



United States Department of the Interior

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WASHINGTON, D.C. 20240

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Encl. by letter  
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LUNA-86-File

Mr. Herbert K. Reis  
Assistant Legal Adviser for  
United Nations Affairs  
Department of State - Room 6418  
Washington, D. C. 20520

Cong. Hugh L. Carey

Dear Mr. Reis:

At an informal hearing before the House Subcommittee on Territorial and Insular Affairs held on March 5, 1970, Congressman Carey asked me if, under the 1947 Trusteeship Agreement with the United Nations Security Council, the United States has the authority unilaterally to determine whether the Trust Territory of the Pacific Islands shall become associated with the United States, be independent or enjoy some other status and to implement such a decision without approval by the Security Council.

A copy of pages 92 and 93 of the transcript at which Mr. Carey's question appears are enclosed for your ready reference.

We believe that this question is more particularly within the competence of the Department of State to answer. Accordingly, we request that you answer Congressman Carey directly. We have advised him of this referral. We would also appreciate it if you could provide us with a copy of your answer.

You will note that if you wish to make your answer confidential it may be sent to the Committee for eyes only with the Congressman's assurance that it will be kept in confidence.

Sincerely yours,

6515

*Elizabeth P. Farrington*

Elizabeth P. Farrington  
Director

LEGAL ADVISER

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1 just wonder if there is anything that you have on your mind  
2 that the Chairman didn't get to touch on that you might like to  
3 cover before we leave?

4 Mr. Johnston. No, I think we have covered the ground  
5 rather thoroughly. Our budgetary requests, we feel, can be sub-  
6 stantiated. They are higher than they have ever been before  
7 but as I have emphasized, it is to allow us to catch up, and we  
8 are hopeful that the ceiling authorization can be raised for  
9 fiscal 1971.

10 Mr. Steiger. Thank you, Commissioner.

11 That's all I have.

12 Mr. Carey. Mrs. Farrington, before we conclude, there is  
13 one question I would like to refer to the Department and get an  
14 answer before we get to status. That is, I have reached, or at  
15 least I have come to a point where at least one observer who is  
16 a British subject and worked on the problem of non-self-govern-  
17 ing territories in the United Nations, has divided the question  
18 at least, he's on one side and I'm on the other, in regard to  
19 what we may be able to do in terms of status. And the question  
20 I would like to have an opinion from the Department on is this:

21 Do we possess, as the strategic trustee of the Trust  
22 Territory of Micronesia, under the terms of our trust agreement  
23 with the United Nations, the power and authority to determine  
24 status questions for ourselves in terms of associating with the  
25 United States or becoming independent or finding another

1 solution to the status, and to implement such a decision with-  
2 out the approval of the Security Council?

3 Mrs. Farrington. I will have to provide you with that  
4 answer, Mr. Chairman. It has been very much discussed within  
5 our own agency.

6 Mr. Carey. Well, if you want to make it confidential and  
7 send it to the Committee for our eyes only, I assure you it  
8 will be kept in confidence, but we would like an answer or at  
9 least an opinion on that question from the Department.

10 Mrs. Farrington. Yes.

11 Mr. Carey. Mr. McClure, I know you wanted to greet our  
12 visitors here today.

13 Mr. McClure. Yes. Thank you, Mr. Chairman. I appreciate  
14 the appearance of the Commissioner and Mrs. Farrington before  
15 us this morning.

16 I had a couple of questions. Has anything been done about  
17 the dispensary or the hospital on Kusaie? Has that been  
18 replaced?

19 Mr. Johnston. Yes. The Kusaie hospital is in our fiscal  
20 1971 budget request.

21 Mr. McClure. The second question: Specifically, if I  
22 recall correctly, in your testimony you indicated that the old  
23 SA-16's were being released from service and that you're going  
24 to rely upon the services given by the commercial airlines  
25 if I recall correctly outside of the Carolines, are you correct?