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AMSmith:9-20-74:kkc

AMBASSADOR WILLIAMS (& JIM WILSON) STATED POSITIONS  
ON LEASE-BACKS -- MARIANAS IV

TANAPAG HARBOR

Joint Communique

Land in Tanapag Harbor area not used for the Memorial Park or for military purposes will be made available to the future GOM for possible sub-lease for civilian harbor-related activities. Subject to limitations imposed by any future military use, U.S. has agreed to permit maximum feasible joint use of any land and facilities which are developed for military purposes.

1500, 15 MAY 74 - Afternoon Question and Answer Session

J. Pangelinan - asked if Tanapag Park area could be leased back to concessionaires?

Ambassador Williams - "Yes!"

H. Guerrero - What machinery would be used to lease back land to people?

Ambassador Williams - "Terms could be written on agreement for automatic lease-back to Government of Marianas".

(COMMENT: U.S. committed)

ISELY FIELD

Joint Communique

As at Tanapag Harbor this land will be made available to the future government of the Northern Marianas for use or lease for industrial or agricultural purposes compatible with possible future military use.

(COMMENT: U.S. committed)

03- 022846

Wilson presentation on determining fair market value for land

"Also willing to lease-back 482 acres (Isely) to GOM at nominal sum".

(COMMENT: U.S. has flexibility in defining "nominal".)

TINIAN

Joint Communique

The United States will carefully reevaluate its military land needs in the area south and east of the northeastern portion of the proposed runway in order to make as much of this land as possible immediately available to the Government of the Northern Marianas under a land use arrangement for agricultural and other purpose compatible with planned military activities.

(COMMENT: U.S. position gives maximum flexibility on amount of land and terms of leaseback)

"Consistent with military requirements, land will be made available under a land use arrangement in the San Jose Harbor area for civilian harbor oriented activities."

(COMMENT: Opening caveat leaves U.S. maximum flexibility)

In addition, there will be maximum civil use of land within the base for agricultural, fishing, recreational and other purposes, including access to beaches, compatible with military operation of the base.

(COMMENT: Caveat leaves U.S. maximum flexibility on amount, location and price.)

Unofficial minutes of May 25 Working Session - by E. Archer

"The Ambassador stated that he will recommend to our govern-ment that areas south and east of West Field runway be leased back on terms compatible with planned military/civilian use

of the field -- All land (in San Jose Harbor) not required by military will be made available for local use through a guaranteed leaseback arrangement".

(COMMENT: These statements are vague and do not bind U.S. --- the Joint Communique is far more restrictive --- this statement serves only to clarify the U.S. intent in the Joint Communique)

Saturday 25 May Session - U.S. Response to MPSC paper of 24 May (informal) and Question and Answer Period - Dick Scott notes

The MPSC paper requests U.S. to reevaluate its acreage needs "in good faith" especially the "area south and east--of the proposed runway".

Ambassador Williams - "U.S. needs to acquire and use 17,500 acres but will try to see if parts indicated (West Field) could be made available immediately for Marianas Government" -- This applies to harbor area as well.

MPSC requires firm assurances in the formal status agreement and/or in the lease agreement that the United States will permit maximum civilian use of the land on the base for agricultural, fishing, recreational or other purposes compatible with the military operation of the base. In particular, the Commission wants substantial land to be made available promptly on appropriate leaseback arrangements for civilian use. The Commission believes that this question, including the extent of land and the terms of the leaseback, should be reviewed by the Joint Civilian-Military Relations Committee and that the Committee's recommendations should be reported back to the parties before the formal status agreement is signed.

Ambassador Williams - "Fair request -- We have proposed lease-back arrangements -- Joint use of Field too --- and civilian terminal with operational access".