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DRAFT: JMW:mw: 9/12/73

Memorandum

To: The Secretary of the Interior

From: The PPROMSN

Subject: Return of Public Land to Trust Territory of the Pacific Islands Districts

1. Background

- a. Demand by JCFS for return in Palau.
- b. U.S. response (including DOD position).
- c. JCFS tour.
- d. U.S. survey and results (in attachment).

2. Problem:

- a. To return unused public land to districts that want it, in manner they want it, subject to safeguards during Trusteeship period.
 - (1) TTPI Administration continued use of land.
 - (2) Protection of tenants and leases.
 - (3) Reorganization of land management service with special provision for accelerated cadaster.
- b. To involve COM if possible instead of unilateral U.S. action.
- c. To assure realization of U.S. military requirements pre and post trusteeship.

3. Possible Solutions.

- a. Safeguarding land used by Central Government.
 - (1) Retention versus controlled turn back.
 - (2) Central/District and Municipal holdings.

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Authority: J. Schauble et al., 3/17/88

By: HRC NLF Date: 9/21/99



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- (3) Land needed for immediate future needs.
- (4) Eminent domain.
- b. Protection of individuals and enterprises occupying public land under TT Administration, leases or other occupancy arrangements.
 - (1) Leaseholders.
 - (2) Tenants at will.
 - (3) Homesteaders.
- c. Submerged land problem.
- d. Future land management.
 - (1) Cadastral problem.
 - Role of COM.
 - Need for special U.S. funds on district basis according to need.
 - (2) Other management functions.
 - (3) Claims settlements.

4. Recommendations of COM

- a. (1) "Moral" issues.
- (2) Legislation and TT action versus U.S. Executive Order.
- (3) Nature of action required.
- f. Realization of U.S. military requirements.
 - (1) Palau courses of action.
 - (2) Marianas arrangements.
 - (3) Marshalls problem.

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- g. Role of U.S. Government
 - (1) Special cadastral funds.
 - (2) Military retention lands.

4. Recommendations

- a. Agree to return in principle subject to safeguards above, while assuring U. S. military needs.
- b. Each District free to say how and to whom land to be returned within limits of safeguards.
- c. COM to provide legal basis; otherwise executive order.
- d. U.S. to seek special cadastral funds for Districts.
- e. Reorganize land management for future.

cc: Wilson
Kirby
Scott
Berg
Smith

