

DECLASSIFIED

Authority NND 911 018

by GW NARA Date 6-6-88

WILCOX
KNOWLAND

copied

Dear Senator Knowland:

Thank you for your letter of June 19, 1956 regarding the annual reports transmitted by the United States to the Secretary General of the United Nations on the territories of Alaska and Hawaii in accordance with Article 73(e) of the United Nations Charter.

From your letter I see that you feel it was a mistake for us to begin reporting on these territories, and that you believe we should now stop reporting since Alaska and Hawaii have elected their own Legislatures and have adopted Constitutions in anticipation of being admitted to the Union as the 49th and 50th States.

My staff has gone into the background of this question, and I would like to explain why the Government in 1946 thought it advisable to include Alaska and Hawaii among the territories to be reported on. The problem was given careful consideration at the time and it was only after consultations with certain members of the Congress, including Senators Vandenberg and Connally, and with the Department of the Interior, and after obtaining an opinion on the legal status of the territories from the Office of the Legal Adviser of the Department of State, that this decision was taken.

Article 73 of the Charter asks Members of the United Nations "which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government ... to transmit ... information of a technical nature relating to economic, social and educational conditions in the territories for which they are respectively responsible ...". While Alaska and Hawaii have undoubtedly attained a large measure of self-government, it is questionable whether they have attained the "full measure of self-government" referred to in the Charter. It was the

opinion

The Honorable
William F. Knowland,
United States Senate.

DECLASSIFIED

Authority NND 911 018By GW NARA Date 6-6-08

-2-

opinion of the Department's Legal Adviser at the time that Alaska and Hawaii should not be regarded as colonies or possessions in view of their status as incorporated territories, but that they nonetheless appeared to fall within the classification of "non-self-governing" political communities. As you are aware, the Governors of both territories are still appointed by the President subject to confirmation by the Senate; the principal judicial officers of both territories are also appointed by the President; laws enacted by the Territorial Legislatures are subject to the Governors' veto and may be overridden by the Congress of the United States; and while Delegates of Alaska and Hawaii may participate in Congressional debates, they do not have the right to vote.

In addition to these legal considerations it was believed at the time that reporting by the United States on Alaska and Hawaii would enhance United States prestige and might set a precedent for other Members of the United Nations to report on their territories, many of which were not so far advanced as Alaska and Hawaii. I should add that the decision was made in the absence of any agreed United Nations definition of the term "non-self-governing."

When Mr. E. L. Bartlett, Delegate of Alaska, raised the question of reporting with the Department of the Interior, in a letter dated July 16, 1945, the Under Secretary of the Interior, in his reply on July 18, took a position similar to that subsequently adopted by the Department of State. He felt that Alaska and Hawaii should be reported on because they had not attained "a full measure of self-government." In addition he pointed out that the type of information called for by Article 73(e) was by no means as comprehensive as the information that the Department of the Interior publishes each year in its annual report, which is a public document. He also felt that these reporting provisions could not possibly cause any difficulty or embarrassment to this nation or to the territories themselves.

On this latter point I would like to add that reporting to the United Nations on Alaska and Hawaii in no way implies any derogation of the United States Government's sovereignty or responsibility over these territories. The United Nations has no supervisory function over Alaska and Hawaii. It does not make recommendations to the United States concerning the administration of Alaska and Hawaii; in this respect its functions differ from those it exercises over trust territories where, under Article 75 of the Charter, the United Nations does exercise a supervisory function.

I was personally interested in this question at the first session of the General Assembly when I served on the United States Delegation. In a statement to the Fourth Committee of the Assembly

on

DECLASSIFIED

Authority NND 911 018

by GWNARA Date 6-6-08

-3-

on November 7, 1946 I explained the position of the United States in the following terms: "The United States adopted a broad view of its responsibilities under Chapter XI and forwarded to the Secretary General during August of this year information relating to all the non-self-governing territories for which it is administratively responsible. The United States has noted the steps taken by other Members of the United Nations in this regard and is confident that the beginning now being made will grow into a process which will greatly aid the non-self-governing people of the world."

The United States has continued to report on Alaska and Hawaii because there have been no significant changes in the constitutional status of the territories since 1946. As you know, the Constitutions of Alaska and Hawaii, to which you refer in your letter, will not become effective until approved by the Congress. In the case of the Commonwealth of Puerto Rico, on which the United States transmitted its final report in 1952, the new constitutional status led Governor Muñoz-Marín to ask the President of the United States to discontinue the annual reports to the United Nations because the inhabitants of Puerto Rico considered that they had attained a full measure of self-government.

I fully agree that the United States should stop reporting on Alaska and Hawaii at the earliest practicable moment. When we do cease reporting, however, it will be greatly to our advantage if other Members of the United Nations are satisfied with our decision that the two territories have, in the language of the Charter, "attained a full measure of self-government." Our experience with the Puerto Rican case in the United Nations indicates that if we cease reporting on Alaska and Hawaii, without granting the two territories further steps toward self-government, we may be severely criticized. I can assure you, however, that the United States alone has the power to determine the constitutional status of territories under its sovereignty, and that we have consistently maintained this position in the General Assembly.

The grant of statehood to Alaska and Hawaii would provide the best means of convincing other United Nations Members that the two territories have achieved "a full measure of self-government." Such a step would be generally welcomed as a further indication of the traditional attachment of the American people to the principle of self-determination.

For the reasons I have outlined, I hope you will be able to agree that it would be unwise for the United States to stop the

transmission

DECLASSIFIED

Authority NND 911 018

By GWNARA Date 6-6-08

-4-

transmission of information on Alaska and Hawaii until they have made further constitutional advances.

Sincerely yours,

John Foster Dulles

IO:ODA;BGerig:esp
6/26/56

L
Mr. Phlegar

H
Mrs. Miller

Interior
Mr. Lausi