

FROM: HIA Almond, Jr. / OAGC (IA) / #247

CLASSIFICATION: Unclassified

DATE: 29 Oct 73

C. R. Capt. Edward C. Whelan, EA&PR, ISA / cy for 40826

C. R. Mr. P. E. Barringer, FMBA, ISA-40820 57

REFERRED			
ISSUE DATE			
DUE DATE			

SUBJECT: Revision of the Draft Compact - October 26, 1973

SIGNATURE

CONTROL REFERENCE

SD FORM 1 JUL 53 59 (9 PARTS)



DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
WASHINGTON, D. C. 20301

I-12288

29 October 1973

Ziti Mariani

MEMORANDUM FOR CAPTAIN EDWARD C. WHELAN
EA&P REGION, ISA

SUBJECT: Revision of the Draft Compact - October 26, 1973.

With respect to the above:

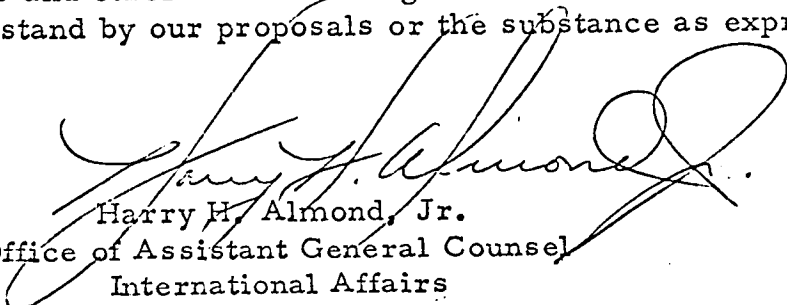
1. I believe that we should stand by our comments as set forth.

2. However, as to Section 1001, change language, concerning environment to read:

"....protect the surrounding environment from permanent or irreparable damage by adherence to standards established by United States law, but taking into account Micronesian conditions in their application."

Reason. The present formulation tends (a) to provide for meeting in terms of a minimum standard, those standards no less favorable than established by United States law, and these may prove in practice to be onerous to both Micronesia and the United States; (b) the present formulation does not establish an application of such standards in terms of - or through taking account of - Micronesian conditions, which may differ from United States conditions.

3. With respect to MFN treatment: The State proposal is too limiting, since it equates trade and commerce which may include services and other features to "goods" alone. Hence I recommend we stand by our proposals or the substance as expressed in them.


Harry H. Almond, Jr.
Office of Assistant General Counsel
International Affairs

cc: Mr. P. E. Barringer, FMRA, ISA

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