



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

August 15, 1973

Subject: Notes Prepared for Meeting with Senator Salii/
Mr. J.M. Wilson, Jr.,

Date: July 30, 1973

Points to be covered:

- Regret no July meetings with Lazarus Salii and Eddie Pangelinan.
- Here at F.H. William's request to see if we can't work our way around current situation and get on with job to pursue status matters, not get involved in legal wrangle over legislative vs. executive prerogatives.
- Question raised one of fundamental importance but matter for Secretary of Interior and COM not status negotiators.
- No need for direct confrontation between status elements - would like to avoid this if at all possible.

Believe it would help in understanding situation if JCFS knew what F.H. Williams and U.S. Government thinking. F.H. Williams would have reviewed all this at July meeting.

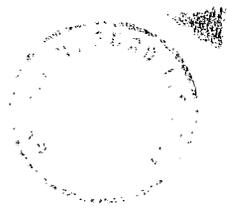
- Nothing secret or restricted about what we are doing and wish to be just as forthcoming as possible - but we are after all still conducting a serious negotiation.
- Following pattern outlined earlier to Lazarus Salii.
- JCFS welcome to all information we have - both of us working on a common problem.

- Appreciate all the work JCFS has already done, but both sides need to study a very complicated problem.
- U.S. does have real responsibilities as administering authority. Takes obligations to people under U.S. Agreement very seriously. As administering authority hold public lands through HICOM and TT Administration in trust for the people. Has obligation to see it exercises that trust properly. COM also has well recognized legislative responsibilities regarding public land which no one is contesting. All this is quite aside from argument over how USG/TTPI Administration/COM are related. U.S. needs to make sure it has considered every possible angle or problem before making final decisions.
- Want to share information as much as possible but believe opinions and advice given us (and to JCFS) were given in confidence must be respected by other side - quite apart from local issues of prerogatives.
- This is so in any negotiation whether domestic or international.
- Bad form "internationally, for example, to grill other sides' advisors on what they said to principals - a matter of principle. (Nor do we grill TT people when they have given advice in good faith to COM).

This is all background for major decisions on both sides. Both side clearly have need for best possible advice from all sources. Both parties have a right to this sort of advice and an obligation to seek it.

Would like to explain exactly what we are doing and what we expect to do on land question. This includes specifically what we did with the Y,N,R, in substantive terms and information we got from them.

- Step one. - Preliminary inquiries after Feb./March letters - need to shift gears.
- Preliminary soundings in Saipan following Honolulu FHW/LS meeting.
- Included Wyman Zachery other land experts in TT Headquarters.



- Earlier conversations with Mike Kilian from Palau in Washington before Honolulu.
- Conversations at all levels - HICOM on down.
- Also talked to several Micronesians in Washington and Saipan including several members of COM - discussed of course with MSC.
- Development of questions put to JCFS in May 9 memo.
- Step Two - Preliminary Study in Washington.
 - Three part outline of talking points as first step in preparation of others (for Eddie Pangelinan: rather like "talking point" outline given MSC in April)
- Part One
 - Current situation
 - General
 - Responsibilities of various parties U.S./COM/TTPI.
 - Authorities under which each district leaders operate.
 - Limitations
 - Interests of each.
 - For each District
 - Amounts of land with public lands
 - Homesteads
 - Claims
 - Attitudes
 - Land management
 - Settlement of disputes
 - Eminent domain
 - Responsibility for TT property and leases
 - Rival Claims
 - Differences in traditional attitudes
 - "Community Property"
 - Used and unused public land((Shift in JCFS position)

- Part Two
 - General and special problems and issues.
- Part Three - Alternative solutions to problems and issues.
 - All based on proposition that land would be returned at early date to districts per JCFS request.
 - Study done by OMSN with participation of Interior, State, Defense and JCS.
 - Consultations at all levels of expertise in Washington.
 - Further discussion with HICOM and decision to seek best possible expert advice from TT Administration in final preparation of preliminary study.
 - HICOM recommended YNR asked Acting HICOM to get them on their way.
 - Gave them copy of May 9 memo to study enroute to Washington - used as preliminary basis for discussions.
 - Met with YNR in Washington on arrival.
 - FHW and interagency group.
 - Outlined task at hand.
 - Over series of day long meetings reviewed in detail outline of talking points.
 - At conclusion asked for paper summarizing discussions; part to be done by OMSN and Interior Part by YNR. (Followed part outline).
- Papers done and discussed
 - Included variety of opinions and arguments on multitude of facets of problems involved.
 - No final conclusions.
 - An internal working paper.
 - This is paper JCFS had demanded to see.

- Sent YRN home with thanks for adding greatly to our education.
- We hope JCFS will follow much the same course, but realize it may reach other conclusions.
- What are we doing now?
 - Have taken YNR paper along with others and refined it down to a new talking paper following same three point outline as original.
 - From that have developed series of questions to which we still need answers from people of various levels.
- Still do not feel confident we have all the information we need.
- Grateful that JCFS doing same thing and applaud ~~eff~~ efforts at increasing common flow of information.
- Want to make sure on important and highly complicated matter such as this - that we have all the info available and are seized of all problems and issues.
- Taking Rice along as resident expert.
- Will be then ready to make up our minds on what we want to say to JCFS officially.
- Assume JCFS doing something and wants to have same information and same assurance...no stone left unturned to protect interests of all parties concerned.
- Therefore welcome cooperative effort.
- Suggest we bury hatchet over YNR.
 - Have now given you full explanation.
 - Substantive information will come out completely in subsequent conversations and consultations.
- JCFS welcome to all information we have if this will help their studies.

- 1 -- Will provide our list of problems and issues
(already have preliminary list in May 9 memo).
- Will probably also review alternative solutions
to problems and issues and assume JCFS may have
its own lists.
- BUT HOW WE REACH OUR CONCLUSIONS OR HOW JCFS
REACHES ITS OWN IS OUR BUSINESS ALONE AND JCFS
BUSINESS ALONE. AND THIS INCLUDES ADVISORS
OPINIONS ON SOLUTIONS. OTHERWISE NEITHER SIDE
WOULD GET THE FRANK ADVICE IT MUST HAVE.

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- 1 - Regret no July mtgs IS/EP
- 2 - Work around present impasse and get on with job
 - a - Q important to SecInt/COM not status
 - b - No need for direct confrontation
- 3 - JCFS should know what FHW & USG thinking
 - a - No secret - JCFS doing same
 - b - Common problem
- 4 - US responsibilities as adm. authority
 - a - Obligations to all people
 - b - COM's responsibilities also recognized
- 5 - Want to share info not advice
 - a - Respect confidence of advisors
 - b - Tone in any negotiation, domestic or international
 - (1) Diplomats don't grill each others advisors
 - (2) US doesn't grill TT Admin advisors to COM
- 6 - All background for major decisions - need for info
- 7 - Explain what FHW & Staff doing on land (including YNR)
 - a - Feb/Mar to Honolulu in May
 - b - Local talks in Saipan - Wash - local consultations
 - c - Post Saipan
 - (1) Talking paper - 3 parts
 - (2) HICM & YNR
 - (3) Interagency study - 3 parts
 - (4) Joint Paper - internal working paper
 - d - Preliminary - 3 part study
- 8 - Plans for district discussions

