

CINCPACFLT FILE
FF1-1
N1-1
Ser 2629
22 Jun 1956

SECOND ENDORSEMENT on NAVAD Saipanltr JBJ: jcp N1-1 Ser 579 of 2 May 1956

From: Commander in Chief U. S. Pacific Fleet
To: Chief of Naval Operations

Subj: Damaged land; compensation for

1. Forwarded, concurring in basic correspondence and first endorsement.

A. H. HOLTZ
Assistant Chief of Staff
for Administration

Copy to:
COMNAV MARIANAS
NAVAD Saipan

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FF 5-9/40
N1-1
Ser 2091
Jun 11 1956

FIRST ENDORSEMENT on NAVAD NAVADUNIT SAIPAN ltr N1-1 ser 579 of 2 May 1956 to CNO

From: Commander Naval Forces Marianas
To: Chief of Naval Operations
Via: Commander in Chief, U. S. Pacific Fleet

Subj: Damaged Land; compensation for

1. Forwarded. Concur in concept contained in paragraph 4.
2. The settlement of land damage and use claims by means of the land exchange program has been accepted by the vast majority of the Saipanese people. It is not considered feasible to depart from this administrative policy.
3. The subject claims in the basic correspondence do not include the claims that the Saipanese have against the Japanese Government and Japanese corporations. There claims have been filed with the Naval Administrator. By copy of this endorsement, the Naval Administrator is requested to compile and submit to CNO through the chain of command all claims on file against the Japanese Government and Japanese corporations.

W. B. AMMON

Copy to:
NAVAD NAVADUNIT SAIPAN

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JBJ:jcp
N1-1
Ser 579
2 May 1956

From: Naval Administrator, U. S. Naval Administration Unit, Saipan District, Saipan, Mariana Islands
To: Chief of Naval Operations
Via: (1) Commander Naval Forces, Marianas
(2) Commander in Chief, U. S. Pacific Fleet

Subj: Damaged land; compensation for

Ref: (a) CINCPACFLT 2nd end FF1-1 A2-9 ser 1151 of 20 Mar 1956
(b) NAVAD SAIPAN ltr A2-9/jcp ser 264 of 27 Feb 1956

Encl: (1) Copy of DISTAD SAIPAN Public Notice No. 1 of 17 Jan 1952

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

1. Reference (a) requested the Naval Administrator to survey the problem indicated on enclosure (3) to reference (b) and submit a report through channels covering recommendations on action required or action taken locally in resolution thereof.
2. The Naval Administrator, subsequent to the United Nations Visiting Mission, has made a study of the problem and the below amplifying report is submitted with recommendations:
 - a. The original claims submitted totalled 1134 and title determinations were made on each of these. Claims were for one or more privately owned parcels of land retained, damaged, or used and occupied. Of these, 31% of the claimants have been compensated through the retention and damage exchange programs. In every instance the background of each case was considered, i. e.; length of occupancy, use, damage, (damage also including existing trees and plants destroyed) and in the majority of cases more government land was exchanged as added compensation than was originally owned by the individual.
 - b. In 18% of the Title Determinations the claimants whose lands were damaged signed a statement that they declined to exchange their land and that they thereby waived any claim and released the U. S. Government for any damage. In this category no claims were made for use and occupancy. In most of these cases damage was slight.
 - c. In 35% of the Title Determinations the title to the land was determined to be in that of the government of the Trust Territory and not in the claimant.

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d. In the remainder of the Title Determinations (16%) the land claimed was returned to the owners undamaged except in some cases there was damage to trees and plants. The claimants in this category number 200. Of these there were only 35 claims for use and occupancy of the land and for damage to trees and plants. As to the use and occupancy claims ample government land was made available under revocable permits to those desiring same and at no charge. As a result of the availability of government land at no charge there was no demand created for other private land and thus no rental value existed for said lands. In a majority of these cases the amount of land they were permitted to use under a revocable permit far exceeded the amount of privately owned land occupied - sometimes as much as 25 to one ratio. As to damage to plants and trees investigation reveals that it will be extremely difficult to determine whether damage occurred during or after hostilities but indications are that they were damaged while hostilities were underway for which no compensation is justified.

3. In the period from April 1949 to January 1951 the U. S. Navy transported 174,074 coconuts and sprouted coconuts for planting purposes from the Northern Mariana Islands and made the same available to the Saipanese free of charge. The agricultural farm supported by the Navy has and continues to supply to the Saipanese, banana plants, coconut seedlings, papaya trees, breadfruit seedlings, avocado seedlings, and various other plants all free of charge. The U. S. Government has given and continues to give the following assistance to all of the Saipanese people: Free food 1944-1946, free medical treatment 1944 to present with exception of about 3 years 1951-1953, free building materials 1944-1949 and now at a nominal charge and free education 1944-1947 and continues free education in the intermediate grades.

4. Enclosure (1) precludes filing of future claims. If these 35 claims were recognized as such it would serve to harm the relationship of the Administration with those who (a) waived any claim and (b) have made no claim and will be unable to do so because of instructions contained in enclosure (1). Therefore, in view of the fact that the aforementioned 35 claimants were offered the opportunity to exchange their lands because of any damage and the U. S. Government has more than compensated them through various assistance programs, and that to compensate these to the exclusion of others would harm the present good relationship between individuals and the government, the Naval Administrator feels that the United States has legally as well as morally discharged its responsibilities and obligations and that any basis for claims has long since been satisfied to the community as well as to the individual.

G. A. EVANS
Acting

Copy to:
APWO MARIANAS

C O P Y

TRUST TERRITORY OF THE PACIFIC ISLANDS
Land and Claims Office
Saipan District

Public Notice No. 1

The time limit for filing claims of land ownership, rental claims for use or occupation by the United States Government or any agency thereof or for damages to the land by reasons of such occupation, has been established as six (6) months after the publication of this notice.

Claims must be filed with the Land and Claims Office, Saipan
Marianas Islands

Anunsion Publico No. 1

I para munahalom reclamasion pot propiedad gi tano, reclamasion ariendo pot manasetbe pat ma ocupa nu i Gobietnon i Estados Unidos pat algun agentera pat pot dano siha gi tano ginen este na ma ocupana, esta monhayan ma detetmina na uttimoha tiempona gi sais (6) meses despues de mapublica este na anunsio.

Reclamasion siha necesita ufan ma entrega halom gi ofisinan Land and Claims, Saipan Islan Marianas.

Approved:

/s/ H. M. HEDGES
H. M. HEDGES
District Administrator
Saipan District

/s/ J. A. WOOD
J.A. WOOD
Claims Examiner
Saipan District

Published on _____
Date

Saipan JAN 17 1952

Tinian JAN 17 1952

Rota JAN 17 1952

Alamagan FEB 1952

Agrigan FEB 1952

Pagan FEB 1952

Enclosure (1)