



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

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DGL-T:CBC 95228

Dear Ms. Quinn:

This responds to your letter of March 20, 1975, concerning the applicability of Federal anti-discrimination laws to the Trust Territory of the Pacific Islands.

You are quite correct in your conclusion that such legislation does not apply to the Trust Territory. The reason for this is that the Trust Territory is not a territory or possession of the United States and the United States claims no sovereignty over the area. We simply administer it under the provisions of a Trusteeship Agreement with the United Nations Security Council. Article 3 of the Agreement gives us, among other things, the right to extend our laws to Micronesia. This provision is not self-implementing. In other words, the U.S. Congress must specifically include the Trust Territory before a U.S. law will be applicable there. Congress has not seen fit to do this. Perhaps the principal reason that Congress is reluctant to legislate for Micronesia is that it is looking to the day when, pursuant to Article 6 of the Agreement, the Micronesians may elect to have a nation of their own with their own laws, suited to their own particular cultural, ethnic and economic way of life. Of course, in accordance with the mandate of Article 76c of the Charter of the United Nations, as the Administering Authority, we "encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion...".

Sincerely yours,

ERS

Secy File
ADOTA Reading (Pink)
DGL Chron/Reading
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Emmett H. Rice
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