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TTPI
11 December 1974

MEMORANDUM FOR MR. KARL KABEISEMAN
COUNSEL, DEFENSE SUPPLY AGENCY

SUBJECT: Transfer of DoD Excess Property to the Department of
Interior for the TTPI

While I understand a copy of the DoD General Counsel's letter of 11 December 1974, to the Solicitor of the Department of Interior, is already on its way to you, I am herewith forwarding you another copy together with pertinent backup including the incoming letter from the Solicitor. As we discussed yesterday, while a new priority listing has been issued, I would suggest that consideration be given to amending the DSA Disposal Manual (if that is the appropriate document) to make clear that any transfers by DoD to meet TTPI requirements for DoD excess property are to the Department of Interior under 48 USC 1685. This will help to eliminate what may be some confusion in the field over whether these transfers constitute some kind of a "donation" to the TTPI rather than a transfer of property to another federal agency, to wit, the Department of Interior, as should be the case.

James P. Nash
Assistant General Counsel
(Logistics)

cc: Mr. Hyman, OASD(I&L)
Mr. Kearney, Acting GC, Dept of Army

Attachments

JPNash/gc

cc: OAGC(L) Subj file
General Counsel
Chron
JPN Chron

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10-410837

11 DEC 1974

Honorable Kent Frizzell
Solicitor, U. S. Department
of Interior
Washington, D. C. 20240

Dear Kent:

Thank you for your letter of December 5, 1974 in response to my telephone call to you regarding the refrigerator barges in the Trust Territory of the Pacific Islands.

The purpose of my call was to express the interest of this Department, and to offer its cooperation, in making sure that excess property transferred by the Department of Defense to meet requirements in the Trust Territory was in fact being utilized for the purposes intended by your Department when in 1969 the then Secretary of Interior requested we give priority to such transfers.

In the meantime, and apparently without objection by anyone concerned, we have amended the priority list for the distribution of DoD excess personal property in PACOM to make clear that these transfers of property are to the Department of Interior. As was stated to Mr. Chapman of your office when a copy of our revised list was furnished him by letter dated December 2, 1974, this action merely reflects what we believe was always the intention of this Department, specifically, that the express authority provided by 43 U. S. C. 1685 is the basis for the transfers.

Sincerely,

SIGNED

Martin R. Hoffmann

JPNash/pw/75073

cc: Mr. Karl Kabeiseman, GC, DSA
AGC(L) Subject

General Counsel (GC 2225)

Chron

Mr. Nash's Chron ~~Chron~~

Mr. Richard Kearney, DepGenCounsel, Army

Mr. Paul Hyman, OASD(I&L)

Mr. Benjamin Forman, AGC(International Affairs), OSD

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