



ROBERT L. DENNISON

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF THE SECRETARY  
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My dear Mr. Murphy:

In opposing the draft executive order which would transfer administrative responsibility for Saipan and Tinian from the Department of the Interior to the Department of the Navy, I have stated that all legitimate security requirements can continue to be met under a unified civilian administration of the Trust Territory. Since this Department has already agreed that no person, vessel or plane can enter the Trust Territory without approval of the Secretary of the Navy and that territorial lands required for military use shall be made available on reasonable terms, the only remaining security measure required in order to achieve the same degree of security control as exists for the most highly classified activities anywhere under the American flag, is for the President to close the parts of these islands in which classified activities are being conducted and in so doing limit or prohibit the United Nations Trusteeship Council from exercising its functions therein. Such a measure is authorized under Article 13 of the trusteeship agreement, which states:

"The provisions of Articles 87 and 88 of the Charter shall be applicable to the trust territory, provided that the administering authority may determine the extent of their applicability to any areas which may from time to time be specified by it as closed for security reasons."

Articles 87 and 88 of the Charter of the United Nations provide as follows:

"Article 87. The General Assembly and, under its authority, the Trusteeship Council, in carrying out their functions, may:

- a. consider reports submitted by the administering authority;
- b. accept petitions and examine them in consultation with the administering authority;
- c. provide for periodic visits to the respective trust territories at times agreed upon with the administering authority; and

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d. take these and other actions in conformity with the terms of the trusteeship agreements."

"Article 88. The Trusteeship Council shall formulate a questionnaire on the political, economic, social, and educational advancement of the inhabitants of each trust territory, and the administering authority for each trust territory within the competence of the General Assembly shall make an annual report to the General Assembly upon the basis of such questionnaire."

Under Executive Order 10265 the President retained the authority to close parts or all of the Trust Territory for security reasons and to determine the extent to which Articles 87 and 88 of the United Nations Charter shall apply to such closed areas. The procedure for effecting this is rather simple, as borne out in the closing of Eniwetok Atoll. In that case, the representative of the United States in the United Nations Security Council sent a letter to the President of the Security Council notifying the Council of the action of this Government in closing Eniwetok Atoll and in suspending until further notice periodic visits provided for in Article 87(c) of the Charter. Other functions of the Trusteeship Council (i.e., examination of petitions and annual reports) continue to apply in Eniwetok as they do to the rest of the territory. The Government of the Trust Territory still exercises civil jurisdiction in Eniwetok Atoll and, at the request of the Atomic Energy Commission, the High Commissioner has appointed two deputy marshals to assist in the enforcement of territorial laws therein.

In view of the forthcoming visit in 1953 by members of the Trusteeship Council to the Trust Territory, the President should have similar action taken with respect to those portions of Saipan and Tinian on which classified activities have been or will soon be established and to limit or prohibit the functions of the Trusteeship Council with respect thereto. It would be unnecessary and unwise to close all of Saipan and Tinian. The only purpose served by closing an area is to keep out a United Nations visiting mission and to rule out petitions or questions in the United Nations regarding activities in the closed area. Since the classified facilities on Saipan are so located and guarded as to preclude unauthorized observations during an official United Nations visit, there is no need to close the entire island. The area now being used in Saipan is defined in the terms of a lease, and if this area is not adequate, I would be glad to work out with the agencies concerned the boundaries of the additional area or areas required. Although I am unaware of any military or other classified activities now on Tinian, it is hoped that only those portions will

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be closed which are actually needed now or in the immediate future for classified purposes.

The Trusteeship Council has a legitimate interest in both islands in view of their great agricultural potential and the fact that Saipan is the seat of government for the Northern Marianas District and Tinian the site of the territorial leprosarium. Furthermore, since the Trusteeship Council would also expect to visit the headquarters of the Trust Territory, the closing entirely of both Saipan and Tinian would virtually preclude their use as the headquarters site. It would therefore be advantageous both from the standpoint of our foreign policy and of our administration of the Trust Territory for only those portions of Saipan and Tinian to be closed which are actually used for classified purposes.

If there is any further information which you desire on this matter, please let me know.

Sincerely yours,

/S/ Vernon D. Northrop

Acting Secretary of the Interior

Mr. Charles S. Murphy  
Special Counsel to the President  
The White House