

EXECUTIVE OFFICE OF THE PRESIDENT  
BUREAU OF THE BUDGET  
Washington 25, D. C.

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Mr. Schwartz 04

Mr. Lindholm

March 27, 1962

The Department of the Interior, in consonance with the provisions of Executive Order No. 10006, has presented a proposed Executive order relating to the Trust Territory of the Pacific Islands. With the informal concurrence of a representative of that Department, the draft order has been revised by this Bureau so as to incorporate in it the complete Executive order provisions pertaining to these islands.

I forward herewith copies of the so revised order ("Administration of the Trust Territory of the Pacific Islands by the Secretary of the Interior"), together with copies of the February 26, 1962, letter by which an Assistant Secretary of the Interior transmitted the original proposal to this Bureau.

The Director of the Bureau of the Budget would appreciate receiving an expression of your views with respect to this matter. Assistant Secretary Bunsley has stated, in his transmittal letter referred to above, "We recommend that the draft executive order be signed, if possible before May 31, 1962 . . . ." It has, however, been suggested to us informally, by a representative of the White House Office, that the order should preferably be issued a month earlier than the date indicated above. Accordingly, it is requested that your response hereto be delivered to this Bureau not later than April 13, next.

Sincerely yours,

Arthur B. Fische

General Counsel

Enclosures

Sent to: Defense  
State  
CIA  
AEC

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ADMINISTRATIVE ORDER  
PACIFIC ISLANDS

WHEREAS the Trust Territory of the Pacific Islands was placed under the trusteeship system established in the Charter of the United Nations by means of a trusteeship agreement approved by the Security Council of the United Nations on April 2, 1947, and by the United States Government on July 13, 1947, under due constitutional process (hereafter referred to as the trusteeship agreement); and

WHEREAS the United States of America was designated under the terms of the trusteeship agreement as the administering authority of the Trust Territory referred to above (hereinafter referred to as the trust territory); and

WHEREAS the United States has heretofore assumed obligations for the government of the trust territory and has carried out such government under the provisions of Executive Orders Nos. 9875 of July 18, 1947, 10265 of June 29, 1951, 10428 of November 10, 1952, and 10470 of July 17, 1953; and

WHEREAS thereunder the Secretary of the Navy is now responsible for the government of the Northern Mariana Islands except the Island of Rota and the Secretary of the Interior is responsible for the government of all of the remainder of the trust territory; and

WHEREAS it appears that the purposes of the trusteeship agreement can best be effectuated at this time by placing in the Secretary of the Interior responsibility for the administration of all of the trust territory;

REPRODUCED FROM HOLDINGS OF THE NATIONAL ARCHIVES

1941, and the Act of March 30, 1930 (46 Stat. 239) and (46 Stat. 1311) and as President of the United States, it is ordered as follows:

Section 1. Responsibility of Secretary of the Interior. The responsibility for the administration of civil government in the trust territory is hereby assigned to the Secretary of the Interior. Subject to such policies as the President may from time to time prescribe, and in harmony with applicable law, and, where appropriate, in collaboration with other departments and agencies of the Government, the Secretary of the Interior shall take such actions as may be necessary and appropriate to carry out the obligations assumed by the United States as the administering authority of the trust territory under the terms of the trusteeship agreement and under the Charter of the United Nations: Provided however, that the authority to specify parts or all of the trust territory as closed for security reasons and to determine the extent to which Articles 87 and 88 of the Charter of the United Nations shall be applicable to such closed areas, in accordance with Article 13 of the trusteeship agreement, shall be exercised by the President: and provided further, that the Secretary of the Interior shall keep the Secretary of State currently informed of activities in the trust territory affecting the foreign policy of the United States and shall consult the Secretary of State on questions of policy concerning the trust territory which relate to the foreign policy of the United States, and that all relations between the departments and agencies of the Government and agencies of the

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organs of the United States with respect to trust territory shall be conducted through the Secretary of State.

Section 2. Cooperation with Department of the Interior. The executive departments and agencies of the Government are authorized and directed to cooperate in the effectuation of the provisions of this order as may be requested by the Department of the Interior.

Section 3. Prior orders. To the extent not heretofore superseded or otherwise rendered inapplicable, the following are hereby superseded:

- (1) Executive Order No. 10265 of June 29, 1951.
- (2) Executive Order No. 10408 of November 10, 1952.
- (3) Executive Order No. 10470 of July 17, 1953.

Section 4. Saving provisions. Nothing herein contained shall be construed as modifying the rights or obligations of the United States under the provisions of the trusteeship agreement or as affecting or modifying the responsibility of the Secretary of State to interpret the rights and obligations of the United States arising out of that agreement.

Section 5. Effective date. The provisions of this order shall become effective on July 1, 1962.

THE WHITE HOUSE,

, 1962

19-424186

DEPARTMENT OF THE INTERIOR  
WASHINGTON, D. C. 20540

February 26, 1962

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04

Dear Mr. Ball:

Enclosed are seven copies of a draft executive order transferring administration of the Northern Mariana Islands of the Trust Territory of the Pacific Islands from the Secretary of the Navy to the Secretary of the Interior. We recommend that the draft executive order be signed, if possible before May 31, 1962, the opening date of the Trusteeship Council. The effective date of the order, however, is July 1, 1962.

The administration of the Trust Territory was transferred from the Secretary of the Navy to civilian administration under the Secretary of the Interior by Executive Order No. 10265 of June 29, 1951. Subsequently, the islands of the Northern Marianas, except for the island of Rota, were returned to Navy jurisdiction by Executive Order No. 10463 of November 10, 1952, as amended by Executive Order No. 10470 of July 17, 1953.

The matter of divided administrative responsibility has been kept under study by both Departments and it has now been determined that the Northern Marianas should be returned to Interior. In this connection, we should point out that the Trusteeship Council of the United Nations, which annually reviews our administration of the Trust Territory, has been critical of the "split" administration. During the session of June 1961, after appropriate clearances had been obtained by the State Department, the Trusteeship Council was advised by the High Commissioner that "this matter has been receiving most careful attention at the highest level of our Government and I can now further say that the Departments concerned are agreed in principle that the administration of the Territory should be unified. The detailed steps for bringing about this unified administration are now in process of being worked out."

The Departments of the Navy and Interior are working out the details of the transfer and have recommended July 1, 1962, as the most appropriate transfer date. As we mentioned before, it is hoped that the order can be promulgated before May 31, the scheduled opening date of the Trusteeship Council session.

We have submitted copies of the draft executive order to the Departments of the Navy and State on an informal basis. Both have advised that they have no objections to the order in its present form.

Upon the transfer of the Northern Mariana Islands to the jurisdiction of the Secretary of the Interior, we shall move the Trust Territory headquarters to Saipan as the provisional capital of the territory. Headquarters were initially established in Hawaii and, in 1954, were transferred to Guam as an interim move. The facilities now located on Saipan which are being made available without exchange of funds make the move of Trust Territory headquarters particularly advantageous at this time.

Your favorable consideration of the enclosed draft executive order will be greatly appreciated.

Sincerely yours,

19-424183

/s/

D. C. H. Hensley

Assistant Secretary of the Interior

Honorable David B. Ball

Director, Bureau of the Census

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