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COMMUNICATION FROM THE SENATE, CONGRESS OF MICRONESIA, CONCERNING  
THE TRUST TERRITORY OF THE PACIFIC ISLANDS

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THE SENATE

Congress of Micronesia .

Kolonia, Ponape 96941

THE SENATE

SEVENTH CONGRESS OF MICRONESIA  
SECOND SPECIAL SESSION, 1978

31 October 1978

The President  
Trusteeship Council  
United Nations  
New York, N.Y. 10017

Dear Mr. President:

I transmit herewith a certified copy of Senate joint resolution  
No. 7-99, S.D.1, which was adopted by the Seventh Congress of Micronesia, second  
special session, 1978.

Respectfully,

(Signed) Nishima E. SIRON  
Clerk of the Senate

SENATE JOINT RESOLUTION

Urging the United States Secretary of the Interior to amend the Interim Secretarial Order of 29 September 1978, relating to the Government of the Trust Territory of the Pacific Islands.

WHEREAS, the United States Secretary of the Interior has issued an Interim Secretarial Order dated 29 September 1978, relating to the structure of government in the Trust Territory; and

WHEREAS, this order abolishes such major legislative powers as those of advising and consenting to the appointment of high executive officials at headquarters, establishing salary plans for headquarters personnel, approving the administrative structure of headquarters and reviewing and making recommendations on the budget request covering proposed expenditures by Trust Territory Headquarters; and

WHEREAS, the abolition of these legislative powers would constitute a serious curtailment of the present level of self-government in Micronesia; and

WHEREAS, proposed language to amend these deficiencies was approved by representatives of the Commission on Future Political Status and Transition, the Marshall Islands District, the Palau District, and the Administration of the Trust Territory, and was delivered to representatives of the Secretary of the Interior before the interim secretarial order was issued, but the Secretary nevertheless issued the order without making these changes; and

WHEREAS, the omission of certain other suggested provisions from the order may create unnecessary obstacles to the transition to constitutional government in the future Federated States of Micronesia; and

WHEREAS, these serious defects in the interim secretarial order are not related to the review of the results of the constitutional referendum of 12 July 1978, but these defects will subsist regardless whether the Congress affirms the results of that referendum, as previously certified to it, in any or all of the districts; and

WHEREAS, the interim secretarial order contains no provision for its date of termination, and the possibility therefore exists that this order will remain in effect for as much as a year, or even longer; and

WHEREAS, this Congress earnestly hopes that the Secretary of the Interior, mindful of the obligations assumed by the United States under the Trusteeship Agreement and particularly under section 6, paragraph 1 thereof, will reconsider his decision to exclude from his interim order the provisions alluded to; now, therefore,

BE IT RESOLVED by the Senate, Seventh Congress of Micronesia, second special session, 1978, the House of Representatives concurring, that the Secretary of the Interior is respectfully urged to amend the interim secretarial order, at the earliest possible time, as follows:

"Section 4. Transition in legislative authority

b. (1) The members of the Seventh Congress of Micronesia representing the districts that will constitute the Federated States of Micronesia shall constitute the Interim Congress of the Federated States of Micronesia. A vacancy in membership in either body of the Interim Congress shall be filled by appointment by the Governor or district administrator of the district in which the vacancy has occurred. The appointee shall be a legal resident of the senatorial district or representative district in which the vacancy has arisen and shall be otherwise qualified in accordance with the standards prescribed by part III, sections 6 and 10 of Secretarial Order No. 2918, as amended, to hold the office to which he is appointed. The appointment shall be subject to advice and consent of the district legislature or an authorized committee thereof, provided that the appointment shall be deemed approved if it is not rejected within 15 days of the date of appointment.

...

"(4) In any district to which the Constitution allots more than one two-year seat in the Congress, its legislature shall provide for its apportionment into single member congressional districts no later than 31 January 1979. If a district legislature fails to provide for such apportionment by 31 January 1979, the congressional election for such two-year seats shall be held at large.

"(5) The Interim Congress shall, by statute, set the rate of compensation of the members of the First Congress and the President and Vice President of the Federated States of Micronesia."

...

"Section 8. Trust Territory Headquarters

"Notwithstanding any other provision of this order, the interim Congress of the Federated States of Micronesia shall have the legislative authority of the Congress of Micronesia over matters relating to the executive branch of the Trust Territory Government as provided in part V, section 2, of Secretarial Order No. 2918, as amended, except that the advice and consent authority of the Congress of Micronesia over appointees to Trust Territory-wide positions at the Trust Territory Capital District pursuant to Title 2, section 24, of the Trust Territory Code, as amended by Public Law No. 7-128, shall be vested in a Trust Territory 'Interlegislative Committee' composed of six members, two members appointed by each of the Trust Territory legislatures with an affirmative vote of five members required for approval of any nominee. The members of the Interlegislative Committee shall be appointed by their respective Trust Territory legislatures, or an authorized committee thereof, no later than 31 October 1978. The Interlegislative Committee shall establish its own rules of procedures. Each Trust Territory legislature shall bear the expenses of its members in executing their duties."

/...

BE IT FURTHER RESOLVED that this Congress expresses to the Secretary its profound concern that the interim Order, in its present form, runs contrary to the objectives of promoting the development of the inhabitants of the Trust Territory towards self-government and of developing their participation in government; and

BE IT FURTHER RESOLVED that certified copies of this Senate joint resolution be transmitted to the United States Secretary of the Interior, the President of the Trusteeship Council of the United Nations and the High Commissioner of the Trust Territory of the Pacific Islands.

Adopted: 30 October 1978

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