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FM HICOMTERPACIS SAIPAN MARIANAS ISLANDS

TO ZEN/ALDISTADS TERPACIS

ZEN/TT LNO GUAM MARIANAS ISLANDS

RUHDBAA/TT LNO KWAJALEIN MARSHALL ISLANDS

RUHJHNA/COMNAV MARIANAS GUAM MARIANAS ISLANDS

RUHJHNA/CINCPACREP GUAM/TTPI GUAM MARIANAS ISLANDS

RUHGHQA/CINCPAC HONOLULU HI

RUHGHQA/INTELLIGENCE CENTER PACIFIC (IPAC)

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RULSAAA/NAVFACENGCOCOM ALEXANDRIA VA

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RUEBJGA/COMDT COGARD WASHINGTON DC

RUWTFBA/FCDNA-LGA KIRTLAND AFB NM

RHAIBQA/CDRUSAGO MAKIMINATO JAPAN/TTPI-LNO//

RUEHBAC/AMEMB CANBERRA ACT AS

RUEHKO /AMEMB TOKYO JA

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RUHJGAA/COMCOGARD MARSEC GUAM

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SECTION 01-OF 02  
 SECSTATE PASSES TO DEPT INT/SEC INTERIOR/DOIA OSN  
 AMEMBASSY CANBERRA FOR PAC. ISL. MONTHLY  
 (200-MILE ECONOMIC ZONE BILL VETOED)  
 SAIPAN, FEBRUARY 25 (MNS)---AS EXPECTED, A BILL TO  
 ESTABLISH A 200-MILE ECONOMIC ZONE FOR MICRONESIA (SB 7-18)  
 WAS VETOED BY ACTING HIGH COMMISSIONER J. BOYD MACKENZIE, LATE  
 THURSDAY AFTERNOON.  
 IN HIS LETTER TO THE PRESIDING OFFICERS OF THE CONGRESS OF  
 MICRONESIA DATED FEBRUARY 24TH, MACKENZIE SAID HE VETOED THE  
 BILL WITH "REGRET AND DISAPPOINTMENT" BECAUSE THE CONGRESS OF  
 MICRONESIA DID NOT SEE FIT TO INCORPORATE INTO THE BILL  
 AMENDMENTS AND SUGGESTIONS FROM THE ADMINISTRATION AND THE  
 UNITED STATES GOVERNMENT.  
 THE NEWLY APPOINTED ACTING HIGH COMMISSIONER CITED TWO  
 OF THE "MOST FUNDAMENTAL ASPECTS" IN THE BILL WHICH ARE  
 UNACCEPTABLE TO THE ADMINISTRATION AND THE U.S. GOVERNMENT.  
 THEY INCLUDE SECTIONS WHICH WOULD ALLOW DIRECT NEGOTIATIONS  
 BETWEEN THE MICRONESIAN MARITIME AUTHORITY AND FOREIGN NATIONS,  
 OR FOR APPROVAL OF INTERNATIONAL AGREEMENTS BY THE CONGRESS OF  
 MICRONESIA. "UNDER THE TRUSTEESHIP AGREEMENT," MACKENZIE  
 POINTED OUT, "AUTHORITY TO CONDUCT MICRONESIAN FOREIGN AFFAIRS  
 IS RESERVED TO THE UNITED STATES GOVERNMENT."  
 THE SECOND OBJECTION OF THE U.S. GOVERNMENT AND THE  
 ADMINISTRATION AAS WITH RESPECT TO REGULATING THE "HIGHLY  
 MIGRATORY SPECIES WHICH IS TUNA. UNDER THE PROVISIONS OF THE  
 BILL, TUNA, WHICH IS CONSIDERED A HIGHLY MIGRATORY SPECIES,  
 SHOULD BE REGULATED BY INTERNATIONAL AGREEMENTS. BUT PRIOR TO  
 THE TIME WHEN SUCH AGREEMENTS TAKE EFFECT, THE "INTERIM  
 JURISDICTION" LIES WITH THE GOVERNMENT OF MICRONESIA. ALTHOUGH  
 THE U.S. GOVERNMENT WELCOMES THE BILL'S REFERENCES TO  
 INTERNATIONAL FISHERY AGREEMENTS, "IT CANNOT ACQUIESCE IN THOSE  
 PROVISIONS OF THE BILL WHICH ASSERT AN INTERIM JURISDICTION  
 OVER SUCH SPECIES."  
 ACCORDING TO THE CONGRESS OF MICRONESIA'S HOUSE COMMITTEE  
 ON RESOURCES AND DEVELOPMENT, THE U.S. "IS VERY MUCH ALONE  
 IN THE WORLD OF NATIONS" IN REFUSING TO RECOGNIZE ASSERTION OF  
 JURISDICTION OVER HIGHLY MIGRATORY SPECIES.  
 THE ACTING HIGH COMMISSIONER STATED THAT SOME OF THE  
 PROVISIONS IN THE BILL NEED MODIFICATION. REFERENCE TO THE

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MARINE MAMMALS PROTECTIVE ACT UNDER THE U.S. CODE APPLIES TO THE TRUST TERRITORY.

THE SECTION DEALING WITH IMPRISONMENT FOR OFFENDERS OF THE LAW SHOULD ALSO BE DELETED IN THAT IT IS LIKELY THAT ANY LAW OF THE SEA CONVENTION WILL STIPULATE THAT OFFENSES MAY NOT BE PUNISHED BY IMPRISONMENT "EXCEPT WHERE AGGRAVATING CIRCUMSTANCES EXIST."

REFERENCES TO MILITARY COMPONENTS SHOULD BE REMOVED FROM THE BILL. MACKENZIE STATED IN HIS LETTER, SINCE THE U.S. DEPARTMENT OF DEFENSE IS RESTRICTED BY U.S. LAW AND REGULATIONS FROM ENFORCING THE U.S. AS WELL AS MICRONESIAN CIVIL LAW.

THE ACTING HIGH COMMISSIONER INFORMED THE PRESIDING OFFICERS OF THE CONGRESS THAT THE ATTORNEY GENERAL AND THE STATUS LIAISON OFFICER WILL REMAIN AVAILABLE TO WORK WITH THE CONGRESS TO ATTEMPT TO MODIFY THE BILL WHICH WOULD BE ACCEPTABLE TO BOTH SIDES.

(SENATE KILLS IMPORT TAX MEASURE)

SAIPAN, FEBRUARY 25 (MNS)---THE SENATE FRIDAY AFTERNOON (FEB. 25) DEFEATED A BILL TO UTILIZE AN IMPORT TAX AS A MEANS ON DIRECTING THE DEVELOPMENT OF MICRONESIA, (SB 7-94). THE MAJORITY VOTE NEEDED TO PASS THE MEASURE LACKED ONE VOTE, WITH THREE OF THE NINE SENATORS PRESENT VOTING AGAINST THE BILL.

THE BILL WAS DEFEATED IN SPITE OF THE RECOMMENDATIONS OF THE WAYS AND MEANS COMMITTEE THAT IT BE ADOPTED. THE COMMITTEE HEADED BY SENATOR BAILEY OLTER OF PONAPE, STATED IN ITS REPORT TO THE SENATE THAT IN MICRONESIA, "EXPORTS EXCEED IMPORTS AT A RATIO OF ABOUT SIX TO ONE. BY MANIPULATING IMPORT TAXES, CERTAIN FOREIGN IMPORTS CAN BE DISCOURAGED AND HOPEFULLY, DOMESTIC PRODUCTION STIMULATED AND IMPORT SUBSTITUTION INDUSTRIES ENCOURAGED." THE REPORT ALSO SAID THAT THE BILL WOULD RAISE MORE REVENUE THAN CURRENTLY IS COLLECTED UNDER THE PRESENT LAW.

THE SENATORS ALSO VOTED TO OVERRIDE THE HIGH COMMISSIONER'S VETO OF A BILL WHICH SEEKS TO ESTABLISH A 200-MILE ECONOMIC ZONE IN MICRONESIA, (SB 7-18). THE BILL WAS SENT TO THE HOUSE FOR ITS APPRAISAL OF THE MATTER. ACTING HIGH COMMISSIONER J. BOYD MACKENZIE VETOED THE BILL THURSDAY (FEB. 24) (SEE PRECEDING STORY). IF THE HOUSE OF REPRESENTATIVES VOTED TO OVERRIDE IT, IT WILL GO TO THE SECRETARY OF THE INTERIOR FOR FINAL DISPOSITION.

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THE SENATORS APPROVED AND SENT TO THE HIGH COMMISSIONER A BILL RELATING TO SERVICE O PROCESS OUTSIDE THE TRUST TERRITORY, (SB 7-134). SERVICE O PROCESS, ACCORDING TO THE REPORT OF THE JUDICIARY AND GOVERNMENTAL OPERATIONS, IS THE PROCESS OF NOTIFYING A DEFENDANT OF THE CLAIM OR CHARGE AGAINST HIM SO THAT HE MAY PROPERLY PREPARE HIMSELF TO ANSWER IT. IT IS THIS NOTICE WHICH GIVES THE COURT JURISDICTION TO PROCEED.

ALSO SENT TO THE HIGH COMMISSIONER WAS AN APPROPRIATION BILL IN THE SUM OF \$2,000 TO SUPPLEMENT THE TRAVEL EXPENSES OF THE AUTHORIZED ANGAUR REPRESENTATIVE TO WASHINGTON D.C., FOR THE ANGAUR PHOSPHATE CLAIMS SETTLEMENT, (SB 7-71).

THE HOUSE OF REPRESENTATIVES AGAIN POSTPONED ACTION UNTIL SATURDAY (FEB. 26) ON THE CONTROVERSIAL INCOME TAX MEASURE, (SB 7-93).

THURSDAY EVENING (FEB. 24) THE MEMBERS SUDDENLY ADJOURNED PRIOR TO DISCUSSING THE TAX BILL. IT WAS NEXT ON THE CALENDAR FOR CONSIDERATION ON SECOND AND FINAL READING. AFTER THE HOUSE VOTED TO POSTPONE ACTION, WAYS AND MEANS CHAIRMAN EDGAR EDWARDS OF PONAPE REQUESTED THE MEMBERS TO SUBMIT WHATEVER AMENDMENTS THEY HAVE FOR THE COMMITTEE TO WORK ON.

FRIDAY AFTERNOON, REI. KUNINO NAKAMURA OF PALAU INQUIRED ABOUT THE COMMITTEE REPORT ON WHAT HE CALLED "A VERY IMPORTANT MEASURE."

REP. EDWARDS REPLIED THAT HIS COMMITTEE CONCURRED WITH THE SENATE WAYS AND MEANS COMMITTEE REPORT ON THE BILL. ALSO, THERE ARE SOME AMENDMENTS WHICH THE COMMITTEE MADE ON THE

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ENATE VERSION OF THE BILL.

REP. LAMBERT AAFIN THEN SUGGESTED THAT SINCE THE BILL WILL INVOLVE WAGE EARNERS IN MICRONESIA, IT SHOULD BE POSTPONED UNTIL SATURDAY MORNING. HIS MOTION PASSED.

REP. EDWARDS THEN REPEATED HIS REQUEST THAT ANYMEMBER WISHING TO MAKE AMENDMENTS SUBMIT THEM TO THE COMMITTEE FOR CONSIDERATION.

THE HOUSE ALSO PASSED AND SENT TO THE SENATE ALL THE DISTRICT APPROPRIATIONS FOR VARIOUS PUBLIC PROJECTS AND PURCHASES TOTALLING \$1,314,000. THEY INCLUDE \$200,000 EACH FOR KOSRAE, TRUK, YAP, PONAPE, AND PALAU, (HB 7-233, 7-4, 7-211, 7-206, 7-149) RESPECTIVELY; AND \$314,000 FOR THE MARSHALLS DISTRICT, (HB 7-160).

TWO OTHER APPROPRIATION MEASURES IN THE SUM OF \$288,060: BENCHMARKING FUNDS FOR SCHOOL BUSES FOR THE DISTRICTS OF KOSRAE, PALAU, TRUK AND THE MARSHALLS, (HB 7-232), AND \$20,000 FOR MAINE TRANSPORTATION SCHOLARS IIS (HB 7-700) PASSED SECOND READING AND WERE SENT TO THE SENATE FOR FURTHER CONSIDERATION.

THE FOLLOWING BILLS WERE ALSO SENT TO THE SENATE: A BILL TO CHANGE CURRENT TRUST TERRITORY LAW WITH RESPECT TO THE DISPOSITION OF FUNDS REALIZED FROM THE FORFEITURE AND SALE OF VESSELS SEIZED OR THE FUNDS REALIZED FROM THE OUT OF COURT SETTLEMENT OF SUCH CASES SO THAT THE FUNDS BE GIVEN TO THE DISTRICT TREASURER INSTEAD OF THE TT TREASURER, (HB 7-116); AND A BILL TO AUTHORIZE AN APPROPRIATION NOT TO EXCEED THE SUM OF \$1 MILLION FOR LOANS AT THE MICRONESIA DEVELOPMENT BANK,

(HB 7-28) AND A NATURALIZATION BILL, (HB 7-186).

PASSED AND SENT TO THE HOUSE WAS A BILL TO PROMOTE INVESTMENTS BOTH FOREIGN AND MICRONESIAN IN MARINE RESOURCES PRODUCTION, AGRICULTURE, MANUFACTURING, TOURISM, CONSTRUCTION, AND TRANSPORTATION, (SB 7-19). THE PURPOSE OF THIS BILL IS TO PROVIDE VARIOUS INCENTIVES TO PROMOTE INVESTMENTS.

A BILL APPROPRIATING THE SUM OF \$125,678 WAS RECOMMITTED TO THE WAYS AND MEANS COMMITTEE FOR FURTHER STUDY, (HB 7-167). (HARLAN REPORT UNACCEPTABLE--- ISMAEL)

SAIPAN, FEBRUARY 25 (MNS)--- THE DRAFT RECOMMENDATIONS OF DR. DOUGLAS HARLAN'S REPORT WITH RESPECT TO THE CONSTRUCTION OF

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A FOUR-YEAR COLLEGE OF MICRONESIA IS "TOALLY UNACCEPTABLE TO THE PEOPLE OF MICRONESIA", DECLARED SENATOR HIROSI ISMAEL OF KOSRAE. SENATOR ISMAEL, CHAIRMAN OF THE SENATE COMMITTEE ON EDUCATION AND SOCIAL MATTERS, SPOKE PRIOR TO ADOPTION OF A SENATE JOINT RESOLUTION REQUESTING THE U.S. CONGRDSS TO TAKE THE "NECESSARY STEPS" IN APPROPRIATING TH FUNDS AUTHORIZED UNDER U.S. PUBLIC LAW 93-205 IN ORDER TO PROCEED WITH THE CONSTRUCTION OF FACILITIES FOR THE COLLEGE OF MICRONESIA. (SJR 7-31).

ACCORDING TO THE RESOLUTION, THE DRAFT RECOMMENDATIONS ARE "BIASED AND NOT IMARTIAL SINCE THEY REPRE ENT THE PRCONCIEVED NOTIONS OF THE OFFICE OF TERRITORIAL AFFAIRS..." IT FURTHER STATES THAT THE TERRITORIAL AFFAIRS OFFICE IS "ON RECORD" OPPOSING THE CONSTRUCTION OF A COLLEGE IN MICRONESIA. NAVERTHELESS, THE AUTHORIZING LEGISLATION PASSED THE U.S. CONGRESS OVER DOA'S "STRONG OPPOSITION."

SAYING THAT DR. HARLAN WAS SELECTED BY FORMER DIRECTOR O TERRITORIAL AFFAIRS FRED H. ZEDER TO PREPARE A REPORT ABOUT THE ESTABLISHMENT OF THE COLLEGE, SENATOR ISMAEL SAID HE IS NOT SUPRISED WAT THE DRAFT RECOMMENDATIONS "DO NOT REP ESENT AN HONEST, OBJECTIVE ATTEMPT TO EXRCISE HIS BEST PROFESSIONAL JUDGEENT. RATHER, HIS RECOMMENDATIONS REFLECT THE BIASED, UNCOMPROMISING AND PRECONCEIVED NOTIONS OF THE OFFICE OF TERRITORIAL AFFAIRS."

SENATO IEHSI, WHU IS ALSO A MEDICAL DOCTOR, TOLD THE SENATURS THAT HIS EDUCATION AND SOCIAL MATTERS COMMITTEE MADE NUMEROUS POPOSALS AS A "COMPROMISE" BUT DR. HARLAN "FLATLY REJECTED" THEM.

DR. HARLAN'S MANNER IN REJECTING COMMITTEE PROPOSAL CONCERNING HE COLLEGE OF MICRONESIA WAS 3FLAT, CONDESCENDING AND UNSYMPATHETIC," RESULTING IN SOME COMMITTEE MEMBERS REFUSING TO ATTEND FURTHER MEETINGS WIT HIM, SENATOR ISMAEL SAID.

THE DUCATION AND SOCIAL MATTERS COMMITTEE FELT THAT FURTHER MEETINGS WITH DR. HARLAN WERE "FUTILE" SINCE HIS MIND WA "MADE UP AND HE WAE UNCOMPROMISING AND INTRANSIGENT. HE TALKED AT US, NOT WTH US," SENATOR ISMAEL POINTED OT.

THE KOSRAEAN SENATOR ACCUSED DR. HARLAN OF COMING TO MICRONESIA TO ENGATE IN A "MONOLOGUE RATHER THAN A MEANINGFUL DIALOGUE," SAID SENATOR ISMAEL: "HE CAME WITH A CLOSE MIND WHICH WAS NOT OIEN TO COMPROMISE OF ANY SORT. HE CAME TO LECTURE TO US ON WHAT HE HAD DONE ON 'OUR-BEHALF.' HE WAS NOT ANXIOUSTO LISTEN.

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HE CAME TO TELL US WHAT HE HAD ARRANGED IN WASHINGTON AND THEN FLATLY STATED THAT HE COULDN'T GUARANTEE THAT HE COULD SUCCESSFULLY ALTER THESE ARRANGEMENTS NOW. HE LEFT VIRTUALLY NO ROOM FOR INPUT FROM THE CONGRESS OF MICRONESIA."

DR. HARLAN RECOMMENDED THAT NONE OF THE \$8 MILLION SHOULD BE USED FOR CONSTRUCTION OF FACILITIES USING THE LACK OF RELEVANT CURRICULUM AS AN "EXCUSE."

BUT IF THIS WAS HIS ONLY REAL CONCERN," SENATOR HIROSI ISMAEL NOTED, "THEN HE WOULD HAVE ACCEPTED ONE OF THE MANY COMPROMISE SOLUTIONS WHICH WE PROPOSED."

THUS, SENATOR ISMAEL RECOMMENDED THAT THE CONGRESS "TAKE ITS CASE TO OTHER FORUMS SUCH AS THE WHITE HOUSE AND THE UNITED STATES CONGRESS."

THE SENATE THEN UNANIMOUSLY ADOPTED THE RESOLUTION AND SENT IT TO THE HOUSE.

(NOTE TO EDITORS AND NEWS DIRECTORS: BOTH HOUSES OF CONGRESS EXPECTS TO MEET DURING THE WEEKEND. PLEASE CHECK YOUR COMSTATIONS FOR MICRONESIAN NEWS SERVICE DISPATCHES FR FEB. 26 AND FEB. 27).



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