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TRUST TERRITORY LAND COMMISSION

JUNE 1971

FINAL DRAFT

BACKGROUND PAPERS

Page 85

01-02310

TRUST TERRITORY LAND COMMISSIONPOLICY

Public Law 2-1, known as the Land Commission Act, provided basic legislation for the establishment of Land Commissions in each of the six districts of the Trust Territory. Pertinent parts of the basic law have been incorporated in the Trust Territory Code - Sections 101-120 of Title 67. The basic legislation resulted from a plan developed in 1964 and recommended for adoption by the Trust Territory Judicial Conference of the same year. The Conference adopted the following resolutions:

"The Conference urges the establishment of a Land Commission with broad powers to hear, in the municipality where the land lies, petitions for determinations and issue certificates of title which shall be binding upon the parties and those claiming through them and prima facie evidence of title against the world, subject to appeal to the Trial Division of the High Court."

The above resolution clearly states the theory on which the Land Commission Act is based. Title 67, Section 101 of the Trust Territory Code reads in part as follows:

"The primary purpose of the Commission shall be to proceed on a systematic geographical basis to accomplish promptly the registration of as much of the land as practical within such registration areas within its district as it determines. Each Commission is authorized and empowered, subject to the provisions of this Chapter to determine the ownership of any land in its district, but it shall endeavor to avoid becoming involved in such lengthy consideration of disputed claims as to seriously delay the registration program."

The heart of the program is the appointment of Land Registration Teams in each municipality where ownership of land is being determined. The teams are composed of Trust Territory citizens resident in the municipality who are highly respected for their personal knowledge of land ownership in the area and for their integrity. They meet with land owners and determine boundary points and adjudicate claims.

PROBLEMS

The most serious problems confronting the Land Commissions are as follows:

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1. Communications (person to person, between offices, between districts) rank as the Number One problem. Accurate and readable translations of highly technical legal language and Court decisions are also very difficult to obtain. The ability of a Land Commission to explain its work to the general public is seriously hampered by language barriers.
2. The legality of determinations made by the Land Commissions is no better than the records on file made by the Land Commissions with respect to who was actually notified according to the law and regulations promulgated under the law. Correct recording is a most difficult task as Micronesians as a whole do not appreciate the need for signatures, correct spelling of names, rigid compliance with legal requirements as to time and place of notices and acknowledgment of receipt of notices.
3. Surveying and mapping have proved to be major problems. Parcels are small and irregular in shape. Most of the land is rough and covered by dense jungle. The number of Micronesians capable of directing a survey party is extremely limited and despite efforts to train surveyors, survey technicians and survey assistants, the number available is still far below the number required. Mapping the parcels poses problems in two or three of the Districts. There are some 42,835 parcels of land in and near the district centers which the present programs call to be surveyed and mapped. At the present rate of surveying, the 42,835 parcels will require many more years to complete than the eight year goal of the program.
4. The complexity of land ownership in the Trust Territory is confusing to local people especially the younger generation as well as to the Americans. There are numerous land tenure systems and all are in a state of flux from the contacts with, and changes influenced by, western and oriental people during the past 400 years. Only one group - the Chamorros of the Marianas - has a well defined land tenure pattern. The one exception resulted from the domination of the Chamorros by the Spanish and the imposition of basic elements of the Spanish land tenure system on the local population. The state of land tenure in the many social systems of the Territory are now undergoing rapid changes because of the widespread use of cash and the increasing shift of population to the district centers where very few of the new residents hold hereditary land rights.

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5. Comments on some problems stated by Attorney William B. Nabors before the Fourth (1970) Lands and Surveys Conference, Saipan, November 18, 1970:-

"The land problem in the Marianas falls into two categories (1) settlement of ownership disputes and (2) the distribution of land that is still listed in names of people who died, 10, 15, or 20 years ago. Neither problem is or will be solved by our Land Commission."

Comment: Land ownership disputes are being settled by the District Land Commission. However, the law requires the work "proceed on a systematic geographical basis..." If a person feels he cannot wait for the Land Commission to hear his particular ownership problem, he may take the matter to the High Court for a decision. The Land Commission cannot distribute land among heirs unless the heirs reach mutual agreement. If the parties concerned agree on how they want their land distributed, the Commission can register title accordingly. If the heirs cannot reach mutual agreement, they may have the Court hear their case. The Marianas Land Commission has issued 855 Determinations of Ownership, 505 Certificates of Title and registered 855 land documents. Saipanese definition of disputes go way beyond simply 'title' disputes.

"In my opinion, the basic land problem in the Trust Territory - especially in Palau and the Marianas - is the flagrant use of land by the Trust Territory Government where the ownership is in dispute, and the lack of a forum to resolve this disputed ownership. This dilemma exists because the one who has taken the land is the very one from whom you must get permission in order to go to the court to resolve the dispute. I have not been able to obtain permission of the Trust Territory Government to sue them in the court."

Comment: This criticism is justified in part. The Trust Territory has pleaded sovereign immunity in a few land cases where Attorney Nabors was involved. However, there were other grounds cited in addition to sovereign immunity. In any event, the Land Commission is not bound by this restriction. A Land Commission cannot attempt to go behind a court decision or a determination by a District Land Title Officer at to the award of title but adjoining boundary determinations will in effect lead to the re-examination of the old high court and land title officer determinations. It has and will continue to hear claims which are adverse to the Trust Territory's claims to ownership of land. The Government is another claimant as far as the Land Commission is concerned. The criticism is especially justified in cases where the disputed land

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is held by the Government and a District Land Title Officer could determine ownership if he would act under the provisions of Land Management Regulations No. 1 and pertinent sections of the Trust Territory Code. It is true in some cases the Land Title Officer cannot take jurisdiction; however, there are many disputed land cases in the Trust Territory where the District Land Title Officer could and should take jurisdiction and determine ownership, subject to appeal to the Trial Division of the High Court.

".....the Land Commission Act grants broad discretion to the Commission to avoid the "problem" areas where disputes exist.....Based on my experience with the Land Commission here in the Marianas, I can say categorically that they are making every effort to avoid the so called "problem" areas."

Comment: It is true the Land Commission Act gives the Land Commission authority to "endeavor to avoid becoming involved in such lengthy consideration of disputed claims as to seriously delay the registration program." However, in cases where a Land Commission finds it is spending too much time on a case, the law authorizes the Commission to "refer the claim to the Trial Division of the High Court for adjudication" - 67 TTC 108 (3). In practice the Land Commissions must follow the law and "proceed on a systematic geographical basis...." They are expected to make use of their very best judgment and decide the complex cases along with the simple ones. However, if they should find a case they cannot find what they consider a just decision in a reasonable length of time, they will take advantage of the part of the law which permits them to refer a case directly to the Trial Division of the High Court. However, the Land Commissions have been advised to review all cases in stride and make every effort to reach a determination before resorting to the perfectly legal provision contained in 67 TTC 108 (3).

"In my opinion, the Government of the Trust Territory suffers from a complete lack of intellectual honesty with regard to the land problems of the inhabitants of the Trust Territory, in that the United States Congress is not told the full story about the magnitude of the land problems. If the full story was honestly told, and a well defined program was devised to meet this need, then the United States Congress would fully fund such a program."

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Comment: Everyone is entitled to his own opinion, including Mr. Nabors. However, if the Congress of Micronesia wants more funds expended on land problems, it is in an excellent position to influence, if not absolutely control, the percentage of the total Trust Territory budget toward land matters. Up to now the Congress has not seen fit to suggest funds in addition to those requested by the Administration be given to the settlement of land problems. Most of the funds requested by the Administration for land matters have been approved, at times reluctantly, by the Congress whose members surely know far more about Trust Territory land problems than any other single group of men. It must be admitted that Lands and Surveys has more trouble getting its budget requests through the Administration than it does when the budget requests finally get to the Congress for consideration. It is much more a problem of funding at the Administration and Congress of Micronesia levels than in the U.S. Congress.

"The question is then asked - what can be done to alleviate the situation?.....

1. Strengthen the Land Commission's Registration Teams by employing and training better qualified people.....
2.the District Land Offices should continue to process applications under Land Management Regulation No. 1.
3. Responsible officials are going to have to admit that serious land problems exists; that it will take time to solve these problems; and that a great deal of funding will be required.
4. Allow litigation in the courts of the Trust Territory by those who have exhausted all administrative remedies."

Comment: We would certainly welcome the opportunity to do more training that we are doing with members of the Land Registration Teams. The problem is that the people who are qualified to act on the Land Registration Teams are, for the most part, elderly men who do not speak English and have a limited capacity for further academic learning even if they could speak English. We have not quit trying to teach but we are facing reality when we say it is a most difficult and time consuming task.

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We concur with suggestions 2, 3, and 4, except the evidence is conclusive that most responsible officials (of the Trust Territory) have already admitted that serious problems exist and they are trying to do something about them. It is a monumental task to bring sanity into land matters that have become aggravated over a period of 400 years of alien control of Micronesian affairs. The Trust Territory's record with respect to dealing with land problems is both good and bad. The early days of U.S. Administration in Micronesia contains concrete evidence in substantial amounts that a great deal of thorough effort went into dealing with land problems. The Department of Interior's record in the early period of its administration shows that the problem was being attacked with some measure of success. However, from about 1956 to 1965, there is a period in which Interior permitted land matters to drag and district land offices accomplished almost nothing constructive. From 1965, with the establishment of a Headquarters Office of Land Management (presently Lands and Surveys), an unbroken period of increased attention has been given to land problems of all kinds.

Perhaps the greatest weakness in the program is the inability to recruit competent District Land Management Officers. However, this weakness may become a weakness of the Land Commissions also. Recent changes in personnel administration, with more drastic changes to follow soon in the form of the "Single Pay Plan" may make it impossible to recruit the personnel needed to head up the various District Land Commissions when present personnel depart or transfer. One district (Palau) is without a Senior Land Commissioner and it appears doubtful we will be able to recruit one with the qualifications needed in the position.

TRUST TERRITORY OF THE PACIFIC ISLANDS
DIVISION OF LANDS AND SURVEYS
LAND COMMISSION PROGRESS TO JULY 1, 1971

The Trust Territory Land Commissions are based on Public Law 2-1, passed by the Congress of Micronesia in 1966. The first Land Commission was established in the Marianas in late 1967 and the first public Preliminary Inquiry was held in San Roque, Saipan in 1968.

Adequate funding was first available to implement the Land Commission Act early January 1970 through a Supplemental Appropriation by the United States Congress.

Land Commissions were established in all districts except the Marshalls by the close of 1970. The Marshalls District Legislature requested establishment of a Land Commission in the Marshalls be delayed for a few years because of their complex land tenure system which involves three and even four levels of ownership with an indefinite number of people holding some rights in the same land parcel.

The following items of progress have been noted since the funding of the program in January 1970:

1. Acquisition of office space, furniture and equipment for the five Land Commissions.
2. The Land Commissions were staffed, employees trained in the complex work of investigating and determining land boundaries, making legal determinations of ownership and registering titles.
3. Development of regulations to implement the Land Commission Act and translation of them into the various languages of the districts where work is in progress.
4. Development of informational material to inform all concerned of the work of the Land Commissions.
5. Acquisition of microfilming equipment, the training of employees to use the equipment and the photographing of some 80,000 land documents.
6. Translation into English of over 12,000 land documents from the Japanese Administration.

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7. Start of construction of typhoon proof, air-conditioned, Land Registry buildings in Palau, Ponape, Truk and Yap. (The Marianas Land Commission uses offices established before 1970).
8. Development of a Trust Territory wide land parcel numbering system which is adaptable to modern electronic equipment for rapid information recall.
9. Public Inquiries were held on 3,518 parcels.
10. Formal Hearings were held on 2,037 parcels.
11. 681 preliminary land titles were issued.
12. 522 final titles issued and registered.
13. 76,857 land documents were microfilmed.
14. English translations were made of 12,200 land documents from the Japanese Administration.

Perhaps the outstanding achievement to date is the high quality of work being accomplished by the various Land Registration Teams as they investigate and adjudicate boundary and ownership disputes.

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PUBLIC LANDS - ADMINISTRATION"PUBLIC LANDS" DEFINED

Section 1 of Title 67 of the Trust Territory Code states:-

"Public lands are defined as being those lands.....which were owned or maintained by the Japanese Government as government or public lands, and such other lands as the Government of the Trust Territory has acquired or may hereafter acquire for public purposes."

For all practical purposes today, we must also include in a definition of public lands that property which is known as Alien Property. Section 1 of Title 27 of the Code states in part:-

"Alien property.....includes property.....which was formerly owned by private Japanese nationals, by private Japanese organizations by the Japanese Government, or by Japanese Government organizations, agencies, quasi-corporations and government subsidized corporations." Such lands are vested in the Alien Property Custodian pursuant to Vesting Order dated September 24, 1951.

The courts have held as follows:-

- (1) All rights in land acquired by the Spanish, German and Japanese Governments are the property of the Trust Territory Government.
- (2) Under former Interim Regulations Nos. 4-48, 6-48 and 3-50, any interest previously owned or held by the Japanese Government in land is vested in the Alien Property Custodian.
- (3) Although no consideration was paid by Alien Property Custodian for transfer of property from Japanese nationals to him, and therefore he does not fulfill all requirements of a bona fide purchaser, he is entitled to the same position as was occupied by a prior bona fide purchaser.

The Trust Territory Code, then, provides us with a clear legal definition of what is commonly thought of as "public lands" and there is a wealth of court decisions interpreting the law.

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Regardless of this fairly cut law, many citizens of the Trust Territory believe that there are no "public lands." Further, of the host of Court cases determining title in favor of the Government, few are considered to be forever binding by the losing Micronesian claimants.

LOCATION OF PUBLIC LANDS (in acres as of June 30, 1968)

District	Total Land Area	PUBLIC LAND		PRIVATE LAND		Others
		Area	Percentage	Area	Percentage	
Marianas	117,440	106,358	91%	10,988	9%	94
Palau	114,336	77,828	68	36,125	32	383
Yap	29,370	1,180**	4	28,148	96	42
Truk	29,228	4,877 +	17	24,283	83	68
Ponape	112,435	74,545	66	35,906	32	1,984
Marshalls	44,698	5,744 ++	13	38,854	87	100
Territory-wide	447,507	270,532	60%	174,304	39%	2,671

* "Others" refers to lands owned by Religious Missions, U.S. Citizens and Foreign Nationals.

** Includes 615 acres of private land leased by Trust Territory Government under indefinite use rights agreement whereby the Government has exclusive control of the land for administration purpose.

+ Includes 247 acres in similar arrangements as in Yap District.

++ 4299 acres is held by the U.S. Military under Use and Occupancy Agreements.

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PUBLIC LAND POLICY

The fundamental policy governing the public lands of the Trust Territory is as set out in TRUST TERRITORY POLICY LETTER P-1 dated 29 December 1947. The basic principles of this policy are:

- (a) to "encourage the development of fisheries, agriculture, and industries;" and to "protect the inhabitants against loss of their lands and resources;" and
- (b) "to safeguard native land rights and land ownership; and, so far as possible, to provide each family with land sufficient for adequate subsistence, and to assure community-wide access to essential land resources."

The Government's long standing attitude toward land is essentially protective. As expressed in the Trusteeship Agreement..... "the Administering Authority..... (shall) protect the inhabitants against the loss of their lands and resources." Pursuant to such injunction, noncitizens of the Trust Territory are forbidden by law from acquiring any freehold interest in real property whatsoever. However, noncitizens may lease real property from the Government and from citizens of the Territory with the express written approval of the High Commissioner. Specific policy guidelines for approving applications for leases of private real property by noncitizens were published in December of 1968.

High Commissioner Johnston on June 4, 1971, before the Trusteeship Council of the United Nations indicated that we are "attempting to put all lands in the Trust Territory (including public lands) to their most productive use."

One of the primary missions of the Division of Lands and Surveys is to provide for the active management of the public land and its attendant resources thru a comprehensive planned land management program. The basic policy objectives in such program management are twofold; Firstly, certain lands are to be disposed of thru homesteading, leasing or other appropriate means; not because the Government does not need them but because such disposition is required for the orderly growth and development of a community and such disposition will assist in residential, commercial, agricultural or industrial development.

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Secondly, certain lands are to be retained (and even some private lands acquired) in Trust Territory Government ownership or by District or Municipal Governments for a variety of public purposes; for example; - public facilities, conservation, recreation, mineral production, military and strategic purposes, timber production, watershed protection, administrative and governmental use and so forth.

Promulgation of policy statements entitled "Land for Capital Improvement Projects" (August 1968) and "Leasing of Private Real Property by Noncitizens of the Trust Territory" (December 1968) do not reflect any basic change in the land policies of the Trust Territory Government. These two policy statements are made from restatements of existing law, land policy and practice and are published as part of the Manual of Administration. At the present time, the Division of Lands and Surveys is preparing policy statements on "Leasing of Public Land to Citizens of the Trust Territory," and "Property Damage Claims." In addition, the Division is working on policy statements and land management regulations concerning land claims and ownership of land with a view of up dating Land Policy P-1 (1947). No firm dates have been set for the publication of these policy statements.

PUBLIC LAND PROGRAMS

The homesteading provisions of the Code of the Trust Territory allows citizens of the Trust Territory to settle on undeveloped areas of public land and thus obtain ownership of the land through development. Such areas of public lands as may be suitable for agricultural or housing sites, and which are not required for government use may be designated by the High Commissioner for homesteading purposes. Each District Administration with the advice of the District Land Advisory Board is responsible for the establishment of the pre-requisites for obtaining a homestead and required development criteria.

The Homesteading program, thus, can have obvious impact on the community. The Administration, however, gradually came to realize that the program as established was not furthering the goal of development. Presently, it is not a comprehensive program to develop the economic potential or social values of the Trust Territory. This is true particularly of the agricultural portion of the program. Our efforts at this time should be directed toward improving the quality of the existing program rather than how much land can be disposed of through the program.

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With this in mind former High Commissioner Goding on February 1, 1965, indicated that no new areas would be made available until an economic development plan was developed for the area. Very few new sites have been designated since that time due to the lack of district planning.

It is felt that if the homesteading program is to serve as a tool in the economic development of Micronesia, a comprehensive program must be developed. Major input and support will have to come from the Divisions of Economic Development and Agriculture with Lands and Surveys providing the realty and surveying services required. We are today working toward such a program.

Again as in the case of the homesteading program, the public land leasing program could provide a valuable contribution to the economic development of the Territory. However, due to the overall lack of comprehensive planning in the past by the Department of Resources and Development, the program today is ineffectual.

A coordinated effort to utilize the resources of the entire Department both at Headquarters and in each District, utilization of available loan funds, and working closely with District Housing Authorities, etc., is the only approach that will enable the leasing and homesteading programs to contribute to the productive use of the land resource.

As the Government moves into an expanded capital improvement program, the establishment of effective policies and procedures which will facilitate the expeditious and optimum allocation of public land and acquisition of private land is essential. The Division of Lands and Surveys is the manager of this public domain. Because of the large amount of public land and in the interest of economy, capital improvement projects involving land should be situated where feasible on land which is part of the existing public domain. If in the public interest and necessity, and where public land is not available or is not suitable for the contemplated construction project, appropriate interest in private land must be acquired by the Government. In acquiring an interest in private land, the interest on the estate acquired shall be compatible with the type of project and long range benefits to the specific community and Micronesia as a whole.

LAND RESOURCES - TRUST TERRITORY

JUNE 1971

FINAL DRAFT

BACKGROUND PAPERS
Page 99

02324

LAND RESOURCES - TRUST TERRITORY

The Micronesian Land Use Capability Inventory, initiated in 1970, has the basic objective of determining the use capability of land for agriculture, recreation, forestry and environmental conservation purposes to provide a rational base for land use planning.

To be of use to the citizens of Micronesia, the information must be understood by individuals of each cultural and linguistic group. To be fully understood there must be participation by Micronesians in the collection and analysis of the basic data.

A standardized approach has been developed which will give viable, cross comparable information from different islands even though collected by different technicians.

Persons from Truk, Ponape and the Mariana Islands Districts have been trained in the program. Training of people from Palau, Yap and the Marshalls district will commence in July 1971.

One phase of the field program is tied to the Land Cadaster Program. A detailed investigation of present use and use capability is made for each parcel following the completion of boundary determination and survey. Thus as the Cadastral Program progresses to completion in any area, detailed information on present use and capability becomes available for all areas surveyed.



UNITED STATES DEPARTMENT OF INTERIOR
TRUST TERRITORY OF THE PACIFIC ISLANDS
OFFICE OF THE HIGH COMMISSIONER
SAIPAN, MARIANA ISLANDS 96950

COMMERCIAL
CABLE ADDRESS
HICOTT SAIPAN

August 26, 1969

MEMORANDUM

To : High Commissioner

From : Grover B. Torbert, Cadastral Surveyor Bureau of Land Management

Subject : Land problems and recommended solutions

The problem of lands in the Trust Territory, Pacific Islands is an emotional one. It involves who should control the public domain land in the Trust Territory. It is not one of survey, registration, giving of title, etc. These facets are the means which local leaders and political types employ to arouse the people to make political "hay". Thus the control of the public domain has reached the proportions of becoming of fetish with the people.

The survey and identification of the public domain lands, has been neglected too long. Except for small isolated tracts and gross areas there is no program. Without an inventory, the identification of public lands, no solution to the problem will be found.

There are two ways of solving this problem. The first is to search all records and identify the public lands on maps, survey the boundaries of each chartered municipality, and issue title of all public lands to the municipality.

The second way is to establish a register, record the ownership and use rights, issue title, and settle all disputes resulting from the registration.

The first method puts the registration of private lands into the hands of local people, and the disposal of public lands becomes one of no plans, friends and relatives ownerships, and a whole host of other problems not foreseen but quite imaginative.

We recommend the second solution to the problem, but there are certain assumptions that go along with the recommendation:

1. That the Trust Territory will continue as a political entity.
2. That the Trust Territory will be able to continue the maintenance of the registers after installation of the records in the district centers.

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3. That the Micronesian Congress will pass laws to legalize the methods of survey, and the authorization of a Trust Territory Micronesia Cadastre.
4. That the people of the Trust Territory want a solution to the land problems, and not as often heard, "they will not have anything to talk about in the evenings if you solve their land problems."

Without a "yes" answer to all these assumptions, you should take solution number one and leave the lands in the hands of the municipalities.

By surveying the boundaries of the private lands and monumenting them, you automatically identify all the public lands. Most of the private lands are not in dispute and will permit you to issue certificate of title to forty to fifty percent of the lands. This would silence much of the hue and cry for titles.

With the public lands identified, together with a land use and land classification completed, intelligent plans for disposal of the public lands can proceed rapidly with a maximum return to the greatest number of Micronesians. Surveys can be protracted to permit identification of farm areas, wilderness and conservation retention areas, water shed reservations, urban community development, and the development of a master plan similar to or along the lines of Hawaii Architects plans.

If this solution sounds too simple let's look at some of the areas where the program may be blocked:

1. Failure to obtain Japanese, German, and Spanish records and their translation.
2. Failure to publicize the complete program in all the districts, especially in the languages of the district.
3. Failure to recruit personnel for records, cadastral surveyors, and other types as needed.
4. Failure to devise a new plan for the disposal of public lands acceptable to the Micronesian.
5. Failure to maintain the changes in the register of land as they occur or periodically at least.

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6. Failure to publicize disputed areas. (This is similar to number 2).
7. If the program becomes too sophisticated for the local personnel to maintain by the installation of data processing equipment.

The Micronesian Cadastral program is well within accomplishment by the methods described in the attached complete step by step report:

In addition to the recommendation re: the Micronesian Cadastral survey, the following recommendations are listed for you to consider as a part of the Land Management program:

1. Recruit an engineering survey specialist and a realty specialist for the public works division in each district.
2. Have Land Management deal only with public land problems.
3. Transfer Land Managers to different districts than those where they are native. It is difficult for those managers, native to their islands, to make objective decisions re: lands.
4. Stop the homesteading program and initiate a program of selling lands.
5. Have the Headquarters staff land managers, surveyors, and other specialists prepare manuals and instruction for the management of the public lands.
6. Back these staff members when there is a question regarding the manual or instructions issued under your signature.
7. Have the military deal directly with the people for lands. The business of first setting on behalf of the local people and then having to turn around and condemn the private land only increases the credibility gap which exists where lands programs are concerned.
8. Although every attempt is being made to protect the rights of individual regarding lands and their use, there may be cases where the traditional land tenure and customs are bypassed. What is really needed is a Land Reform to do away with the cast system of ownership and social inequality. However, any system of Land Reform must begin with an inventory of the ownership as presently defined. Therefore, the education program re: lands should be a continuing program and directed toward a land reform program.

A PLAN FOR THE MICRONESIAN CADASTRE

This is an attempt to set forth the sequence of events necessary to complete the Micronesian Cadastre in an orderly fashion in three (3) to five (5) years. Several of the events may be carried out simultaneously or the order may be changed slightly depending upon conditions:

1. Contract with a private company to fly aerial photography of all the islands at a scale of 1:5000. The U.S. Geological Survey can prepare flight maps, furnish specifications, and check the photography for compliance with the specification.
2. Start a publicity program via radio, newspaper, or flyers to let the people know what the cadastre is about. Use both English and the local language. Continue this program until the last property is surveyed, then continue publicity regarding the maintenance of the register at least several times each month.
3. Contact locally in each district for concrete monuments (see attached drawing).
4. Make every attempt to uncover Spanish, German and Japanese land records. Contract to have the records translated.
5. Contract to have microfilm prepared of all records in all the land and survey offices of all the districts, assembled the data and sift same.
6. Speed up the Geological Survey work, control and orthophoto mosaics. This may be accomplished by contracting for helicopter services.
7. Recruit for and hire the personnel to man two land commissions, three districts registers, and a central records center.
8. Contract with a private company or Corps of Engineers for the identification of the private lands. Specifications or memorandums of agreement will have to be prepared in order to assure the Trust Territory receives the product of a complete register and a title issued to every property owner. Recommend a private company.
9. By next June several laws should be prepared to present to the Congress of Micronesia to legalize photogrammetry as means of survey, and the establishment of the Micronesian Cadastre.

10. Prepare regulation and manuals within the extent of the laws to govern the cadastre, registration and title issuance.
11. As land parcels are identified and monumented, they should be assigned a number, registered, and a provision title issued where there is no dispute between property owners. The titles will have to be designed to meet the particular land tenure patterns of the various districts, and yet they should be basically the same design. Prepare a master plan for each island in order to proceed with the identification in an orderly manner. In all instances the district centers should be worked first. This is the location of most of the disputes and a greater amount of time should be given to little the disputed areas. The High Commissioner could designate areas as needed.
12. As areas or islands become finished in accordance with the master plan, maps showing the location of all properties together with a list of the owners should be widely distributed throughout the territory and Guam. This will permit everyone to register any dispute with regard to lands as posted.
13. As the posted areas are cleared of disputes, the maps together with the register should be installed in the district center under the responsibility of the register, with a final copy going to the central records depository at Headquarters.
14. When all disputes are cleared from the records, all titles issued and registered only half of the program will be finished. A land use and land classification for the private and public lands compatible with master plans will be recorded. Each private property will be appraised in accordance with the findings of the land use as well as structures, and other improvements. This information will become a part of the register, and may be used by the Congress or district Legislatures as a base for taxation. It could also be the base for a land reform program.

A large amount of this program will go into the "pipe line" and not show any results in the way of registration of titles. The first ten items listed, several of which will continue throughout the life of the program, could be called by someone nonproductive. They are necessary if the people's rights are to be protected.

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RECOMMENDATION FOR THE MIRCONESIAN CADASTRE

To install the faith of the people that every step is being taken to protect their rights in lands, the following method for selecting the land commission is recommended:

1. One land commissioner appointed by the High Commissioner.
2. One land commissioner appointed by the District Legislature.
3. The senior land commissioner selected from a list of names submitted by both the High Commissioner and the District Legislature.

Disputes will be settled in the following manner:

1. A committee of from five to seven local municipal member will make the first decision.
2. Either applicant has the right to appeal to the Land Commission who will have final say.
3. Except in cases where a legal problem is involved, then either applicant can appeal to court.

NEEDED IN THE WAYS OF LAWS AND REGULATIONS FOR THE LAND PROBLEM

- I. An Act to establish a Micronesian Land Cadastral.
- II. An Act to classify and appraisal the lands, and establish a classification code.

Regulations under the Cadastral (as outlined)

1. The survey and monumentation of the private lands.
2. Posting of the plats approved by the land surveyors.
3. 90 days period for individuals to file disputes between private parties. File in district land office.
4. Issue title to undisputed lands at end of 90 days.
5. Mandatory period of 2 years after posting for settlement of all claims to government lands.
6. Agreements between neighbors as to location of boundaries.
7. Presentation of any documents on hand as to land ownership. Surveyor not the final judge, but he should make note of the documents.
8. Owners or representative must appear on their lot within 15 days after posting of notice of survey.
9. Tribal or clan lands will be identified. Each individual lot (area) must show someone as a permanent owner. Surveyor will rely on Chief for information. Members have right of appeal in 90 days period.
10. Surveyors right to enter on the land, but restricted to land, privacy of houses must be respected.
11. Cooperation of all government agencies and departments.

Posting of Official Plat

1. Area covered by plat.
2. List of claimants accompany plat.
3. Technical description of lots. (This may not be necessary at this time).

8.

4. List of claimants and priority before the land commission:

- a. One who present documents of ownership recognized by the court.
- b. One who testifies to ownership and adjoining neighbors agree.
- c. One allocated a portion of tribal or clan lands by tribal official or Chief.
- d. One designated as owner by the tenant or user of the lot. Statement varified by the local municipal land commission.

5. Where posted and how.

Radio	Guam
Newspaper	Headquarters
Village	District Offices

6. Post for 90 days.

7. Locals may appear before Land Commission for an explanation of the posting of official plat.

8. Evidence must be presented by claimants during 90 day period and presented to the Land Commission.

9. Land use, land value and land classification will become a part of the register but not part of the certificate of title. A separate form will be prepared for this information.

Issuance of Original Title

1. Undisputed Claims. Land Commission authorized to issue certificate of title to all undisputed claims after 90 day period.

2. Verification of certificate by claimant.

3. Contract:

- a. Lot Number.
- b. Current Owner.

9.

- c. All right or encumbrances.
- d. A certification by High Commissioner that all survey and registration procedures have been followed.
- e. Technical description (may not be necessary).

4. Issuance of Title

No disputes procedures have been followed.

5. Certificate Members

- 01 Saipan
- 02 Yap
- 03 Palau
- 04 Truk
- 05 Ponape
- 06 Marshalls

- a. No cadastral shall contain land in more than one district.
- b. Shall assign numbers to lots in numerical order. The highest number shall appear in a block in the title so that future numbers may be assigned without duplication. This number in the block will change as new numbers are assigned.
- c. All lots must be identified by a number regardless of ownership government municipal, Trust Territory private tribe, clan.

Disputes discussed previously.

Conveyancing

- 1. Owner wishing to convey to another must appear before Land Registration office to complete forms of conveyances.

2. Land Registration Office

- a. make entry on ownership register and a provincial copy of certificate of title is issued.
- b. submitted to Register for approval.
- c. conveyance filed for future reference.

10.

- d. duplicate revised ownership record sent to control file headquarters.
- e. owner issued a new title and provisional title placed in file.

Micro film

This up-dates the registre and central records and the original title. Somewhat built in protection.

Subdivision of Registered lands

Each lot must registered independently as to ownership.

Rights and Encumbrances

1. Land owners shall submit information as to rights and encumbrances to land registration teams, including but not limited to:
 - a. water rights
 - b. use rights
 - c. easements
 - d. mortgages
 - e. other
2. Owner must bring his title to register to initiate recording of encumbrances. He must bring along documents re: the encumbrances together with the party of the transactions. (Note collect fee for each recording of register to cover costs).
3. If and/or when taxes or charged against lands the delinquent taxes can be entered against the title.
4. No entry or certificate of title without due process of law.

Exclusive Government Rights

1. Minerals
2. Watersheds
3. Forests
4. Road and other right of ways
5. Airports
6. From - mean Low Water Line out to sea.

No charge for original surveys for Cadastre.

A paper presented to the Fourth Lands and Surveys Conference held at Saipan, Mariana Islands District on Wednesday, November 18, 1970.

"TRUST TERRITORY - WIDE AGRICULTURAL HOMESTEADING PROGRAM:
ITS IMPLICATIONS ON PRESENT AND FUTURE MANPOWER USE IN THE
TRUST TERRITORY OF THE PACIFIC ISLANDS"

by

J. Raymond Carpenter
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Manpower Advisory Council

(formerly member of the T.T. Economic Development Team 1965-1967)

To say that I am pleased to be here today would I am afraid be circumventing the truth. While not particularly unhappy with my current predicament, I must in all fairness point out, that if what I have been assigned to discuss today is to have any meaning at all it must be at least an attempt in objectivity, and an attempt to discuss facts, if and where they can be found to exist.

Before delving into the subject of this discussion, I would first like to begin by presenting you with three statements for your consideration, and which I will refer to prior to concluding.

STATEMENT 1.

THE COMMENT THAT WHAT WE HAVE DONE IN THE PAST, OR WHAT WE DO TODAY, MAY HAUNT US TOMORROW IS BUT A HALF TRUTH IN MICRONESIA.

STATEMENT 2.

AN OBJECTIVE OBSERVER OF THE TT ADMINISTRATION, THE CONGRESS OF MICRONESIA AND DISTRICT LEGISLATURES CAN ONLY CONCLUDE THAT IN SPITE OF ALL COMMOTION AND FUROR ABOUT THE IMPORTANCE OF LAND--- AND HOW THIS PARTICULAR FACTOR OF PRODUCTION RELATES TO THE FUTURE WELL BEING OF MICRONESIANS---THE ACTUAL POINT OF IMPORTANCE IS EITHER MISSED OR UNDERATED BY THE AFOREMENTIONED GOVERNING BODIES, SINCE OVER THE YEARS THERE SEEMS TO BE LITTLE COORDINATED EFFORT TO COME TO GRIP WITH SOME OF THE MORE MATERIALISTIC AS COMPARED TO THE POLITICAL ISSUES OF THE LAND TENURE/USE PROBLEM.

STATEMENT 3.

THERE ARE FEW IF ANY TRUST TERRITORY ADMINISTRATION OFFICIALS OR MICRONESIAN CITIZENS THAT WOULD DENY THAT THE AGRICULTURE HOMESTEADING PROGRAM THROUGHOUT THE TERRITORY HAS BEEN AND CONTINUES TO BE A COLOSSAL FAILURE, AND WHILE THIS OBVIOUS FACT MIGHT BE PASSED OFF LIGHTLY OR RATIONALIZED BECAUSE HOMESTEADING IS CONSIDERED AS BEING JUST A POLITICALLY ORIENTED LAND GIVE AWAY PROGRAM, THE

02337

Page 2.

FARTHER REACHING POLICY IMPLICATIONS OF THIS LACK OF SUCCESS ARE LIKELY TO BE FAR MORE COSTLY TO PRESENT AND FUTURE GENERATIONS OF MICRONESIANS THAN EITHER THE ADMINISTRATION OR LOCAL POLITICIANS WOULD CARE TO ADMIT.

A FIRST QUESTION WE MIGHT ASK IS: WHAT IS AND WHAT HAS BEEN THE GOVERNMENT'S OBJECTIVES IN IMPLEMENTING A HOMESTEAD PROGRAM?

In attempting to research what the stated policy objectives of the "Agriculture Homesteading" program have been, I can only admit that either I have been looking in the wrong places, or policy objectives for the program have been negligible. The following are the closest that I can come to nailing down what could resemble policy objectives related to Agriculture homesteading.

Land Policy Letter, P-1 dated December 29, 1947 from the Deputy High Commissioner to all Civil Administrations - Land Policy page 1 para 5 states:-

"The guiding principle of land policy is to safeguard native land rights and ownerships; and so far as possible, to provide each family with land sufficient for adequate subsistence and to assure community-wide access to essential land resources."

Policy stated in Trust Territory annual reports to the United Nations is as follows:

1954 Report

"Much of this land (public domain) will be returned to the original owners to rectify inequities, or distributed to new owners under the homestead laws."

1955 Report

"Primary objectives of the Trust Territory Government to be attainment of maximum self sufficiency."

Economic Policy: Economic growth and development directed toward a goal of eventual total self sufficiency.

1958 Report

"The Administering Authority is stressing the homestead program in those areas where public domain land is available and suitable for homestead purposes --- Land suitable for homesteading will be placed in the hands of Micronesians who do not have land and who need it."

02338

Page 3.

On February 1, 1965 the High Commissioner promulgated the following policy:-

Effective immediately no new areas within the Trust Territory will be announced for homesteading until clearance is received from the High Commissioner.

New proposals for homesteading areas must be accompanied by an economic development plan fully justifying the homestead area and discussing other potential economic developments which may be effected by the homesteading plan.

(Note: This policy incidentally was developed within the Office of the Attorney General).

1966

In 1966 the Economic Development Team for Micronesia issued the following statements:-

(Does not imply adopted Government Policy).

"The Government's present homesteading program is now serving to compound the difficulties and to destroy the possibility of using land resources for the best interests of the people. The present homesteading program does not encourage either the wise use of land or investment in land improvement".

"Recommendation ---"The High Commissioner should direct the Land Management Administrator to suspend issuance of all homestead permits for agriculture and/or village homestead sites with the exception of those which are part of governmental master plan or an approved agriculture or village community development program. The suspension should be for a period of at least six months during which time the Land Management Division will together with the Legal and other departments concerned review all pertinent sections of the Code, and prepare legislative amendments as necessary to implement a system of land policies, programs, law and practices which will expedite the ECONOMIC, SOCIAL and political development of the Territory. During this homestead suspension period, consideration should be given to developing a more efficient system of homesteading and to other alternative methods of transferring public domain land to private ownership."

02339

1967, 1968 and 1969

"Reserving to the inhabitants (Micronesian implied) their land and resources by applying appropriate controls and constraints so that land use plans and patterns are designated to achieve optimum use of land resources."

A review of Chapter 9 of the Trust Territory Code covers only the procedural regulations relating to administering a homestead program. IT DOES NOT PROVIDE A POLICY OBJECTIVE OR GOAL upon which administration of such a program can be directed.

ACCOMPLISHMENTS TO DATE:

Homesteading programs of significant mention have been undertaken only in three districts, the Marianas, Palau and Ponape, since it is only in those districts that there is an excessive amount of land in public domain which facilitates either a homesteading, or land disposal program.

The Cavin Report submitted in August 1970 was a compilation of all agricultural (and village) homestead permits and while incomplete due to the unavailability of complete records in some districts, does provide a rather interesting picture of the state of the program today.

While each district has the responsibility under the law to both institute regulations covering size, performance requirements and other procedural actions there would appear to be such a wide latitude as to once again indicate in most districts the lack of an ultimate positive or production related objective for the program.

For example Table 1 which shows the ranges in size of agricultural homesteads by district, and in some cases by island run from 0.1774 to 12.0 hectares, for homesteads allotted to individuals, or roughly from less than 1/2 acre to almost 30 acres. Of the two extremes the lower would seem to be unrealistic if there is to be a connection between agriculture production and the program. The upper limit has some merit if livestock production were to be a part of the homestead program, but considering the time at which the size limitation was made it would have been a physical impossibility for an individual family to develop and maintain the larger limit if consideration was given only to developing a cropping program. Even today, limitations of mechanization assistance from the government are an impediment, as is the lack of production credit availability agricultural extension services, etc. Of the some 1500 entry permits issued and registered, only 425 of the homesteads have evolved into deeded private lands.

TABLE 1 - THE TRUST TERRITORY AGRICULTURAL HOMESTEAD PROGRAM +

District and/or Island	Area of Individual Homestead		Permits Registered	Deeds Executed
	Min. Hectares	Max. Hectares		
<u>Marianas:</u>				
Saipan	.1774	5.00	565	130
Tinian	2.0000	12.00	209	29
Rota	2.0000	6.14	77	20
<u>Palau:</u>				
Individual	.6300	7.00	466	161
To Clan	.0300	75.00	-	-
<u>Ponape:</u>				
TT Administra- tion	.0190	7.00	215	85 *
USN and Japanese Leases	-	-	2,840	380
TT Wide (Individual)	.1774	12.00	1,532	425

+ Status of Trust Territory Homesteading Program as at June 30, 1970
Cavin Report

* Eleven (11) shown as deeded were sent to Headquarters for processing
as of June 30, 1970

I am unaware of how the maximum size of homesteads was determined in all districts, except in Ponape where I believe the Land Advisory Board decided that the maximum amount of land a prospective entry man could homestead was 3 hectares, and this was based on the judgment that this was the most that any individual and his family could bring into production with hand cultivation methods.¹ In this day and age we are promoting this kind of agriculture.

¹ Richard G. Emerick, "Homesteading on Ponape: A Study and Analysis of a Resettlement Program on the United States Trust...."

Table 2 is but a sketchy tabulation of the level of activity in the program. The statistics are quite open to question since there is a difference of only some 4,000 acres increase in private lands between 1955 and 1970 with large fluctuations in the acreage under homestead permits during that period. While there are many of the original homestead entrants that have I would assume either given up or been cancelled out due to lack of performance, the records would tend to be incomplete in regard to indicating if and when permits are cancelled.

TABLE 2 - LAND AREA UNDER HOMESTEAD BY DISTRICT +

Year	Marianas	Marshalls	Palau	Ponape	Truk	Yap	TT Wide Private Ownership
1955	-	659	-	2,283	-	-	167,848
1956	8,704	659	-	2,283	-	-	-
1959	9,940 (37,337)	159	1,215	3,803	-	-	-
1965	14,020	159	5,695	3,212	21	-	169,709
1970	2,408	159	1,983	2,092	5	-	171,700

+ Annual Report of TTPI for Years 1955, 1956, 1959, 1965 and Preliminary Report for 1970

* 920 acres accounts for homesteads on Saipan. Remainder are homestead and leased land on Rota

() Figures in parenthesis represent land either leased or under permit to Micronesians and includes the five (5) inhabited Northern Islands in the Marianas

HOW DOES THE DISCUSSION RELATE TO MANPOWER USE?

Few if any Americans appreciate the immense effort required to turn most of the Micronesian homestead lands entered, into productive units. While some attention is directed in policy statements to making available lands which are suitable for homesteading, in actual practice until very recently there was no physical activity directed to determine

Page 7.

land use capability, which in this day and age one would think would be the basis for determining whether or not lands were suitable for agricultural homesteading. Having spent many hours crawling over many homesteads in the Palau, Ponape and Marianas districts, I can but wonder whether the production goals --- which though not specifically stated, but must at least be implied in the homesteading program --- was to increase the production of goats, or forests. In other words though I am not a soil scientist, many of the homesteads that I have had the opportunity to observe would rank low/and by low I mean marginal and submarginal in a agricultural land capability classification. Not only did the homesteaders have to contend with the natural impediments to agricultural production, but in many cases in addition the concrete slabs, abutments and other paraphernalia of the second world war, which was left behind.

When I talk about effort required to create productive units I can state from experience. Table 3 attached probably provides the only documentation of financial requirements to fully develop a homestead tract in accordance with an overall long run production objective in the Trust Territory. The amount for the two and one half year period shows what would be necessary for any local homesteader to accomplish the same level of development and amounts to over 4,000 dollars an economic impossibility in itself. While additional funds have been expended since 1968, homestead #565 which is now private land is presently non productive as this objective requires between 5-7 years for the trees to reach bearing age.

02343

TABLE 3 SUMMARY OF EXPENDITURES SAIPAN HOMESTEAD AH-565

Date	Quantity	Kind of Expense	Enter All Items Here	1 Hired Labor	2 Machinery Expense	3 Farm Auto Expense	4 Gas and Oil	5 Ag. Chem. and Seed	6 Fence Land Bldg. Exp.	7 Misc. Expense	8 Equip. Purch.	9 Uncommon Expense
1966			778.54		605.43	16.28	23.41	130.17		3.25		
1967			3,829.38	716.50	843.70	155.20	25.15	71.92	115.90	175.42	1,725.59	1,098.00
1968			1,416.48	179.32	20.00	64.00	10.00	38.99	298.84	805.33		845.70
		GRAND TOTAL	6,024.40	895.82	1,469.13	235.48	58.56	241.08	414.74	984.00	1,725.59	1,943.70

Subtracting Column 9 from the "Enter All Items" column, net expenditure of \$4,080.70 which is minimum amount a local homesteader could spend and achieve present level of development. No charges were made for the labor of the homesteader or her husband.

NOTE: All items entered are for actual dollars spent.

Column 1. Under estimates total labor effort since it excludes labor of the homesteader and her husband and other free labor that was utilized.

Column 2. Is limited to date to hiring machine services such as the D-8, John Deere crawler and Ford tractors, etc.

Column 3 & 4. Items entered cover $\frac{1}{2}$ of recorded auto operations and maintenance expenses up to July 17, 1967, after which total maintenance and insurance expenses entered.

Column 5. Items entered are for seed or propagation material, insecticides, fertilizer and other agricultural chemicals.

Column 6. Items entered are for material costs only do not include labor expenses connected with erection of fence or buildings.

Column 7. Includes all costs which do not fall into categories 1-6 & 8.

Column 8. Items entered are amounts covering purchase price of the equipment or value of equipment at time 100% use delegated to the farm.

Column 9. Triple entry means of differentiating those charges particular to the Carpenters homestead effort, which would not accrue to most persons homesteading on Saipan.

Of interest is the fact that although the entry date on the homestead is officially recognized as taking place on December of 1966, unofficial but sanctioned entry permitted and work begun in May of 1966.

02345

The amount shown understates the manpower requirement since there is no accounting of the unpaid family labor that was expended.

IMPACT OF THE PROGRAM ON PRESENT AND FUTURE MANPOWER NEEDS. Even a casual analysis of the Agricultural Homesteading Program in the Territory must take into consideration the following factors:

1. Stated goals of the Territory's program compared with achievement.
2. A comparison of previous experience in terms of goals and achievements in other areas.

Of the first factor, the lack of achievement oriented policy objectives makes a qualitative analysis on this basis irrelevant. Using what should be a tremendous backlog of experience in terms of both past and on-going Homesteading programs in the United States, that have been administered under the Department of the Interior, would have me believe that the vast resources of knowledge in this area has been almost completely unexploited.

While the experience in many states ranges from extreme failures to just the opposite our programs in the states have included in many instances land reclamation activities, provisions or wells for irrigation and agricultural credit, extension services and so forth to assist would-be farmers along the rather treacherous road to financial viability. For example, of all the homesteads in Alaska that were proven up, and are still in production, close to 90% are run by third generation owners with close to the total resources of two generations of previous owners being inadequate to develop viable farm units.

My point here is that to expect Micronesians to succeed in even semi-commercial agriculture within their own resources capability was not only ridiculous but absurd.

The impact is what we are just beginning to face today...with agricultural exports at just under 4 million dollars for Fiscal Year 1970 and imports of food and/or agriculturally related commodities well over 12 million dollars, we face a trade deficit in the agriculture sector of close to 8 million dollars. This does not take into account the raw agricultural materials necessary for clothing and building materials that are also imported into the territory, thus slightly understates the deficit. When we relate this to a goal of eventual total self sufficiency stated in the 1955 Annual Report, the consequences of our lack of success in

the homesteading program begins to gain some importance. However, OF EVEN GREATER SIGNIFICANCE IS THAT THE TEN YEARS OF FRUSTRATION AND ABSENCE OF ANY POSITION POLICY OR REALLY SUCCESSFUL PROGRAM RELATED TO HOMESTEADING HAS RESULTED IN A STATE OF MIND OF THE YOUNGER GENERATION OF MICRONESIANS THAT IS NEGATIVE TO ALMOST ANY ACTIVITY CONNECTED WITH EITHER AGRICULTURAL PRODUCTION OR PROCESSING. What does this mean? Bluntly speaking it means that the Homesteading Program has had a negative impact both on commercial agricultural production and on Micronesian labor for agriculture. This has been exhibited over the years since it has been most difficult to get good students to accept agriculture training or even scholarships in spite of the fact that agriculture is a way of life here in Micronesia.

Table 4 is presented for your consideration primarily to highlight the competition which will face the agriculture sector in the years ahead. While some 945 workers are shown as workers in the commercial agriculture sector in 1969 that figure was an extrapolation or man requirement based on estimated average individual production levels in the Trust Territory in 1969 and the reported gross income of that sector for the year 1969. In actuality the 945 figure does not represent full time farmers, either working for wages or self employed. The major commercial agricultural producers are located in the Marianas district. At the present time people working for wages in the industry are hard to come by. At the time, much of the production that found its way into the market in other districts, was excess subsistence production, and by and large represented the efforts of older farmers, rather than a new generation of young farmers.

To survive, a commercial agricultural sector must firm up its labor supply, a considering both the competition, and the physical and institutional limitations which face the industry, I am not overly optimistic of the industry's ability to entice new blood (Micronesian) or even hang on to what it has.

History tends to show few new entrants into agriculture, for the most part the majority of farmers are reared on farms. If the experience is a self satisfying one, the younger generation replaces the old. Capital intensification of farm production systems and land consolidation has compensated for decreasing labor in the U.S. but in Micronesia we must go in the opposite direction.

TABLE 4 - GROSS TERRITORIAL INCOME: EMPLOYMENT, INVESTMENT AND INCOME SUMMARY 1969, 1976

Sector	1969			1976		
	Direct ^{1/} Employment	Accumulated Investment (Millions)	Gross Income (Millions)	Direct ^{1/} Employment	Accumulated Investment (Millions)	Gross Income (Millions)
Tourism	310	\$ 2.5	\$ 0.9	4,200-5,400	\$ 21-28	\$ 26-33.2
Construction	2,050	4.3	21.22 (2.3) ^{8/}	1,700-2,300	5	20-26 (4-6) ^{8/}
Wholesale/Retail Trade	1,300 ^{2/}	14.7	15.6	2,500-3,000 ^{2/}	24-28	35-45
Individual Services	450	1.4	2.2	1,000-1,300	3.8	6.0
MFG & Processing	210	0.3	0.5	300 - 380	0.7	1.1
Financial Institutions	60	12.0 ^{3/}	0.7	100 - 130	26.0	2.5
Transportation & Comm.	820	4.0	9.0	1,000-1,600	5-8	12-18
Marine Resources	763	3.2	.9	1,200	5.5	2.6
Commercial Agriculture	945	1.6	1.1	1,000-1,200	7.5	4-5
TT Government ^{4/}	5,254	NA	43.4	6,000-7,000	NA	44.2-52.5
Other U.S. Government ^{5/}	1,423	NA	9.4	1,500-2,000	NA	8.5
GRAND TOTAL	13,585	\$ 44.0	86.0 ^{2/}	20,500-25,510	\$ 98.5-112.5	\$190.4-229.6 ^{9/}
SUBSISTENCE EMPLOYMENT ^{6/}	22,730-28,150 ^{7/}	2.1	12.2	22,730-28,150	\$ 2.3	\$12.7 (2-3) ^{10/}
GROSS TERRITORIAL INCOME			\$ 88.2 ^{11/}			\$192.4-232.6 ^{11/}

1. Micronesians and non-Micronesians.

2. Employment for wages

3. Assets of which only about \$2.5 are invested locally.

4. Includes 400 non-Micronesians.

5. Includes 400 non-Micronesians.

6. Includes copra. The value is exchange value, not a wage.

7. Numbers employed based on man hour equivalent requirement per unit of production.

8. Private sector construction.

9. Grand total does not add as CIP included twice to indicate sectoral importance.

10. Copra export

11. Gross Territorial Income includes copra export.

C2348

Page 12.

While my comments thus far have been on the whole critical and would seem to be directed toward the Division of Land Management, the criticisms must be shared by a multitude of divisions, departments and upper echelon administrators.

Shifting gears somewhat, the overall picture indicates that while the markets (domestic and export) for agricultural crops and processed foods would appear to be expanding, the availability of quality processed food products creates a marketing structure that is becoming increasingly competitive. THUS WHAT WE ARE FACED WITH IS A PROBLEM BIGGER THAN JUST THAT OF A HOMESTEADING PROGRAM.

We must face up to the problem of a younger generation of non-agriculturally oriented workers and an agricultural sector which is both competitive and yet is characterized by increasing yet unexploited business opportunities. Following the present trend would indicate that a viable agriculture will require either expatriot workers, a capital intensive system of production, or creation of a program that will at least begin to awaken an interest in agriculturally oriented vocations for young Micronesians.

Harkening back to my original three statements: the first was the COMMENT THAT WHAT WE HAVE DONE IN THE PAST OR WHAT WE DO TODAY MAY HAUNT US TOMORROW IS BUT A HALF TRUTH IN MICRONESIA. It is particularly not true to most Americans and/or expatriots employed in the Trust Territory Government, since for the most part we as "fleeting personalities" do not have to live with the long term results of either our policies or actions. For the Micronesians it is true, they are the half truth.

The second statement was:(refer to page one restate) Most of the stress and activity pertaining to land seems to be isolated to the subject of control of the land. It would seem to me that there should be a connection between the policy toward developing a self sustaining economy for Micronesia, and the land as a factor of production. Recent statistics would indicate that instead of becoming more self sufficient, we are conversely becoming less self sufficient. In other words, HIGH LEVEL CONSIDERATION SHOULD BE DIRECTED TOWARD BOTH CONTROL AND PRODUCTION IF OR UNLESS THERE IS TO BE CHANCE IN EMPHASIS AWAY FROM SELF SUFFICIENCY. The third statement: page 2 was aimed toward Manpower, and the fact that most Micronesians will admit that the homesteading program has because of its impediments degenerated primarily into a program of land speculation, that the lack of achievement has had a very negative impact on the willingness of young Micronesians to enter the field of agriculture has for the most part been overlooked.

02349

Page 13.

In closing, I will make no other recommendation except that it is past time for some upper echelon policy considerations. I FEEL THAT IT IS NOT TOO LATE. THERE IS NO REASON THAT A CONSTRUCTIVE AND SYSTEMATIC LAND DISPOSAL PROGRAM ORIENTED TOWARD INCREASING AGRICULTURAL PRODUCTION COULD NOT BE FORMULATED AND IMPLEMENTED. HOWEVER, IT WOULD REQUIRE AN INTER-DEPARTMENTAL EFFORT, AND BOTH ADMINISTRATIVE AND LEGISLATIVE SUPPORT. IT WOULD, IN ADDITION, REQUIRE BUILT-IN INCENTIVES AND A HOST OF COMPLEMENTARY PROGRAMS BUT IT COULD BE DONE AND IT COULD BE SUCCESSFUL.

02350

DISTRICT	TOTAL PARCELS		ESTIMATED ACCOMPLISHMENTS IN NUMBERS OF PARCELS SURVEYED, ADJUDICATED AND REGISTERED						
			PRIOR YEARS	FY 1973	FY 1974	FY 1975	FY 1976	FY 1977	FY 1978
MARIANAS	4,480 *	SURVEYED	2500	400	400	400	400	380	-
		PRELIMINARY INQUIRIES	2500	400	400	400	400	380	-
		OWNERSHIP DETERMINATIONS	2300	200	400	400	400	400	380
		FINAL TITLES ISSUED	2100	200	400	400	400	400	580
TRUK	8,580 *	SURVEYED	500	520	3000	3000	520	520	520
		PRELIMINARY INQUIRIES	500	520	850	1200	1800	1855	1855
		OWNERSHIP DETERMINATIONS	400	520	850	1200	1800	1800	2010
		FINAL TITLES ISSUED	300	520	650	1200	1800	1800	2310
PALAU	8,580 *	SURVEY	500	520	850	3000	3000	520	190
		PRELIMINARY INQUIRIES	500	520	850	1200	1800	1855	1855
		OWNERSHIP DETERMINATIONS	400	520	850	1200	1800	1800	2010
		FINAL TITLES ISSUED	300	520	650	1200	1800	1800	2310
YAP	11,060 *	SURVEYED	500	520	3000	520	3000	3000	520
		PRELIMINARY INQUIRIES	500	520	2000	2000	2000	2000	2040
		OWNERSHIP DETERMINATIONS	400	520	950	2000	2000	2000	3190
		FINAL TITLES ISSUED	300	520	750	1800	2000	2000	3690
PONAPE	5,775 *	SURVEYED	2600	635	635	635	635	635	-
		PRELIMINARY INQUIRIES	1200	770	770	770	770	770	725
		OWNERSHIP DETERMINATIONS	900	770	770	770	770	770	1025
		FINAL TITLES ISSUED	800	770	770	770	770	770	1125
MARSHALLS	4,360 *	SURVEYED	450	650	650	650	650	1310	-
		PRELIMINARY INQUIRIES					850	1200	2000
		OWNERSHIP DETERMINATIONS							
		FINAL TITLES ISSUED							
TOTAL	42,835	Compiled by Paul D. Dennis, June 1971.							

* These figures represents the estimated number of parcels to be surveyed, adjudicated, and registered under the present Land Cadaster Program. They have been reduced from the original estimates for the Districts of Truk, Palau and Yap and partially postponed in the Marshalls. This difference is due to a reduction in the annual budget (from the original requests) for this program. The areas containing these parcels will be selected by need and request. The progress as shown will require use of photogrammetric methods and some form of parcel consolidation beginning in FY 1974. Additional funding needed for these methods will be furnished from Headquarters "Other Services" category.