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September 27, 1974

Mr. James Wilson
Office of Micronesian Status Negotiations
Department of the Interior
Room 3356
Washington, D. C. 20240

Dear Jim:

During the presentation by Mr. Markon at today's meeting of the Joint Land Negotiating Committee the issue of the United States Government's rights under the Use and Occupancy Agreements arose once again. Mr. Markon stated that the government's position is that the Use and Occupancy Agreements provide it with rights which extend beyond the termination of the Trusteeship. Mr. Markon also said that the Executive Branch had on several occasions made representations to Congress that the United States Government "owned" these so-called military retention lands.

I requested that Mr. Markon or Mr. Rice provide us with a legal memorandum explaining and justifying the government's position. I told them that I assumed that this memorandum would include a list of the occasions on which representations were made to Congress concerning the government's rights in these lands. On behalf of the Marianas Political Status Commission, I am formally notifying you of this request and asking your cooperation in seeing that it is fulfilled.

As I told Messrs. Markon and Rice today, we are in the process of preparing for the Commission a legal memorandum.

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concerning the United States Government's rights under the Use and Occupancy Agreements in light of the Trusteeship Agreement. If the Commission authorizes me to do so, I will be glad to make the memorandum available to the United States Delegation for your review and response in advance of the next session of negotiations.

Sincerely,

Howard P. Willens