



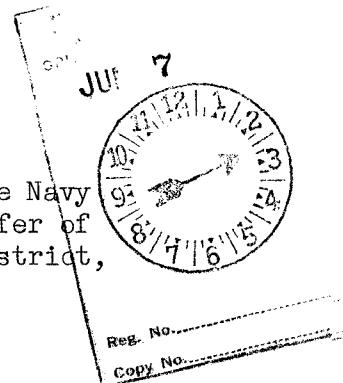
DEPARTMENT OF THE NAVY
BUREAU OF YARDS AND DOCKS
 WASHINGTON 25, D. C.

IN REPLY REFER TO
 R-330/DWA/FS/dmj
 5 JUN 1962

From: Chief, Bureau of Yards and Docks
 To: Chief of Naval Operations

Subj: Draft of Proposed Agreement between the Department of the Navy and the Department of Interior with respect to the transfer of responsibilities for the administration of the Saipan District, Trust Territory of the Pacific Islands

Ref: (a) CNO ltr Op-09B22/flf Ser 254P09B2 of 26 April 1962

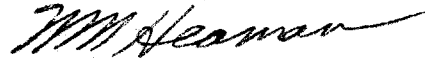


1. The proposed agreement contains two draft provisions under the heading "Logistics, Real Property". Both indicate initially that the United States is to retain all of the rights acquired in 1956 under the Use and Occupancy Agreements with the Government of the Trust Territory (Saipan District) - they differ thereafter, however.
2. The High Commissioner's version would permit any of the land under the Use and Occupancy Agreements to be made available by Interior for any local, Governmental use or purpose without military approval; only if this land were actually released to its former owners would Department of Defense approval be required. The Commander, Naval Forces, Marianas version, on the other hand, sustains the existing military control over the lands involved by merely providing in substance that the Navy will make property available to the Government of the Trust Territory in accordance with paragraph 3 of the Use and Occupancy Agreements when requested to do so by the High Commissioner. The paragraph 3 referred to contemplates that property will be made available when not actively used by the United States and is in keeping with the apparent philosophy behind the Commander, Naval Forces, Marianas version that active military use should be given first consideration in these circumstances.
3. The Chief, Bureau of Yards and Docks, recommends adoption of the Commander, Naval Forces, Marianas draft. It is considered that the use of the properties for military and naval purposes should be given priority over local uses and that the authority to make any decisions in this connection should properly lie with the Department of Defense rather than with a civilian agency principally concerned with civil administration.

51991

Saipan Transfer Agreement

This approach is considered merely an extension of the intent of the Use and Occupancy Agreements which were obtained, in the first instance, for the purpose of insuring that the areas covered thereby would be continuously available for military purposes, if needed. There appears to be no substantial reason for changing this policy, particularly where it is clear under the Commander, Naval Forces, Marianas version that as soon as the military need ceases that the property involved will be available for local Governmental purposes if requested. The Commander, Naval Forces, Marianas approach is also consistent with arrangements which have heretofore been entered into with respect to other areas in the Trust Territory.



W. M. HEAMAN
Assistant Chief for
Real Property Management

Copy to:
CINCPACFLT
COMNAVMAR
DIRPACDOCKS
OICC MARIANAS
DPWO 14ND