



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON 25, D. C.

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IN REPLY REFER TO
LA-315:th
2 MAR 1962

OFFICE OF LEGISLATIVE AFFAIRS

Honorable David E. Bell
Director, Bureau of the Budget
Washington 25, D. C.

My dear Mr. Bell:

Your request for comment on the petition by the Legislature of Guam of October 4, 1961, praying that the President revoke Executive Order No. 8683 as it applies to the territory of Guam, has been assigned to this Department by the Secretary of Defense for the preparation of a report thereon expressing the views of the Department of Defense.

The petition recites various reasons to support the revocation, specifically that the danger of imminent invasion when that executive order was promulgated ceased long ago, that the Navy has asserted the right to forbid the entry of any person even though the residents of Guam were made American citizens and granted limited self-government, that the development of industry and of tourist trade has been prevented, and that the residents of Guam are reduced to second-class citizens. The petition also avers that the need for the defensive sea area has vanished, that the restriction on entry is not imposed on other U. S. areas, that the USSR has charged the U. S. with colonialism, and that the recent temporary suspension of the executive order precludes any planning.

Executive Order No. 8683 of February 14, 1941 (6 FR 1015, 3 CFR, 1943 Cum. Supp.) established and reserved on and around Guam for purposes of national defense the "Guam Island Naval Defensive Sea Area" and the "Guam Island Naval Airspace Reservation". The entry into these reservations of any person, other than persons on public vessels of the U. S.; any vessel, other than public vessels of the U. S.; and any aircraft, other than public aircraft of the U. S., was prohibited unless authorized by the Secretary of the Navy.

The U. S. Navy has been concerned with the military security of Guam since 1904, as indicated by various restrictions against foreign vessels entering that island, an interest which antedates and

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transcends World War II alone. The considerations which compelled the establishment of security restrictions in 1941 by Executive Order 8683 remain of increasing importance today.

Guam occupies a vital position in the U. S. military strategic and logistic scheme. Its location makes Guam the hub of sea and air transportation routes between the U. S. and the Western Pacific area. The U. S. maintains sizeable military installations on the island which is one of the keystones of the Pacific Defense System of the country. With this military importance goes a corresponding apprehension over the security of Guam from new and continuing sources of danger.

The restrictions imposed by the Executive Order thus only incidentally militate against the development of indigenous economic and tourist interests and do not purport to discriminate against the self-expression of the residents of Guam. The U. S. Government recognizes the patriotism and loyalty of the permanent residents of Guam but must uphold the overriding military security characteristics of their island.

On September 14, 1961, the Secretary of the Navy approved the suspension of entry control requirements into Guam for U. S. citizens for a six-month period. This temporary suspension was extended indefinitely by the Chief of Naval Operations on October 5, 1961 (26 FR 9503). No further suspension of the administrative regulations under the executive order which would permit the entry of non-U. S. citizens or foreign flag vessels or aircraft is contemplated at the present time.

The Department of the Navy, on behalf of the Department of Defense, objects to the revocation of E. O. 8683.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

For the Secretary of the Navy.

Sincerely yours,



W. S. SAMPSON
Captain, U. S. Navy
Deputy Chief