



DEPARTMENT OF DEFENSE  
DEFENSE ATOMIC SUPPORT AGENCY  
WASHINGTON 25 D.C.

405302

ADDRESS REPLY TO:  
THE CHIEF, DEFENSE ATOMIC  
SUPPORT AGENCY

DASARL 910

27 JUL 1961

Mr. J. H. Spivoy  
Acting Deputy High Commissioner  
Trust Territory of the Pacific Islands  
U. S. Department of the Interior  
P. O. Box 545  
Agaña, Guam, E. I.

BEST COPY AVAILABLE

Dear Sir:

In reply to your letter of June 28 regarding the Weather/Radar sites in the Trust Territories, it is our understanding that the access rights for these sites were negotiated by the AMC and your office at the outset of the test series at the Eniwetok Proving Ground and that these negotiations were independent of and prior to the Judge Advocate General's memorandum to the Chief of Naval Operations (JAG:111:DCS:ad) of May 11, 1959.

If we desire to utilize the six Weather/Radar sites again in the future, this use, must of necessity, be on an exclusively U. S. basis, as has been the case in the past. No requirement is foreseen at this time for the use, either exclusively or mutually, of additional parcels of land in the territory, as covered by paragraph seven of the agreement. However, if the requirement for additional land should develop, no problem is envisioned. If the use of the additional property results in benefit to the territory, it would, in accordance with paragraph seven, be on a rent free basis. On the other hand, if the territory agreed to, the exclusive U. S. use of additional areas because of some unforeseen U. S. requirement, reimbursement would of course be in order and would have to be negotiated at that time and be in proportion to the value of the use of the additional land involved.

REPOSITORY	DOE/DASA
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Mr. J. H. Spivey

While we are most appreciative of your efforts in this matter, we do not feel any refinements to the existing agreement are desirable at this time.

Sincerely