



UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF TERRITORIES
WASHINGTON 25, D.C.

J.P. Cooper
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Surname: *Miller*
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TERRITORIES
TO SECRETARY
MAY 13 1966
FOR SIGNATURE

Memorandum

To: Secretary of the Interior
From: Director, Office of Territories
Subject: Damage claims in the Trust Territory of the Pacific Islands

When the Saipan delegation was recently in Washington they presented to us affidavits relating to alleged claims for damages suffered during and after World War II for which compensation allegedly had not been made. In discussing the matter with the delegation, we pointed out that we (the United States Government) regarded World War II damages as the responsibility of the Japanese and stated that the Department of State is responsible for negotiating with the Japanese in an effort to settle those claims. The other category of claims, claims for post war damages we regarded as properly the responsibility of the United States. We stated further that we had understood that the Navy, during its administration of the Northern Mariana Islands, had settled such claims through a land exchange program. The delegation alleged to the contrary.

Attached are two letters to the High Commissioner, dated April 8 and April 12, setting forth at much greater length those discussions and suggesting---since the Saipanese are now publicly and loudly claiming uncompensated damages---that a fact-finding team be designated to investigate the claims currently being advanced. More particularly, I stated to the High Commissioner:

"...we have concluded that we ought to recommend to the Secretary that there be created a three man fact-finding team, such team to go to the Trust Territory, to visit all pertinent districts (all six, if necessary), and to report to the Secretary on the questions whether (1) there exist unpaid claims against the United States for post-secure World War II associated damage, and (2) if yes, that

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procedure should be utilized for hearing and settling such claims. The team that we have in mind would not itself attempt to hear or settle such claims. It would merely seek to determine whether valid claims of such sort do exist. If they do, the team would then recommend, based upon the number and dimensions of such claims, the procedure which might best resolve them."

We suggested as a possible member of such a team Mr. Robert E. Coote, now retired but a long-term employee of the Department in the Bureau of Land Management and the Office of the Secretary who has had exposure to the Trust Territory and who participated in a Japanese war damage survey in the Trust Territory in 1961. As a second member we suggested a current employee of the Bureau of Land Management, Mr. James Johnson, who spent many years on Saipan as Land and Claims Officer, among other positions, during the course of his Navy career. As a third member we suggested the Trust Territory Attorney General, Mr. Robert K. Showcraft.

We must here emphasize that we have not discussed this possibility with Mr. Coote nor have we discussed it with Director Stoddard.

The High Commissioner has responded by confirming our understanding (1) that the Navy had settled post-war damage claims in the Marianas through a land-exchange program and (2) that the only remaining known unsettled claims are a few in the Marshalls. He agreed with our suggestion that a fact-finding team be named, that our suggested members are satisfactory, and recommended that the investigation be made in August. He further concurred in the idea that visits be made to all districts ". . . despite the danger of reopening matters which have been long settled."

I recommend that we establish such a fact-finding team; that it plan to visit the Trust Territory at an appropriate August date; that it plan to visit all districts; that it investigate the possibility of valid unpaid claims against the United States for post-war damages; that it assess the number and dimensions of such claims; and that it report to the Secretary on the procedure which might best resolve any valid unpaid claims which might be found.

If you concur in this recommendation, I shall then approach Mr. Coote as to his availability as a consultant to serve on the team and shall approach Director Stoddard as to his ability and willingness to release Mr. Johnson for this purpose.