the House vote by roll call.

Floor Leader Tman: Will the Chair indicate the majority that is required?

Speaker Henry: Yes, in order for Congress to recommend an amendment to the Secretarial Order creating this Congress, the recommendation must be in a Joint Resolution passed by each House by a two-thirds' vote of the entire membership of each House. The House will vote on the resolution by roll call.

The Clerk called the roll. The motion to adopt H.J.R. No. 6-46, H.D.1, carried by a vote of nineteen ayes; Representative Bigler voted no; Representative Domnick was excused.

H.J.R. No. 6-31, HD1: Requesting the District Administrator of ~~the~~ Truk District to formulate a master plan for road development on Tol, Patta, Polle and Wonei Islands in the Faichuk area of the Truk Lagoon, and to submit a proposal to the Congress of Micronesia by December 31, 1975.

Representative Haruo moved for adoption of H.J.R. No. 6-31, H.D.1; Floor Leader Tman seconded, and the Chief Clerk read the title.

Floor Leader Tman: Point of information, Mr. Speaker: Is the intent of the resolution to request a road connecting those islands?

Rep. Haruo: The resolution asks for a master plan which will require a survey and what not. Subsequently a road will be installed.

The motion to adopt H.J.R. No. 6-31, H.D.1, carried by voice vote.

#### INTRODUCTION OF BILLS

- H.B. No. 6-241: Introduced by: Rep. Tman  
Assigned to: Judiciary and Governmental Relations  
Relating to the Office of Ombudsman, and for other purposes.
- H.B. No. 6-242: Introduced by: Rep. Tman (by request)  
Assigned to: Education and Social Matters/Appropriations  
To establish a Trust Territory Special Education Program, to prescribe its goals and policies, to appropriate funds thereto, and for other purposes.
- H.B. No. 6-243: Introduced by: Rep. Henry (by request)  
Assigned to: Resources and Development  
To protect the endangered species of the Trust Territory of the Pacific Islands and for other purposes.
- H.B. No. 6-244: Introduced by: Rep. Rudimch and Rep. Nakamura  
Assigned to: Resources and Development/Appropriations  
To authorize monies from the General Fund of the Congress of Micronesia to construct and renovate ice and storage facilities in Angaur, Ollei and Koror, Palau District, and for other purposes.
- H.B. No. 6-245: Introduced by: Rep. Aafin (and five others)  
Assigned to: Ways and Means  
To repeal Public Law No. 5-87 in its entirety, and for other purposes.
- H.B. No. 6-246: Introduced by: Rep. Rasa (and three others)  
Assigned to: Education and Social Matters/Appropriations  
To appropriate the sum of \$25,000 from the General Fund of the Congress of Micronesia for various Headstart programs in the Mariana Islands District, and for other purposes.

H.B. No. 6-247:

Introduced by: Rep. Basilius  
Assigned to: Education and Social Matters/Appropriations

To appropriate the sum of \$43,000 from the General Fund of the Congress of Micronesia to defray the cost of tuition and other expenses of Palauan students currently attending schools abroad and who are subject to expulsion if their tuitions and fees are not paid during the current year, and for other purposes.

## INTRODUCTION OF RESOLUTIONS

H.J.R. No. 6-70:

Introduced by: Rep. Basilius  
Assigned to: Resources and Development

Requesting the High Commissioner with the advice and cooperation from Continental/Air Micronesia to undertake a feasibility study of constructing short airstrips in the various major outer islands of the districts of the Trust Territory and of flying smaller aircraft on regular schedules between the district centers and outer island points for carriage of passengers and cargoes.

## MISCELLANEOUS BUSINESS

Floor Leader Tman: Mr. Speaker, I have a prepared statement in support of a bill that I have introduced today. I wish it to be part of the Journal today.

## STATEMENT BY FLOOR LEADER TMAN

Floor Leader Tman: Mr. Speaker and fellow House colleagues: I introduce today an important legislative measure--a bill to create an independent office of ombudsman. As stated in section 2 of the subject bill, the purpose of this legislation is to increase the efficiency and effectiveness of the administration of the Trust Territory Government. An independent ombudsman is charged solely with the responsibility to investigate and to seek effective relief for aggrieved citizens when other protections prove inadequate.

It must be stressed that as an official, an ombudsman is not substitute for good and efficient government and for protections such as administrative appeal procedures or judicial review. However, the ombudsman will be a supplement to those already existing protections and will, at the same time, serve to increase the understanding of the people of Micronesia of the operation of their government and instill in them the sense that their government is indeed responsive to their needs.

The bill is modeled after the Ombudsman Act of the State of Hawaii. It also contains most of the essential features which the administrative law section of the American Bar Association recommended be contained in such an act.

Establishment of an independent office of ombudsman is not new to some members of this Congress. As a matter of fact, it was enacted by the Third Congress of Micronesia in August, 1970, only to be vetoed by the High Commissioner.

My study of the history of then Senate Bill No. 23 reveals that the Administration's position was that "such an office is premature in the Trust Territory." Secondly, the Administration also took a position that, to use the language of the veto message, "in the few countries which have tried this program, those which have been most successful have chosen 'a single individual of great prestige--one who has won such public confidence that his opinions are highly respected.' The selection of the individual who will serve as ombudsman is obviously extremely important--in my opinion, the most important aspect of the whole concept."

I am not convinced, my fellow colleagues, that creation of this all-important office is premature. But if it was indeed premature in 1970, it should not be so after five years have elapsed since.

Neither am I convinced, Mr. Speaker and fellow colleagues, that in Micronesia today, there is no one Micronesian who is, again to quote the substance of the veto message, "A single individual of great prestige--one who has won such public confidence that his opinions are highly respected."

I urge this Congress to deliberate conscientiously on this measure and if we are convinced that its merits outweigh the concerns of the Administration, let us enact it the second time around.

I thank you Mr. Speaker and fellow House colleagues for your attention.

#### ANNOUNCEMENTS

Vice Speaker Silk: Mr. Speaker, your Joint Committee on Future Status will meet at 1:00 this afternoon in the Senate Chamber. I again request the members to please attend, as it is an important meeting.

Rep. Basilius: Mr. Speaker, before I make an announcement, I would like to ask the Speaker to treat the invitation of High Chief Ibedul and High Chief Reklai seriously. I hope the members of the House will be able to participate in these events.

Your Committee on Judiciary and Governmental Relations will have a public hearing at 1:00, and also at 3:00 this afternoon, and at 7:00 tonight. I would like to urge the members to be present at these public hearings.

Speaker Henry: May I just say that the letter was a very good letter, and we are going to be considering the invitation very seriously.

Rep. Setik: Your Committee on Appropriations once again will have a public hearing in Conference Room 2 at 1:00 this afternoon on House Bill No. 6-181, No. 6-203, and No. 6-67. I also urge the members to please be present.

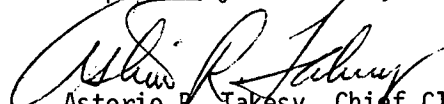
Rep. Sigrah: Your Committee on Education and Social Matters will have an executive meeting at 2:00 in Conference Room No. 1.

Rep. Moses: Ways and Means will meet in public hearing tonight at 7:00.

Floor Leader Tman: Mr. Speaker, I request the Chairman of Judiciary and Governmental Relations to pardon me because J.G.R. and Appropriations Committee are meeting beginning at 1:00 and I wish to meet in the Appropriations Committee.

There being no further announcements, Floor Leader Tman moved that the House stand in recess. Vice Speaker Silk seconded, and the motion carried. The Speaker declared the House recessed at 11:20 a.m. until 10:00 a.m., Thursday, February 20, 1975.

Respectfully submitted,

  
Asterio R. Takesy, Chief Clerk  
House of Representatives