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**Advisory
Council On
Historic
Preservation**

1522 K Street, NW
Washington, DC 20005

OCT 20 1981

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Tom Jones
The President
The White House
Washington, DC 20500

Dear Mr. President:

I have the honor to transmit to you a report on the historic preservation effects of terminating the United States Trusteeship of the Islands of Micronesia, adopted by the Advisory Council on Historic Preservation at its August 25, 1981, meeting.

This report was prepared under the authority of Section 202(a)(1) of the National Historic Preservation Act of 1966, which directs the Council to advise you and the Congress on matters relating to historic preservation.

The report identifies a number of ways in which terminating the Trusteeship in Micronesia will result in damage to historic properties significant to the people of Micronesia, the international scientific and historical communities, and the world. It recommends measures that can be adopted by the U.S. Government to reduce or eliminate such damage without impeding the process of termination. We believe that adoption of such measures would enhance the long-term relationships between the U.S. and emerging Micronesian governments.

As you review the position of the United States on termination of the Trusteeship, Mr. President, it is our hope that you will consider the findings and recommendations of the Council contained in the enclosed report. If we can be of any assistance to you in this process, please call upon us.

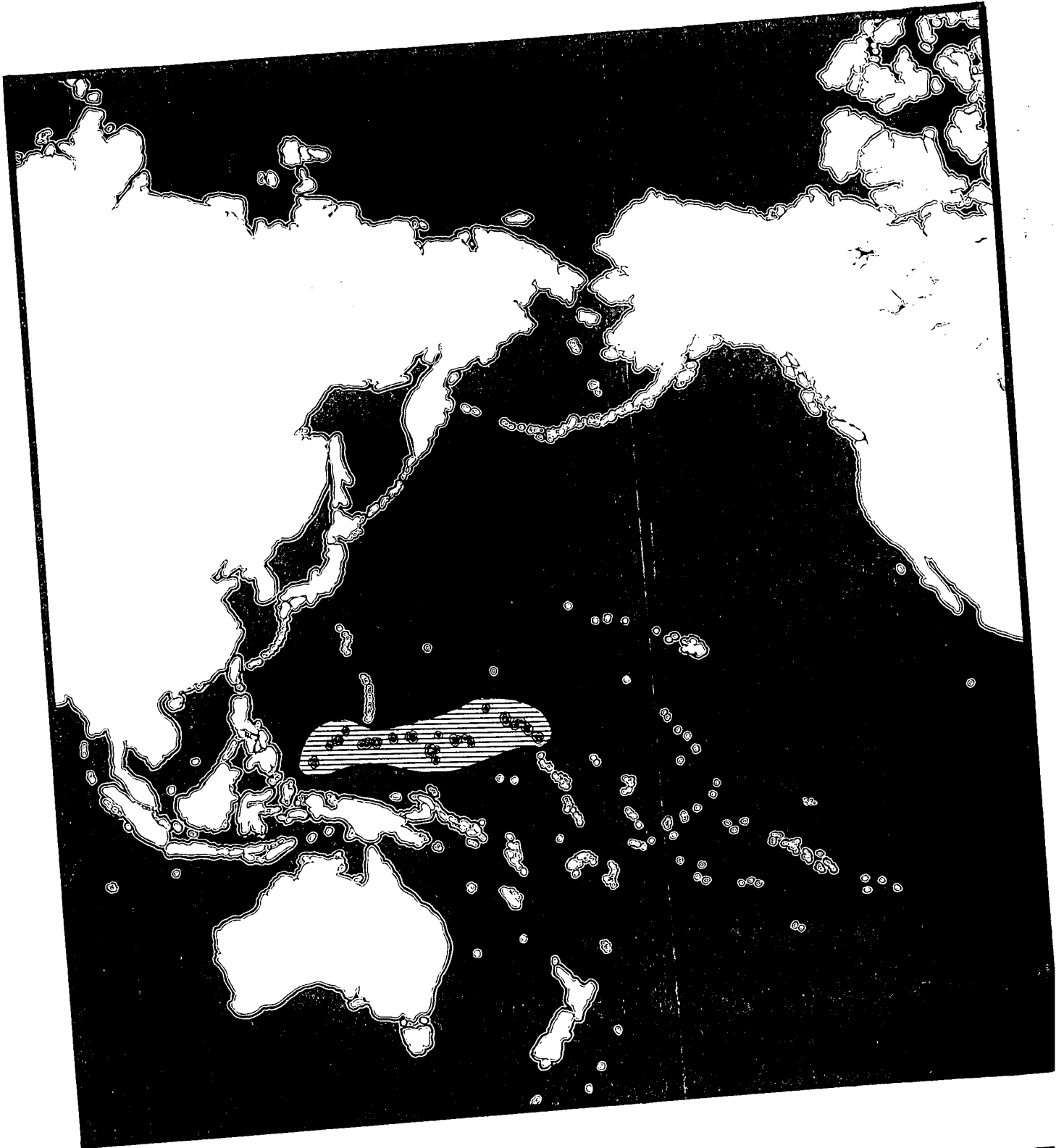
Sincerely,

Alexander Aldrich

Alexander Aldrich
Chairman

Enclosure

Termination of the U.S. Trusteeship of
The Islands of Micronesia



Comments of the Advisory Council on Historic Preservation

Termination of the U.S. Trusteeship of
The Islands of Micronesia

August 25, 1981



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President, Federated States of Micronesia,
Concerning the Future of the Preservation
Program in His Nation.

Preface

Thirty-seven years after the United States wrested them from the Japanese Empire, the islands of Micronesia stand on the brink of regaining a self-governing status they have not enjoyed since their colonization by the Spanish during the 18th and 19th centuries. Negotiations between the United States and the three new governments of Micronesia have resulted in a draft Compact of Free Association, under which the new nations will achieve self-governing status while retaining a special close relationship with America.

In the process of terminating the Trusteeship Agreement under which the United States has administered Micronesia since the close of World War II, it is vital that the historical and cultural foundations of Micronesian society be recognized and protected. The nations of the world have learned, in the words of the United Nations Educational, Scientific, and Cultural Organization:

"that, in a society where living conditions are changing at an accelerated pace, it is essential for man's equilibrium and development to preserve for him a fitting setting in which to live, where he will remain in contact with nature and the evidences of civilization bequeathed by past generations"*

Nowhere do these words have more force than in Micronesia, where in the next few years, facing the new strains of self-government in a context of energy shortages, international tension, and the increasing economic development of the Pacific Basin, living conditions will inevitably change at a very rapid rate, and preserving social equilibrium will test the abilities of governments and individuals alike.

It is not surprising, therefore, that the constitution of the Federated States of Micronesia affirms "our common wish...to preserve the heritage of the past," or that the Constitution of Palau likewise affirms "our dedication to preserve and enhance our traditional heritage."

In the complications attendant upon terminating a decades-old international relationship, and establishing a new one, it is easy to lose sight of the need to

*Preamble: "Recommendation concerning the protection at national level, of the cultural and natural heritage." (Adopted by the general conference of UNESCO) 17th session, Paris 11/16/72.

recognize and protect the cultural heritage. It is easy to overrate the difficulty of effecting such protection, or to regard it as merely a stumbling block to progress and desirable change. Protecting the cultural heritage need not be difficult, and it need not--indeed, should not--impede change. What is required is thoughtful, fully informed, timely consideration of the effects of change upon the environment and the institutions that maintain cultural integrity.

Over the last half-decade, the United States has recognized and ensured consideration of the cultural heritage of Micronesia by extending to the people of Micronesia the terms of its National Historic Preservation Act of 1966. The program established by the Government of the Trust Territory of the Pacific Islands under terms of the Act has been effective in providing balanced consideration of historic properties, and in promoting their identification, protection, and enhancement, across the vast expanse of Micronesia--an area of ocean the size of the United States, sprinkled with islands whose cumulative land area is much less than that of Rhode Island, and whose people represent six different languages and cultural traditions. It is vital that, as the Trusteeship ends, the momentum gained by this program not be lost. Only by ensuring that such a program continues, and can become a fully indigenous one which operates in a manner compatible with international conventions and recommendations, can the United States be sure that the Micronesian governments have the tools to preserve and make good use of their cultural heritage.

To encourage that steps be taken to assure proper consideration for Micronesia's cultural patrimony after the end of U.S. jurisdiction, the Advisory Council on Historic Preservation is pleased to submit this report to the President and the Congress. The Council is an independent agency of the United States Government, charged by Section 202(a)(1) of the National Historic Preservation Act with the responsibility to "advise the President and the Congress on matters relating to historic preservation." Few such matters can be more important than the need to make available to three new nations, with which the United States hopes to have long and harmonious relationships, the means to make historic preservation a normal part of their governmental operations.

Alexander Aldrich

Alexander Aldrich, Chairman
Advisory Council on
Historic Preservation

Executive Summary

Introduction

The islands of Micronesia, in the western Pacific Ocean, have been administered by the United States since World War II, under the terms of a Trusteeship Agreement with the United Nations. In accordance with U.N. and U.S. policy, the U.S. now proposes to terminate its trusteeship, and is negotiating a Compact of Free Association with the new governments of Palau, the Federated States of Micronesia, and the Marshall Islands.

The Historic Preservation Officer of the Trust Territory of the Pacific Islands, and others, have advised the Council that termination of the Trusteeship will have certain adverse effects on significant historic properties including properties now included in and eligible for the National Register of Historic Place, unless steps are taken to avoid or mitigate these effects. The Council has studied this matter, and prepared a report to the President and Congress under the authority of Section 202(a)(1) and other sections of the National Historic Preservation Act.

Background

Micronesia covers some 3,000,000 square miles of the Pacific. The portion of Micronesia under consideration includes the island groups of Palau, Yap, Truk, Ponape, Kosrae, and the Marshalls, comprising about 500 square miles of land.

The people of these groups are now forming three new nations: the Republic of Belau, the Federated States of Micronesia (Yap, Truk, Ponape, and Kosrae), and the Marshall Islands.

All the island groups contain significant historic properties, including archeological sites ranging back at least two to three thousand years in time, ruined cities and other complexes of prehistoric architectural features, historic structures and sites representing administration of the area by the Spanish, Germans, and Japanese, relics of World War II, and sites and other features in continuing cultural use by the Micronesian people. Micronesian historic properties, and other cultural resources, are currently protected and developed by the Trust Territory Historic Preservation Office and related programs of the Trust Territory Government, the new national and state governments, and the U.S. Government via application of the terms of the National Historic Preservation Act.

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Findings

Although termination of the Trusteeship is desired by all parties, and appropriate under the terms of the original 1947 Trusteeship Agreement, it will have adverse effects on historic properties if steps are not taken to avoid or mitigate such effects. Specifically

*The existing historic preservation programs will no longer qualify for categorical grants from the U.S. Department of the Interior; this appears likely to cause serious erosion in the quality of the programs, if not in their demise.

*The standards and guidelines of the Department of the Interior will no longer apply to the Micronesian historic preservation programs; this will probably result in a loss of program quality even if funds can be found for the programs.

*Historic properties will no longer have to be considered in advance of land-modifying activities under the authority of Section 106 of the National Historic Preservation Act and the Council's regulations. This will result in widespread destruction and conflicts between preservation and development.

Most of the Micronesian governments have expressed strong support for the historic preservation programs, and the proposed Compact of Free Association provides for "block grants" to the new governments for a period of 15 years. It is thus possible that the Micronesian governments can support preservation activities on their own. However, it is anticipated that the costs of establishing the new governments, in the context of energy scarcity, a low level of indigenous economic development, and extreme competition for limited resources, will tax the fiscal limits of the new governments, and make it unlikely that the historic preservation programs will survive. U.S. agencies and others will continue to undertake a variety of land-modifying activities in Micronesia, and without the guidance provided by the Council's regulations, it is unlikely that they will adequately consider historic properties in their planning.

Legal Considerations

The World Heritage Convention, international recommendations to which the United States has agreed, and the National Historic Preservation Act itself all indicate that the U.S. should take steps to avoid or mitigate the adverse effects of termination, and point the way toward practical steps that can be taken. Emerging Micronesian law must also be taken into consideration; both Palau and the Federated States of Micronesia have adopted historic preservation statutes.





Recommendations

The Council recommends:

*that the Micronesian governments be invited to negotiate for an extension of categorical historic preservation grants at a level that is reasonable to support basic program functions and provide for transition to full local support and direction through at least the first 5 years after termination;

*that U.S. agencies entertain requests from the Micronesian governments for technical assistance to build capacity in historic preservation related activities;

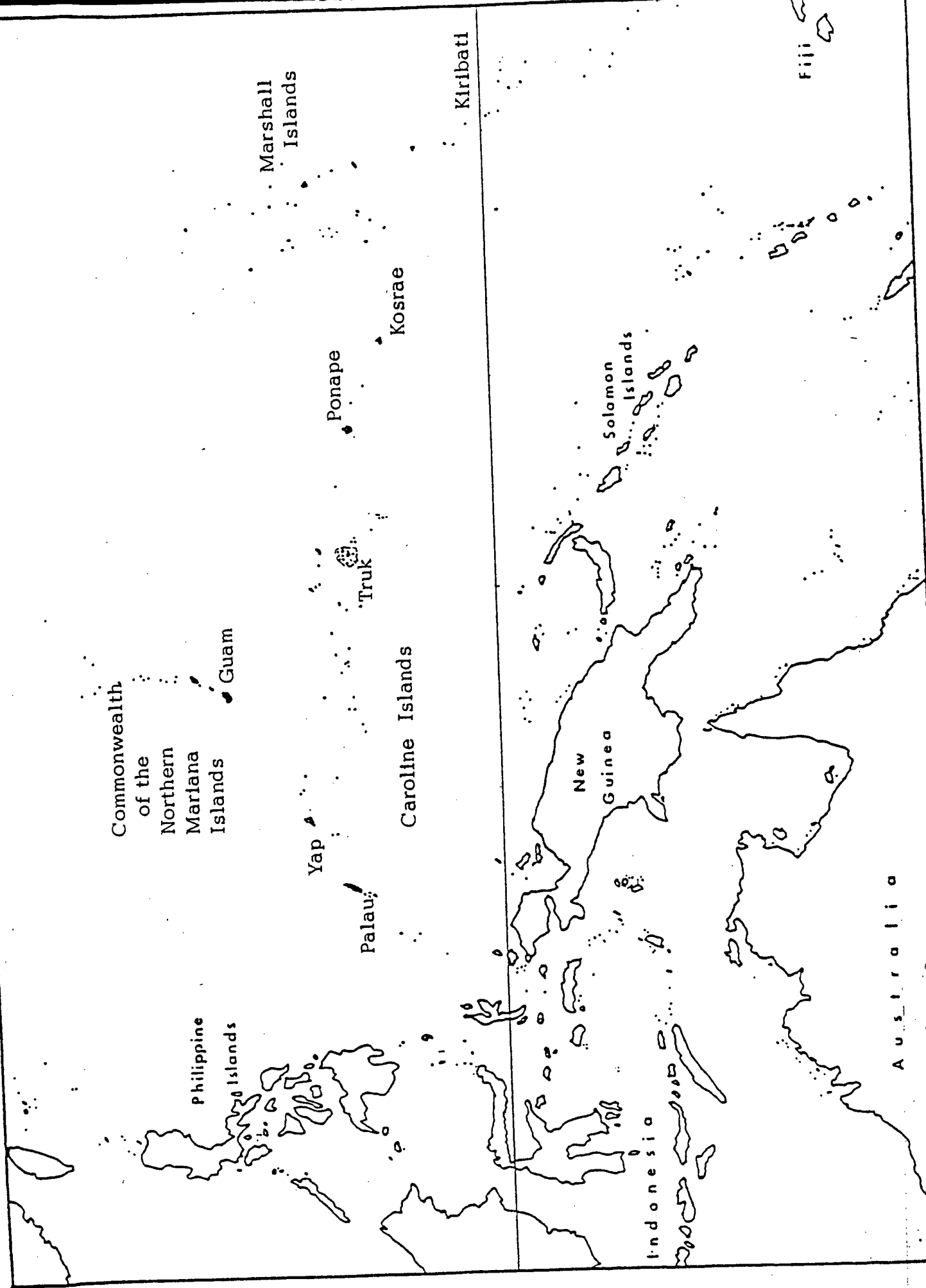
*that Micronesian concerns for the intangible, as well as the tangible, attributes of culture be explicitly recognized in U.S. preservation policy toward the area;

*that development of a Regional Center for Historic Preservation in the Western Pacific be encouraged;

*that encouragement be given to integration of historic preservation with educational programs, and

*that an interagency group establish standards for consideration of Micronesian historic properties by U.S. agencies operating in the area.

Views of the Trust Territory Historic Preservation Officer, and of Micronesian governments and historic preservation organization, are appended.



Commonwealth
of the
Northern
Mariana
Islands

Philippine
Islands

Guam

Marshall
Islands

Yap

Palau

Truk

Ponape

Kosrae

Caroline Islands

Kiribati

New
Guinea

Solomon
Islands

Indonesia

Australia

Fiji





Chapter One: Background

Part I: PURPOSE AND AUTHORITIES

The United States Government plans soon to terminate its trusteeship of the Trust Territory of the Pacific Islands. This action will bring to an end, or at least significantly change, the historic and cultural preservation program established in the Trust Territory in 1975, and will alter the nature and level of protection afforded to historic and cultural properties.

The purpose of this paper is to advise the President of the United States, the Congress, Executive Branch agencies, and the public of the potential effects of termination on historic and cultural properties, and to recommend actions that will mitigate those effects that may be adverse, or even render them beneficial, without altering or impeding the progress of the United States and the governments of Micronesia toward a new international relationship.

This paper has been prepared by the Advisory Council on Historic Preservation under the following authorities:

Section 202(a)(1) of the National Historic Preservation Act (16 U.S.C. 470; hereafter, "the Act"), which directs the Council to "advise the President and the Congress on matters pertaining to historic preservation";

Section 202(a)(6) of the Act, which directs the Council to "review the policies and programs of Federal agencies and recommend to such agencies methods to improve the effectiveness, coordination, and consistency of those policies and programs with the policies and programs carried out under the Act";

Section 106 of the Act, which directs Federal agencies to "take into account the effect of (their) undertaking(s) on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register (of Historic Places)," and to "afford the Advisory Council on Historic Preservation...a reasonable opportunity to comment with regard to such undertaking"; and,

Section 800.12(b) of the Council's regulations, "Protection of Historic and Cultural Properties," (36 CFR Part 800) which specifies that the Council

will comment on Federal actions in special circumstances when its comments have not been sought in the manner the regulations otherwise prescribe.

In preparing this report, the following were used as primary references materials:

Preliminary Case Report: Termination of Department of Interior Administration, Trust Territory of the Pacific Islands, submitted to the Council on January 6, 1981, by the Department of the Interior.

Compact of Free Association: draft initialed by the negotiators for the United States, Federated States of Micronesia, Palau, and the Marshall Islands on October 31, 1980, and November 17, 1980.

The Trust Territory Historic Preservation Program: Its Framework and Projects Since 1977: Office Report 79-1, TTPI Historic Preservation Office.

"The Trust Territory Historic Preservation Program: Update on Framework and Projects to the End of FY 79." MS., TTPI Historic Preservation Office.

Geography and logistics have precluded the conduct of public information meetings and other efforts to obtain direct experience with public opinion in Micronesia. However, the Trust Territory Historic Preservation Officer has provided a detailed comment (Appendix I), and supplied the Council with copies of expressions by various Micronesian governments and organizations (Appendix II), which have been drawn upon in preparation of this report.





Part II: SOCIOPOLITICAL CONTEXT

A. Historical Context

During the First World War, Japan seized from Germany the islands of the west central Pacific, including the Marshalls, the Carolines, and the Marianas except for Guam, a U.S. possession. These island groups, together with Kiribati (then called the Gilberts), Nauru, and Ocean Island, which lie to the southeast of the Marshalls, are collectively referred to as Micronesia.

After World War I, the Marshalls, Carolines, and Marianas (except Guam) were mandated to Japan by the League of Nations. During World War II, the Japanese Mandated Islands were conquered by the United States, and after the War the United Nations placed the islands under U.S. trusteeship.

Over the last decade, the United States has been consulting with the people of Micronesia and their developing governments in order to bring the Trusteeship to an end. This effort is now approaching its conclusion with the establishment of three new national governments in free association with the United States.

B. Geographic and Social Context

For purposes of this discussion, the term "Micronesia" will be used to refer to the Caroline and Marshall Islands. Kiribati, Ocean Island, and Nauru, which technically are parts of Micronesia, have never been part of the Trust Territory and are not covered by this discussion. The Mariana Islands, also a part of Micronesia, consist of Guam, an American possession since 1899, and the Northern Mariana Islands, which have joined the American Commonwealth as the Commonwealth of the Northern Mariana Islands. They are not directly affected by the actions discussed here.

Micronesia covers some 3,000,000 square miles of the western Pacific, and contains high islands and atolls comprising about 500 square miles of land. At the far west end of Micronesia is the Palau (Belau) Archipelago, a north-south tending group of high islands and atolls facing the Philippine Sea. Palau has been occupied for several thousand years, according to archeological evidence; its people were traditionally organized into ranked villages in accordance with a complex system of

kinship and status organization. Some 300 miles to the northeast is the Yap group of islands; these are raised coral and schist islands which traditionally supported a large population organized according to a system of castes. The people of the Yap Islands proper were and still are linked closely to the people of the west central Caroline atolls, ranging from Ulithi, some 100 miles to the northeast, to Lamotrek, almost 600 miles to the southeast. In prehistoric and early historic times, the people of these atoll groups paid tribute to the people of Yap, and were involved in a trade network sometimes referred to as the "Yap Empire." In the near-center of Micronesia is Truk Lagoon, a huge drowned volcano represented today by some eight major high islands surrounded by a coral reef. The most populous of Micronesia's island groups (ca. 40,000 people), Truk includes within its political sphere the western atolls of Puluwat, Pulusuk, and their neighbors, the atolls of Namanuito and the Halls to the north, and the Mortlock atolls to the south. Although there are traditions of a highly organized prehistoric government in Truk, throughout historic times the Trukese have been organized into localized villages, each representing several kin groups, sometimes giving allegiance to an island chief or a multi-village alliance. Warfare was endemic until the Germans and Japanese imposed pacification measures. Some 400 miles east of Truk is the high island of Ponape, traditionally organized into five major districts each headed by a powerful leader called Nahmwarki, and a slightly lesser official called Naniken, from whom authority flowed to a large number of title holders bearing responsibility for lands, people, and activities. 350 miles southeast of Ponape is the isolated high island of Kosrae, a one-time kingdom and traditionally the leading island in an economic and political system that linked the Carolines as far west as Yap. Kosrae suffered heavily from the impacts of whalers during the 19th century, and the population was much reduced. As a result, and because of its isolation, less is known of its history and political organization than is the case with the other Micronesian islands.

Kosrae is the easternmost of the Carolines. About 300 miles to the east and north of Kosrae, the Marshall Islands curve in a double crescent from southeast to northwest. All atolls and raised coral islands, the Marshalls are divided into the Ralik chain to the east, the Ralik chain to the west. They extend over 700 miles from Mili in the southeast to Eniwetok in the northwest. The Marshalls were traditionally governed by powerful chiefs (iroij), who owned all land and exercised authority over the people of individual atolls and islands.

It is generally thought that Yap and Palau were occupied from Southeast Asia and/or the Philippines, perhaps



3000 to 5000 years ago. The Yapese and Palauan languages are different from one another, and both are apparently unrelated to Trukese, Ponapean, Kosraean, and Marshallese. These last, however, are related; it is generally thought that they represent a migration into the area from the southeast, perhaps from Central Polynesia, 1000 or more years ago. Archeological research in Micronesia is in its infancy, and much more information on the area's cultural history is likely to be revealed in the future.

C. Modern Political Entities

Since the 1960's, the Trust Territory of the Pacific Islands has been administered by a High Commissioner, appointed by the President, with headquarters on Saipan in the northern Marianas. A series of referenda has been held over the last 5 years, resulting in the conclusion that, after termination of the Trusteeship, the area will be divided into three political entities, as follows:

The Republic of Belau, or Palau, consisting of the Palau Archipelago;

The Federated States of Micronesia, consisting of the States of Yap, Truk, Ponape, and Kosrae, with the capital on Ponape; and

The Marshall Islands, including all the Marshalls, with the capital at Majuro.

Each of the new entities has now adopted a Constitution, or is in the process of so doing, and each has installed a national government. Government functions are being transferred gradually from the Trust Territory Government to the new national governments.

Part III: HISTORIC PROPERTIES AND CULTURAL RESOURCES
IN MICRONESIA

A. Introduction

The prehistory and early history of Micronesia are not well understood. During the German administration a good deal of ethnographic and archeological research was undertaken, but the studies tended to be of the nature of general surveys. The Japanese discouraged foreign researchers, while their own efforts were limited largely to individual, short-term research projects and resulted in relatively few publications. Numerous cultural anthropologists were brought in immediately after World War II as intermediaries between local people and the U.S. Navy administration, and for a number of years each island group had a District Anthropologist. The work of these scholars, which often continued after they left government service for academia, and was carried on by their students on research grants, has produced a large body of ethnographic literature, most of it describing and analyzing traditional political organization as it was functioning and as it could be reconstructed during the 1950's and 1960's. Archeological studies did not get underway on any significant scale until 1977; since that time, however, over 20 substantial field investigations have been conducted by scholars representing the Trust Territory Historic Preservation Office and institutions in the U.S., Japan, Australia, and New Zealand. These studies have resulted in the identification of several hundred archeological sites and historic buildings that, were Micronesia to remain under U.S. administration, would in the opinion of the Trust Territory Historic Preservation Officer be determined eligible for inclusion in the National Register of Historic Places. Twenty-six Micronesian properties are currently listed in the National Register, and 14 others have been determined eligible for the Register by the Secretary of the Interior. Two properties have been included in the U.S. inventory of properties that may be proposed for nomination to the World Heritage List. The relatively small number of properties included in the National Register from Micronesia reflects a conscious choice by the Trust Territory Historic Preservation Office to give priority to inventory and planning activities rather than to National Register nominations, because placement in the Register will be irrelevant after termination of the Trusteeship.

Besides strictly archeological properties, Micronesia contains a number of historic structures, sites representing significant events or activities during World War II, and locations of continuing cultural significance. Micronesians have also been active in the reconstruction of traditional buildings, objects, and facilities, helping retain the architectural and craft traditions of their heritage.

The following is a brief summary of the known and projected historic resources of each island group.

B. Palau

Archeological sites in Palau have been found dating back at least 2000 years. There are extensive coastal midden sites, often associated with large stone house platforms, stone roads, and carved stone stelae. Some sites, notably in northern Babeldaub, are characterized by alignments of standing or once-standing megaliths, whose function remains unclear. Because of these mysterious and impressive monuments, part of northern Babeldaub is on the U.S. inventory of potential nominees to the World Heritage List.

Many hills and promontories in Palau are sculpted into elaborate terrace complexes whose age and functions remain uncertain but which are thought to have both agricultural and defensive purposes. Cave paintings are reported among the rock islands south of Koror, the capital. A few Japanese period buildings remain in Koror, and there are extensive World War II remains on Peliliu, including "Bloody Nose Ridge," a maze of tunnels cut into a limestone hill, from which Japanese troops repeatedly attacked the U.S. Marines after the island was ostensibly secured in September 1944.

The traditional Palauan meetinghouse is the Abai, a huge, highly decorated wood and thatch building with a high-gabled roof constructed on a large stone platform. Abais have been reconstructed in recent years on traditional sites at Airai and Malekeok, and one stands at a non-traditional site near the museum in Koror. Traditional war canoes (Kabekl), have recently been reconstructed by two Palauan villages, and are being used in intervillage competitions.

C. Yap

The earliest known archeological sites in Yap are about 2000 years old. Major villages were and are generally found near the shore. Their archeological remains include stone-surfaced plazas surrounded by massive house platforms, joined by well-leveled stone-surfaced roads. Ceremonial dancing places (malal) and the platforms of meeting houses (p'ebay') and men's club houses (faluw) are lined with stone money (rai)--schist "cartwheels" up to eight feet in diameter,

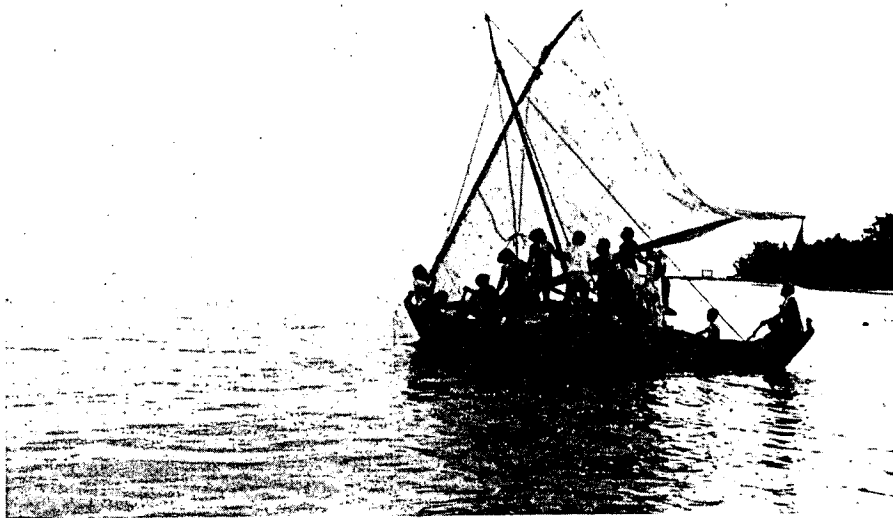


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RUINS OF NAN DOWAS,
NAN MADOL, PONAPE.
Nan Dowas is one of
the most impressive
islets in the
"administrative
center" of the abandoned
prehistoric city of
Nan Madol. These
walls, constructed of
columnar basalt
transported many
miles around the
island and erected by
hand, are 20 to 30
feet high, and some
of the stones have
been calculated to
weigh up to 46 tons.
Inside the walls are
tombs, tunnels, and
building foundations.



TRADITIONAL SAILING
CANOE FROM PULUWAT
ATOLL, CENTRAL CAROLINES.
This 26-foot canoe is
of the type traditionally
used for navigation
throughout Micronesia
and beyond. Similar
canoes have recently
sailed from the
Central Carolines to
Guam, Saipan, and
Okinawa. This canoe
was scheduled to be
flown to the U.S. to
take part in Operation
Sail during the
Bicentennial celebration,
but was abandoned on
Saipan when plans for
transportation collapsed.
Rediscovered and
placed on the National
Register of Historic
Places in 1978, it
was restored by
traditional craftsmen
brought to Saipan
with historic preservation
funds, and is now
preserved at Saipan
International Airport.



which were quarried in Palau some 300 miles away and brought to Yap on rafts. Tombs are common in the interior; these range from single-level stone platforms to elaborate multi-stepped pyramids eight to ten feet high.

Yap seems to have been nearly depopulated during the last century, and in recent times most of the population has concentrated in Colonia, the capital. Very recently, however, there has been a tendency to seek a return to the land, which has seen some repopulation of old villages. This in turn has led to an interest in reconstructing traditional architectural styles. Houses have been rebuilt on traditional sites in the traditional manner in a number of locations.

Remnants of the German period include a cable station south of Colonia, and portions of several buildings in the capital itself. The Japanese period is reflected in some of Colonia's buildings, and in fairly extensive bombed-out military installations including antiaircraft batteries and a military airfield still littered with shot-up fighters.

East of Yap proper, archeological excavations and surveys on Ulithi and Lamotrek Atolls indicate occupation at least as early as 1100 A.D. The people of this area, and the atolls immediately to the east linked to Truk, are among the world's greatest navigators. Their sailing and navigation tradition is kept alive today through navigation schools and the continued practice of traditional techniques. Ocean-going outriggers are still constructed and used in generally the traditional fashion, although dacron sails have largely replaced pandanus mats. Over the last several years, navigators from Satawal and Puluwat have guided canoes to Guam, Saipan, and Okinawa, and it was a Satawalese navigator who guided the reconstructed Hawaiian double canoe Hokule'a from Hawaii to Tahiti. Navigation is done following ancient chants that give reference points based on wave patterns, weather conditions, animal behavior, and star patterns.

D. Truk

The earliest known archeological sites in Truk lagoon are dated at about 2000 years ago, but the bulk of sites excavated or tested to date seem to have been first occupied no more than 600 to 700 years ago. This date may be associated with the traditional arrival of migrants from Kosrae, who imposed a centralized form of government on Truk. By the late 18th or early 19th century, however, if not earlier, the Trukese were organized into a number of small groups linked by rather flexible kinship-based alliances, which made war on one another often. As a result, one of the characteristics of Trukese archeology is the presence

of fortified villages and other defensive installations. These are typically on mountaintops and ridge crests, and have thick stone walls within which are house platforms and occupation deposits. During times of peace, the population was concentrated in attractive locations along the shore; here substantial midden deposits are found today.

The Germans made little use of Truk, but the Japanese made it the headquarters for their Combined Fleet. A city of over 30,000 sprang up on Dublon Island, with large oil tank farms, light industries, and a major administrative center. Massively bombed in 1944, Dublon City is now in ruins, largely overtaken by jungle. Some of the ruins have been cleared by local people and have become minor historical tourist attractions. The major tourist attraction of Truk is also historical; this is the "underwater fleet," the 40-plus Japanese ships sunk by American bombs during "Operation Hailstone," the heavy bombing raids of February 17 and 18, 1944. The "fleet," a National Register property, includes some warships but is mostly composed of merchantmen loaded with bombs, torpedoes, tanks, trucks, mines, and other war supplies, and still furnished with everything they had on board when they went down, including the skeletal remains of their crews. The "fleet" attracts thousands of SCUBA divers to Truk annually. Although ostensibly protected by local laws, the "fleet" suffers from vandalism by uncontrolled divers. Many of the ships also represent environmental and safety hazards, as they leak chemical pollutants into the lagoon and decay to a point at which the spontaneous explosion of ordnance is possible.

E. Ponape

Ponape is best known for the ruins of Nan Madol, a city on the reef at the mouth of Madolehnihm Harbor on the east side of the island. To build Nan Madol, apparently at least a thousand years ago, the Ponapeans transported pieces of massive and columnar basalt weighing up to 46 tons to the reef, where they were used to construct rectilinear cribworks which were then filled with coral rubble. Structures were built on top, and tombs excavated within, the artificial islets thus created. Travel between islets was by canoe, along the canals between the structures. The urban core of Nan Madol occupies about one-half square mile, but a recent study indicates that the total site is perhaps 10 square miles or more in extent, including various outlying structure complexes. It also has been found that portions of Nan Madol extend underwater, suggesting post-construction land subsidence. Nan Madol is on the U.S. inventory of potential nominees to the World Heritage List, and is a National Register property. It is, however, only the largest and most complex known Ponapean archeological site. The interior

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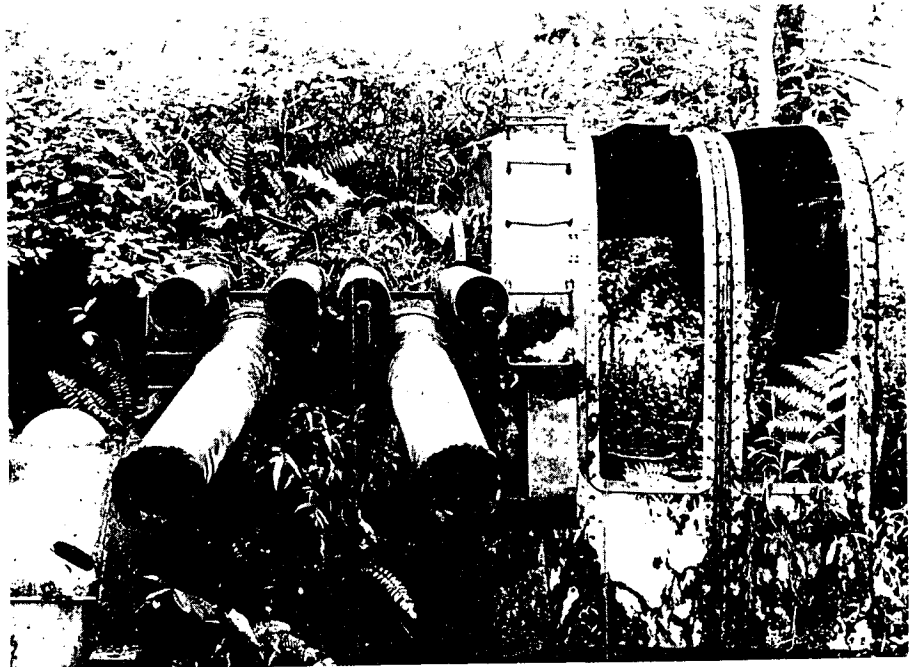
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MEGALITHS ON OLLEI
PENINSULA, BABELDAUB
ISLAND, PALAU.

The megaliths in the
multiple-rowed alignment
are 6 to 8 feet high.
The function of the
alignment is unknown.
Extensive stone
platforms, roads, and
artificially modified
hills are found in
the vicinity.



JAPANESE BATTERY AT
POHNDOLLAP, PONAPE.
These guns are part
of an extensive,
fairly intact military
complex on a high
peak near Kolonia,
the capital of the
Federated States of
Micronesia. They are
in private ownership,
protected by easements
negotiated with the
Ponape Historic
Preservation Committee.



of Ponape is rich in tombs, house platforms, and other structures, many of which have been recorded over the last few years by the University of Oregon and other institutions, as well as by the Ponape Historic Preservation Committee, in systematic surveys. Kolonia, the capital city of Ponape State, is an old Spanish town, and still retains remnants of the Spanish period, notably the "Spanish Wall," a fortification wall that protected the original colonists against repeated attack. The Germans expanded outside the wall, building, among other structures, the Catholic Church whose belltower today stands just beyond the wall, the rest of the church having been blown away by bombs during World War II. Japanese remains are common, including a group of light tanks in the jungle near the modern hospital, still in sufficiently good condition that guns can be elevated and turrets moved.

F. Kosrae

Kosrae, like other Micronesian high islands, has extensive prehistoric coastal middens, and various walled sites in the interior. On the islet of Lelu, now part of the Island's administrative center, is a complex of ruins very similar to Nan Madol. This site, Saru, traditionally represents the administrative center of the island and its far-flung political and economic network. Archeological excavations at the ruins of Lelu have only recently begun, and no reports have yet been published. Excavations and surveys in connection with airport and road construction have explored the village of Putuk, a stone walled shoreline community, and Bird Cave, an occupation site with considerable cultural significance in Kosraean tradition.

G. Marshall Islands

Unlike the high volcanic islands, the Marshalls do not contain massive stone ruins. Deep, stratified archeological sites are known on the islands of several atolls, but no radiocarbon dates have yet been reported. These sites are rich in shell artifacts, including adzes, beads, bracelets, and fishhook pieces.

The German period is represented by ruins at Jaluit, the German administrative and economic center, and by the DeBrum House on Likiep, a classic plantation house still crammed with books, diaries, economic records, and glass negatives reflecting the life of an island entrepreneur with world-wide connections at the turn of the century. The Japanese period is represented by a variety of military remains, including extant mine fields, sunken ships, antiaircraft batteries, bunkers, airstrips with intact fighters and bombers, and other installations. In the Marshalls, the post-War American period also has considerable historical significance, represented by the Atomic Bomb testing sites at Bikini



and Eniwetok, and the continuing use of Kwajelein as the terminus of the Pacific Missile Testing Range, where ICBM's fired from Vandenberg AFB in California "splash down."

H. Historic properties not yet discovered

The Trust Territory Historic Preservation Officer estimates that about two percent of the land area of Micronesia has been subjected to systematic archeological survey. A larger percentage of the area has been subjected to general inspection, and large areas have been reviewed by local historic preservation committees to identify known sites and objects of traditional significance. As a result of these studies, some 200 significant historic and cultural properties are currently known. The Historic Preservation Officer estimates that at least 300 properties of equivalent significance remain to be discovered. Both the above figures exclude properties whose value lies primarily in their potential to contribute to archeological research. Several hundred such properties are now known, and estimates of total numbers run into the thousands.

I. Intangible Cultural Resources

Well before Congress, in the 1980 amendments to the National Historic Preservation Act, directed the Secretary of the Interior and the National Folklife Center to study methods of "preserving and conserving the intangible elements of our cultural heritage" (P.L. 96-515, Sec. 502), Micronesians and their governments had taken steps to protect those aspects of their cultures that go beyond tangible physical sites, structures, and buildings. The Education Departments in all the island groups have active programs to record traditional chants and stories, to bring older people into the schools to teach traditional arts and crafts, and to transcribe oral history. A variety of publications has been produced by the Trust Territory Government and by local agencies, dealing with traditional folklife, crafts, history, and social institutions. Governmental expressions of concern for traditional heritage tend to be holistic, stressing the need to maintain cultural integrity in general, and recognizing that preserving historic properties is only one part of what is needed. Among the intangible aspects of culture that are frequently expressed by Micronesians as being worthy of preservation are:

* Navigational chants: Elaborate chants identify "seamarks" in the ocean and give sailing directions from one to another, enabling Micronesian navigators to find their way over thousands of miles of open ocean.

* Oral history: The movement of peoples across Micronesia, the settling and depopulation of islands, wars, typhoons, famines, the building and destruction of cities, and the acts of semi-divine beings are recorded in the oral histories of the various islands, often in highly allegorical form.

* Use of land and resources: Traditional forms of agriculture, fishing, shellfishing, and other uses of resources were carefully adapted to the island ecosystems, and are generally recognized today as having continued value. Most people continue to gain some portion of their livelihood in traditional ways, and some relatively remote villages function with only minimal involvement in "modern" economic systems. This is not a simple matter of "living off the land"; ownership and control of trees, land, crops, sections of reef, and facilities such as fish traps built on the reef are carefully defined, and there are prescribed rules of behavior surrounding the taking, giving, and use of food and other resources. The transfer of food between and within family groups is tremendously important in Micronesian society, and is the subject of many rules of etiquette that express fundamental social relationships.

* Crafts and arts: Canoe building, house building, basket making, wood carving, canoe racing, dancing, and other arts and crafts are highly valued; there is concern about the "bastardization" of such skills as a result of tourism and the concomitant production of "airport art."

J. Documentary Resources

Libraries at the College of Micronesia (Ponape), Xavier High School (Truk), and the Micronesian Area Research Center of the University of Guam maintain substantial collections of published and unpublished documents concerning Micronesian history and culture, but large numbers of such documents remain uncollected and unprotected. Court records from the early days of the American administration, for example, have not always been well maintained; this is a voluminous source of information on social relationships, views of traditional law and propriety, and traditional values. There are persistent rumors of the survival of Japanese documents among families in the old Japanese centers such as Dublon Island in Truk. Most Japanese records are thought to have been destroyed; a number of land records have been obtained by the Trust Territory Government, but many have not been translated. The earlier administration of Micronesia by Germany and Spain resulted in the filing of many important documents



in Berlin, Hamburg, and Madrid, some of which have been rediscovered in recent years, many of which probably remain to be found. Ships' logs and missionaries' letters, often still in the hands of families in England and the United States, contain significant social and historical data. The value of retaining such data is widely recognized in Micronesia; the Palau Register of Historic Properties, for example, registers not only sites, structures, buildings and objects, but also documents, including tape recordings of events taking place today (e.g., the 1979 referendum on adoption of a Constitution) that will be viewed as historical in the future.





Part IV: THE PRESENT HISTORIC PRESERVATION PROGRAM IN MICRONESIA

Protective orders were issued by the District Administrator of Ponape during the 1950's, forbidding the disturbance of any historic site; a local ordinance was enacted during the 1960's to protect the underwater fleet in Truk, and Section 254 was added to Title 67 of the Trust Territory Code in the 1960's, echoing the terms of the 1935 Historic Sites Act in the United States. Only with an amendment to the U.S. National Historic Preservation Act in 1974, however, including the Trust Territory within the Act's definition of a "state" and therefore extending the Act's terms to Micronesia, was an historic preservation program actually begun.

The program had a slow start, receiving grant funds, establishing local committees, and nominating several properties to the National Register, but not initiating a major survey and planning effort until about 1977. Over the last 4 years, a number of important steps have been taken:

1. A qualified professional staff has been established in the Trust Territory Headquarters on Saipan.
2. Citizens of the Federated States and Palau are in training to take over the major professional staff positions.
3. Paraprofessional historic preservation teams have been established in all four of the Federated States, reporting to trained local coordinators.
4. An Historic Preservation Commission has been established in Palau, with an Executive Director and a paraprofessional staff.
5. Over 20 major survey and planning projects have been undertaken, together with a large number of smaller projects.
6. Over a dozen professional archeologists and archeological groups have conducted fieldwork under contract in Micronesia, contributing their services in return for matching funds covering travel, analysis costs, and salary for local personnel.

7. Development projects have been undertaken at several National Register properties.
8. Educational programs have been developed, with special emphasis on the retention of traditional architectural and related skills in house construction, canoe construction, etc.
9. A systematic program of consultation has been worked out with all major government agencies that undertake construction or land use, to ensure that these do not unnecessarily damage historic properties.
10. Historic preservation legislation has been enacted by the Federated States of Micronesia and Palau, and by the States of Yap and Kosrae; similar legislation is pending in Truk and Ponape.
11. Programs have been developed in several of the island groups, especially Palau, to encourage local communities to rebuild traditional meeting-houses, canoes, and other structures and put them into productive use.

The Trust Territory Historic Preservation Officer frankly acknowledges that progress has occurred largely in the Carolines, and that the Marshall Islands have shown little interest in preservation program development. This is odd, because education programs in the Marshalls are active in the recording and preservation of traditional stories, chants, and legends. Apparently preservation of historic properties, per se, is of less interest.

In general, the Micronesian preservation programs are characterized by a broader range of concerns than many similar programs in the U.S. The Federated States Historic and Cultural Preservation Act deals not only with historic properties but with "cultural attributes," defined as:

"all aspects of local culture, tradition, arts, crafts, all social institutions, forms of expression, and modes of social interaction."

Other statutes contain similar expressions. As noted in the previous section, the general emphasis in Micronesia is not on preservation of historic properties as such, but on preservation of a general cultural environment that includes, but is not limited to, tangible properties. It is not surprising that the Trust Territory Historic Preservation Officer is a leading member of the Cultural Preservation Committee in the National Conference of State Historic Preservation Officers. This committee, headed by the State Historic Preservation Officer for Puerto Rico, is concerned with the preservation of the overall cultural environment.



In addition to the Historic Preservation Program itself, a number of other governmental programs in Micronesia are concerned with historic and cultural affairs. Bilingual/bicultural education grants support a wide range of cultural preservation activities through the Departments of Education in the various jurisdictions. These have included recording oral history, bringing old people into the schools to teach traditional arts, crafts, and stories, and production of sourcebooks on traditional history and lifeways. The education programs also have been active in seeking to develop library and archival resources, though success has been distinctly limited. Grants for aging programs and youth training have been used to support the teaching of traditional arts and crafts, and the reconstruction of traditional buildings.

As historic preservation programs have developed in the Federated States and Palau, and the State Historic Preservation Officer in the Northern Mariana Islands has become established in the Commonwealth Government, the various program administrators have recognized the value of coordination and cooperation. Several meetings have occurred among representatives of the Micronesian and Commonwealth preservation programs, often in cooperation with the State Historic Preservation Officer in Guam and on one occasion also involving the State Historic Preservation Officers from Hawaii and American Samoa. There has been considerable discussion of the utility of sharing personnel, services, and information, and of the potential for establishing a regional center where professional staff and certain facilities, repeatedly but not continually needed by each program, could be pooled. Aside from occasional personnel transfers, however, cooperative activities have not developed, and no concrete plans for a regional center have been established.

The Trust Territory Historic Preservation Office is currently implementing a Transition Plan that will transfer its functions to the preservation programs in Palau, the Federated States of Micronesia, and, if such a program should develop, the Marshall Islands. The plan calls for transition to be complete by the end of the 1981 calendar year.





Part V: THE TERMINATION PROCESS

The United States has administered Micronesia under terms of a Trusteeship Agreement, approved by the United Nations on April 2, 1947, and by the U.S. Congress on July 18 of the same year. This agreement was one of several executed by the U.N. at the close of World War II, placing underdeveloped and war-shattered areas under the trusteeship of developed nations.

Termination of the U.S. Trusteeship has been complicated by the size and complexity of the area, the small size of its population, and a variety of economic and geopolitical considerations. Over the last several years, negotiations and referenda have been conducted toward the end of terminating the relationship on a mutually satisfactory basis.

In 1976, the Northern Mariana Islands withdrew from the Trust Territory on the basis of a referendum, and joined the U.S. as the Commonwealth of the Northern Mariana Islands, a status not unlike that of Puerto Rico. In 1978, the Yap, Truk, Ponape, and Kosrae Districts voted to band together as the Federated States of Micronesia to seek self-governing status. Palau and the Marshall Islands voted not to join the Federated States, but each to seek self-governing status on its own. Since that time, the United States has negotiated with all three entities while each has worked to establish its constitution and install a government.

In October and November of 1980, a Compact of Free Association was initialed by negotiators for all four governments. The Compact provides for termination of the Trusteeship with each new Micronesian government assuming the role of "free association" with the United States. In this role, each government will handle its own internal affairs, and be free to engage in international trade, enter into international agreements, join international organizations, and generally assume a place in the international community. The United States, however, will retain exclusive military access to Micronesia, including use of certain lands for military bases and activities. The U.S. will provide financial assistance in the form of "block grants" on an annual basis for a period of 15 years, and will extend a small number of U.S. programs,

including the services of the Postal Service, the Federal Aviation Administration, the Weather Service, and the Civil Aeronautics Board. Other U.S. grant and assistance programs will be terminated, with the stated but unspecified exception of certain education, health, and energy programs. An option is left open for extension of other programs and technical assistance through subsequent bilateral agreement.

Termination has long been scheduled to occur in 1981. Since the Compact of Free Association must first be accepted by the people of Micronesia through a referendum, approved by the President and Congress of the United States, and accepted by the United Nations as a valid basis for terminating the Trusteeship Agreement, this schedule appears in doubt. At the present time, in anticipation of termination, the three new governments are organizing their operations, and the High Commissioner of the Trust Territory is transferring administrative functions to them.



Chapter Two: Findings

Part I: THE PREDICTED EFFECTS OF TERMINATING THE TRUSTEESHIP

The predictable effects of termination on historic and cultural properties in Micronesia fall into three broad, overlapping classes: effects arising from change in the historic preservation program, effects of changing land use, and effects of U.S. agency actions.

A. Changes in the Historic Preservation Program

Upon termination, Micronesia will cease to be a "state" for purposes of implementing the National Historic Preservation Act. As a result:

1. The existing Historic Preservation Office, or its counterparts in the new political entities, will no longer qualify for categorical grant support by the Department of the Interior.
2. The responsibilities of the State Historic Preservation Officer established by Section 101(b)(3) of the National Historic Preservation Act, and the standards imposed on SHPO's by Department of the Interior regulations and guidelines, will no longer apply.
3. The protection afforded historic and cultural properties by Section 106 of the Act, and the Council's regulations, will no longer be afforded.

Palau and the Federated States (FSM) have both indicated strong support for the existing historic preservation program, and for its continuance and evolution into a truly Micronesian program. Palau has committed funds to its support, but these are only a fraction of the cost of the program. The FSM has not yet provided financial support, though it has enacted strong protective legislation. The Marshall Islands have provided neither funding nor other forms of support, although its representatives indicate a concern for preservation and a desire to see the program continue.

The Historic Preservation Office currently receives some \$400,000 per year from the Department of the Interior, under the authority of Section 101(d) of the Act. It also receives approximately \$100,000 per year

from regular TTPI operating funds, and variable amounts in transfer funds from the Capital Improvement Program and other agencies requiring preservation services.

Under the Compact of Free Association, each Micronesian government will receive a block grant from the U.S. each year, in lieu of the present operating budget of the TTPI and the present categorical grants. Certain additional funds are also to be provided for particular purposes. The grants proposed by the Compact for each government are shown in Table 1. The cumulative total annual grant to all three governments is \$120,550,000, adjusted annually by a maximum of seven percent (Section 217).

The Fiscal Year 1981 appropriation to the Trust Territory Government was a little more than \$94,000,000. Thus the block grants plus the smaller targeted grants to be provided after termination of the Trusteeship will provide some \$26,000,000 more to the Micronesian governments than is now appropriated to the Trust Territory Government. Theoretically, some of this excess could be utilized by the Micronesian governments to fund the historic preservation program.



TABLE 1
 ANNUAL GRANTS PROPOSED BY COMPACT
 OF FREE ASSOCIATION (ANNUAL)

Grants under:	<u>To: Palau</u>	<u>To: Federated States</u>	<u>To: Marshall Islands</u>
Sec. 211: (Block Grant)	7,000,000	60,000,000	26,100,00
Sec. 212: (Capital Improvement)	Note (1)	1,000,000	-----
Sec. 214: (Military Uses)	Note (2)	-----	1,900,000
Sec. 214: (Energy Assistance)	2,000,000	3,000,000	2,000,000
Sec. 215(a): (Communications)	150,000	600,000	300,000
Sec. 215(b): (Communications)	1,500,000	6,000,000	3,000,000

Cumulative Total: \$114,550,000

Sec. 216: 6,000,000 (To be distributed for various purposes annually to all three governments)

Grand Total: \$120,550,000

Note (1): U.S. to complete Capital Improvement Program. No dollar amount.

Note (2): U.S. to grant flat sum of \$5.5 million. No annual grant.

However, the above comparison is misleading, first because the FY 1981 appropriation is unusually low. The FY 1979 appropriation, for example, was over \$108,000,000. Further, the comparison does not take into account the wide range of categorical grant programs that now provide funding for activities in Micronesia and which, like the historic preservation grant program, will be cut off at termination. In the past, these have included various forms of development assistance from the Economic Development Administration, the Department of Housing and Urban Development, the Federal Aviation Administration, the Environmental Protection Agency, and others, surplus food provided by the Department of Agriculture, and a wide range of health, education, and human services programs provided by a number of U.S. agencies. Section 221(b) of the Compact provides for continuation of programs in education and health care by mutual agreement, but it is not clear how extensive these programs will be. The Council lacks detailed information on the total dollar amount represented by the categorical grant programs that will be ended by termination, but is advised that in FY 1979 such programs provided at least \$30,000,000 in aid.

Another uncalculated factor is the cost of fuel. Economic development and infrastructure improvement in Micronesia have been and continue to be fossil-fuel based. Electric energy is provided almost entirely by diesel generators; transportation on the major islands is by automobile, and around them by outboard motor boat. Interisland transportation (except by traditional navigators in the central Carolines) is by diesel-powered ship and by airplane. Fishing boats are exclusively diesel-and gasoline-powered, and the fishing industry depends upon refrigeration which in turn depends upon diesel generators. All of Micronesia is supplied with fuel by the Mobil Oil Company under contract with the Trust Territory Government. Mobil's contract expires in 1981, and will have to be renegotiated. Price increases are naturally expected, but the amounts are not now known. The future of fuel prices in Micronesia is even less predictable, but presumably they can be expected to increase, potentially creating serious strains within the already fragile Micronesian economy and rapidly drawing down the operating funds of the three governments.

At the same time, the Historic Preservation Program itself is likely to become more expensive, because it will be segmented into three parts. Where at present there is one Historic Preservation Officer, one Staff Archeologist, one Staff Historian, one Grants Manager, and one Archeologist Trainee, with termination, if all three political entities establish programs, some kind of professional staff would have to be established with appropriate managerial and clerical support in

each of the new governments. The beginning of such an infrastructure exists at present in Palau, in the form of the staff of the Palau Historic and Cultural Preservation Commission, but in the Federated States the Institute for Micronesian History and Culture has not yet become a reality, and the President of the FSM has indicated that its future is partly if not wholly dependent on continued U.S. aid (Appendix III). No program at all exists in the Marshall Islands.

Program costs could doubtless be reduced, and maintained at something equivalent to today's level without a sacrifice of quality, if the three Micronesian governments could share facilities and personnel through some sort of International Center. Conceivably such a Center could serve the Northern Mariana Islands and Guam as well. No such Center now exists, however, and no significant evidence indicates that it will exist in the near future.

In short, then, it is possible that the new Micronesian governments will be able to continue support for historic preservation programs at approximately today's financial level, and two of the three have indicated sufficient philosophical and political support for the program that an effort to fund it may be expected. However, each government will face significant competition for its funds, as it seeks to continue a range of worthwhile programs that no longer will receive categorical grant support and as it copes with fuel costs and other unpredictable expenses. Particularly during the first few years after termination, if the Historic Preservation Program lacks categorical financial support, its continued existence must be considered doubtful.

Without categorical support for the program, its professional level also cannot be assured. At present, the professional staff of the program generally meet at least the minimum professional qualification standards of the Department of the Interior, with certain adjustments made in recognition of particular Micronesian needs and potentials. The program is also administered with reference to DOI standards for the conduct of historic preservation projects, for archeological fieldwork, for grants management, and for documentation. Some of these standards are regarded by program officials as irrelevant and burdensome, and the Department of the Interior has been generally sympathetic to the need to interpret them flexibly to take Micronesian realities into account, but a total elimination of standards cannot be seen as supportive of the program's professional quality.

At present, the great bulk of construction and land development activities in Micronesia are reviewed for impacts on historic properties under terms of Section 106 of the Act and the Council's regulations (36 CFR Part 800). This review occurs because most such

projects are supported either by categorical grant funds from Federal agencies (EDA, HUD, etc.) or are part of the Capital Improvement Program, administered by the U.S. Navy with funds provided each year as part of the Department of the Interior's appropriation. Many such projects also require permits from the Corps of Engineers and other agencies. After termination, such permits will no longer be required, and the Capital Improvement Program as a U.S. Government activity will largely cease. However, Section 211 of the Compact of Free Association commits the Governments of the Marshall Islands and the Federated States to dedicate no less than 40% of each year's basic block grant to a capital account, generally used for capital construction, so government-sponsored construction will continue at a relatively high level. The Micronesian governments will also be free to seek bilateral development aid from other nations, which may support capital construction. None of this construction would be subject to review under Section 106 of the Act, even if Section 106 continued to be applicable to U.S. agency actions in Micronesia. In the Federated States, such projects will be subject to review under the Micronesian Historic and Cultural Preservation Act, but since this law depends heavily on the existence of the Institute for Micronesian History and Culture, which in turn is dependent upon funding, it cannot be guaranteed that the law will result in meaningful review.

Based on the above analysis, the Council finds that, while it is possible that the historic preservation program in Micronesia will continue at a high level of activity and professional quality after termination, there is no guarantee that it will do so. On the contrary, it appears almost certain that it will disappear in the Marshall Islands, and that in Palau and the Federated States its future is threatened by financial insecurity, a lack of sure professional guidance, and a lack of guaranteed systematic review over potentially damaging government activities.

B. Effects of Changing Land Use

Change in land use in Micronesia since World War II has taken place slowly, because economic development has been slow. Without applauding the lack of progress in economic development, the Council notes that this has had the effect of protecting many historic properties from destruction. When changes in land use have occurred, they have often been regulated by the application of U.S. environmental laws, including Section 106, as noted above.

Once termination of the Trusteeship occurs, it is of course to be hoped that economic development will occur fairly rapidly. Japanese and Nauruan investors,

as well as Americans and others, have indicated interest in developing a variety of projects in Micronesia, and it may be assumed, and indeed hoped, that many of these plans will reach fruition. Some of these planned projects will certainly affect historic properties, either by design or by accident.

For example, the Trust Territory Historic Preservation Office advises that Japanese interests have repeatedly expressed the desire to develop Nan Madol as a tourist attraction. Correspondence with the interested parties has indicated that they have only a scant idea of the site's cultural and scientific importance, and envision a high-intensity, high-impact development. The Historic Preservation Office, the Ponape Historic Preservation Committee, and apparently the Nahmwarki of Madolenihm, have taken the position that development of Nan Madol, while desirable, must be undertaken with the greatest of care, under proper supervision, and with full sensitivity for the concerns of the local people. Without a strong historic preservation program, however, sites like Nan Madol will be left essentially without advocates, or at least without advocates with professional training and access to international professional guidance and assistance.

The effects of changing land use should be effectively controlled in the Federated States and Palau if the historic and cultural preservation statutes now in place or being developed in these two nations are vigorously carried out, with the support of effective professional program personnel. As noted above, however, this cannot be guaranteed at present. Accordingly, the Council finds that termination of the Trusteeship is likely to permit and stimulate changes in land use which, while often desirable, will damage or destroy historic properties if steps are not taken to ensure that they are properly reviewed and planned.

C. Effects of U.S. Agency Actions

At present, Section 106 of the National Historic Preservation Act, and the Council's regulations implementing Section 106, apply to most public works projects and many private construction activities in Micronesia. This results from the fact that Section 106 requires all Federal agencies to take into account the effects of their undertakings on properties included in or eligible for the National Register of Historic Places, whenever they undertake actions in a State. "State" is defined by Section 301(2) of the Act to include the Trust Territory; the TTPI was first defined as a "State" for purposes of the Act by amendment in 1974.

During the last 4 years, application of the Council's regulations to projects in Micronesia has resulted in the following major preservation actions, among others:

* an array of preservation measures, including project redesign and archeological salvage, to protect the historic and cultural values of the Mt. Tonnaachau Historical District in Truk, in connection with construction of Truk International Airport and the Iras and Mechitiw sewer systems;

* project redesign and archeological salvage in connection with the Palau Airport on Babeldaub;

* project relocation, archeological salvage, associated ethnographic research, and relocation of graves in connection with construction of Yap Airport on Yap;

* project design to avoid impacts on tombs and other historic properties in construction of utility lines on Yap;

* choice of a quarry site to avoid destruction of Bird Cave, and related archeological salvage activities, in connection with construction of Kosrae Airport;

* design and routing of circumferential road on Ponape to avoid damage to historic and cultural properties;

* design of outer island docks in the Marshall Islands to avoid impacts on prehistoric sites and World War II structures; and,

* relocation of water project on Moen Island, Truk, to avoid impacts on the Wiichen River Petroglyph Site.

When the Trusteeship is terminated, Micronesia will cease to be a "State" for purposes of the Act. As noted above, many of the projects now undertaken as parts of the Capital Improvement Program will also no longer be Federal undertakings. For both these reasons, the consultation process prescribed by the Council's regulations implementing Section 106 no longer will be applicable to Micronesia.

Certain U.S. agency actions will continue in Micronesia, which have the potential to affect adversely historic and cultural properties. Notable among these are military activities. Title Three, Article II of the Compact deals with "Defense Facilities and Operating Rights." Section 321(a) alludes to specific arrangements for the establishment and operation of U.S. military installations, under separate agreements between the governments, which are to come into effect simultaneously with the Compact. Section 321(b) provides for subsequent consultation to allow military use of other lands. The Council has been given to understand that some

lands will be reserved for exclusive U.S. military use, while others will be nonexclusive, for use by the military but also for other purposes. Military base construction, training exercises, and other activities have considerable potential for damaging and destroying historic and cultural properties.

Section 227 of the Compact provides for the U.S. to make available to the Federated States of Micronesia the use of military Civic Action Teams. These teams construct roads, water systems, and other facilities for local governments, and may thus damage historic properties. In 1976, for example, a Civic Action Team constructing a road around Fefan Island in Truk dug into, discovered, but essentially destroyed a site which, upon investigation by archeologists under contract with Interagency Archeological Services in the Department of the Interior, was found to be the earliest known occupation site in the Central Carolines. A survey in advance of Civic Action Team construction on Tol in Truk discovered that at least three prehistoric sites were subject to damage.

Section 221 of the Compact provides for the continuation of certain U.S. programs in Micronesia, including activities of the Weather Service, the Federal Emergency Management Agency, the Postal Service, the Federal Aviation Administration, the Civil Aeronautics Board, and unspecified education, health, and energy programs. Although most of these programs have only minor potential for adversely affecting historic properties, the construction of post offices, schools, and hospitals, various air facilities, and energy projects may, in various ways, cause damage. The FAA, for example, has been involved in all major airport construction projects thus far undertaken in Micronesia. In the adjacent Commonwealth of the Northern Mariana Islands, the Postal Service has built a bright orange prefabricated aluminum post office on the edge of the Chalan Kanoa Historic District, Saipan's only surviving complex of Japanese period residential and governmental structures.

Section 161(a)(1) of the Compact of Free Association states that the U.S. "shall continue to apply the environmental controls in effect on the day preceding the effective date of this Compact to those of its continuing activities subject to Section 161(a)(2)."

Section 161(a)(2) provides for application of the National Environmental Policy Act to U.S. agency activities after termination, "as if Palau, the Marshall Islands, and the Federated States of Micronesia were the United States."

Since the regulations of the Council on Environmental Quality (40 CFR Part 1500) call for integration of the requirements of NEPA with those of Section 106, it



follows that Section 106 will continue to be applicable after termination to those U.S. agency actions that would require preparation of an Environmental Impact Statement under NEPA. However:

* Environmental Impact Statements are required by NEPA only where "major federal actions" are involved. Undertakings that are not "major federal actions" often have significant effects on historic and cultural properties, and in the U.S. require review under Section 106. Thus, restricting application of Section 106 review to those undertakings "subject to Section 161(a)(2)" of the Compact--i.e., to NEPA--will result in failure to apply Section 106 to the full range of potentially damaging U.S. agency actions.

* It would appear, however, that it will be impossible to apply Section 106 even to those actions that do require an Environmental Impact Statement, because Section 106 requires that agencies take into account their projects' effects only on properties included in or eligible for the National Register of Historic Places. Once termination occurs, Micronesian historic properties will not be eligible for inclusion in the National Register, because Micronesia will no longer be in any way part of the Nation.

Sections 161(a)(3), 161(a)(4), and 161(b) of the Compact suggest ways out of this dilemma. Section 161(a)(3) indicates that, with respect to projects covered by Section 161(a)(2), the U.S. will apply "standards substantively similar to those required" by a variety of U.S. environmental statutes. Although Section 106 and the Council's regulations are not referenced explicitly, Section 161(a)(3) alludes to "such other environmental protection laws of the United States as may be mutually agreed." Section 161(a)(4) provides for the development of regulations, standards, and procedures to regulate agency activities falling under Section 161(a)(2) in a manner "appropriate to the special governmental relationship set forth in this Compact." Section 161(b) is more general, providing both that the Micronesian governments will "develop standards and procedures to protect their environments" and that the U.S. will "develop standards for environmental protection substantively similar to those required of the Government of the United States by Section 161(a)(3)."

Taken together, these subsections seem to indicate that the U.S., in consultation with the Micronesian governments, will establish comprehensive environmental review procedures to apply to U.S. agency activities in Micronesia, and that these will be "substantively similar" to those used in the U.S. If it is assumed that the National Historic Preservation Act will be

mutually agreed to be applicable in accordance with Section 161(a)(3), then it may be assumed that some agency of the U.S. Government, in consultation with the Micronesian governments, will develop standards for identification, evaluation, and protection of historic and cultural properties that are substantively similar to those springing from Section 106 of the Act, other applicable sections, and the Council's regulations.

These assumptions, however, are only assumptions, and even if correct leave many things undecided. Will the "substantively similar" standards be applied only to undertakings that are of sufficient overall magnitude to require an EIS under NEPA? Which U.S. agency will consult with the Micronesian entities to develop standards, and on what basis will they develop them? What agency of the U.S. Government will be responsible for "mutually agreeing" with the Micronesian governments to apply standards substantively similar to those of the NHPA under the terms of Section 161(a)(3)? How many years may elapse after termination of the Trusteeship before such an agreement is reached, and how many destructive undertakings may occur in the meantime?

In the face of these uncertainties, the Council finds that termination to the Trusteeship will result in the substantial elimination of the review afforded U.S. actions in Micronesia by Section 106. The Compact provides a basis for seeking and developing creative remedies to this problem, but those remedies are not yet in place, nor do the mechanisms exist for their establishment.



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Part II: MICRONESIAN EXPRESSIONS

According to the Trust Territory Historic Preservation Officer, the Historic Preservation Program enjoys a high level of support and participation in Palau and the Federated States, but less support in the Marshall Islands. The following quotes are indicative of the written statements that have been provided to the Council (see Appendix II for full texts).

"We...wish to urge the Status Negotiation Team to include Historic Preservation on the list of Federal programs to be continued after 1981. We feel this is a valuable program, and a long overdue one."

-- Trust Territory Historic Preservation Review Board --

"I would like to express my full support for the ... Historic Preservation Program ... in Truk. This Federal program has brought innumerable benefits to the people of Truk, and made possible the planned preservation of several valuable historic sites on our islands."

-- Acting Governor, Truk State --

"WHEREAS, despite acts by the national and state governments of the Federated States of Micronesia to preserve traditional heritage, the historic preservation programs... require grants and technical assistance...and

WHEREAS, inclusion of the National Historic Preservation Act among United States Federal programs that will continue within the Federated States of Micronesia ... would provide protection of the traditional heritage of the Federated States of Micronesia; now, therefore,

BE IT RESOLVED ... that the Commission on Future Political Status and Transition is hereby requested to consider inclusion of the National Historic Preservation Act among United States Federal programs that will continue after the termination of the Trusteeship Agreement..."

-- First legislature of the State of Yap-

"It would truly be unfortunate if the major funding source of historic preservation were terminated when

it could be retained, particularly just when we have gotten this program established and working effectively. Thus... we urge additional funding to run this program after the termination of the Trusteeship."

-- Kosrae Historic Preservation Office --

"WHEREAS, the people of Micronesia have repeatedly expressed their desire to preserve their cultures, as sources of personal inspiration and as legitimate parts of the world cultural heritage; and

WHEREAS, the Historic Preservation Program of the Government of the Trust Territory ... is the only program specifically designed to preserve, maintain, and develop expressions of traditional Micronesian culture; ... now, therefore,

BE IT RESOLVED ... that:

United States Government support for the Historic Preservation Program be requested as part of the future relationship between the Governments of the Federated States of Micronesia and the United States of America."

-- Seventh Congress of Micronesia --

"WHEREAS, the State of Kosrae has ... historical sites, monuments, artifacts and structures ... and

WHEREAS, for social, cultural, historical and educational values, those sites, monuments, artifacts and structures should be preserved for future generations; and

WHEREAS, the preservation of such sites, monuments, artifacts and structures are in the best interest of all the people and not only the State of Kosrae; now, therefore

BE IT RESOLVED, that the Second Kosrae State Legislature ... hereby requests the Federated States of Micronesia Future Political Status Commission to request the United States Government to continue to fund the Kosrae Historic Preservation Program..."

-- Second Kosrae State Legislature --

In addition to these specific expressions concerning the utility and future of the Historic Preservation Program, the Council has been provided with a variety of documents that indicate a more general concern for historic and cultural preservation on the part of Micronesian governments. For example:

"...it is the general consensus of the People of Palau to preserve its culture and heritage."



-- Haruo I. Remeliik, Deputy Palau District
Administrator --

"With this Constitution, we affirm our common
wish to live together in peace and harmony, to
preserve the heritage of the past, and to protect
the promise of the future."

--Preamble, Constitution of the Federated
States of Micronesia--

"We renew our dedication to preserve and enhance
our traditional heritage."

-- Preamble, Constitution of the Republic of
Belau --

"It is the policy of the State to...preserve the
sites, structures, buildings, objects, areas,
traditions, arts, crafts, stories and songs of
historic and cultural significance for the benefit
of present and future generations."

-- Yap State Law No. 1-58

"It is the public policy of the Palau District to
preserve for public use locations, structures,
landmarks, buildings, and other objects of outstanding
historical, archeological or cultural significance..."

-- Palau Public Law No. 6-6-19



Part III: THE COST OF EXTENDING THE HISTORIC PRESERVATION PROGRAM

It is obvious that most of the predicted adverse effects on historic properties that will result from terminating the Trusteeship can be mitigated by ensuring that a strong, competent historic preservation program survives in each Micronesian government. Ensuring the survival of such programs would involve some costs, but these would be modest. They will probably be more than offset in terms of the Micronesian economy by increased tourism linked to historic property development. For the U.S., a modest investment in historic preservation appears justified as a generator of good will, given Micronesian expressions of support for preservation.

In Appendix I (Table 2, pp. 13-14), the Trust Territory Historic Preservation Officer presents an estimate of the cost of operating programs in Palau and the Federated States. The total figure is a little less than \$400,000 per year. Some of the figures in the HPO's estimate appear low relative to the cost of similar activities in the United States, but the Council is advised that this results from the fact that contributed services, facilities, and funds are not represented in the budget. For example, traditional authorities and professional preservationists regularly donate their services to the program. Elsewhere, substantial costs would be involved in securing such services.

Assuming that historic preservation programs in Micronesia can continue to attract high-quality unpaid assistance, the budget projected by the Historic Preservation Officer appears reasonable with respect to the Federated States and Palau. If the Marshall Islands Government decides to undertake a program at approximately the same level as the other two governments, cumulative costs could rise to \$600,000 per year.

The above amount would cover the costs of basic identification, training, administration, and protection of properties. These are the regular, ongoing needs of the historic preservation program. It appears likely, however, that additional needs would occasionally arise which would result in additional program costs. For example, some experts have recommended that a major stabilization and defusing effort be undertaken on the sunken Japanese ships in Truk Lagoon, a National Register property whose unexploded ordnance may be extremely dangerous to the area's expanding number of

tourists and other sport divers. Major development at Nan Madol in Ponape has also been recommended on a number of occasions, both to protect the ruins and to realize their potential as a tourist attraction. Such a major project as either of the above could require several hundred thousand dollars. It appears very unlikely, however, that the number of seriously needed special projects in a year would require more than \$400,000 total, allowing us to conclude that the foreseeable maximum cost to the United States of assisting an historic preservation program in Micronesia would be an even million dollars per year (1980 dollars).

The Council notes that one million dollars is 0.83% of the proposed basic annual U.S. block grant (\$120,550,000) to the Micronesian governments. Noting the frequency of expressions of concern among Micronesians for preserving their cultural heritage (See Part II above and Appendix II), and the desire of the United States to maintain friendly, respectful, and cordial ties with the Micronesian governments, the Council believes that such a modest investment would be appropriate and justified. On the other hand, the Council notes the danger of allowing grant funds to build dependency, and is aware that representatives of both the U.S. and Micronesia have urged that engendering or continuing dependency not be allowed in future U.S.-Micronesian relationships. Any continuing support for historic preservation in Micronesia should therefore be carefully limited, with definite time limits and guidelines, and continuing contributions to the program by the Micronesian governments and others should be requisite to continuing U.S. participation.





Chapter Three: Legal Considerations

Part I: THE TRUSTEESHIP AGREEMENT

The Trusteeship Agreement entered into in 1947 by the United States and the United Nations commits the United States to certain actions that are pertinent to this discussion.

Article 6, Section 1 of the Agreement specifies that the United States will give due recognition to the customs of the inhabitants of Micronesia. The Historic Preservation Program has been one way to give this recognition, in the face of cultural conflict and change.

Article 6, Section 4 of the Agreement commits the United States to promoting the cultural advancement of the people. The Historic Preservation Program has been one way to do this, in terms that are meaningful to the people of Micronesia themselves.

Article 14 of the Agreement commits the United States to apply those international conventions and recommendations conducive to the achievement of the objectives set forth in Article 6. Several conventions and agreements are relevant to such objectives, and will be discussed below.

Part II: INTERNATIONAL CONVENTIONS AND RECOMMENDATIONS

The United States was the first signatory of the Convention Concerning the Protection of the World Cultural and Natural Heritage, commonly called the World Heritage Convention, adopted by the General Conference of UNESCO at its 17th session in Paris on November 16, 1972. The Convention establishes international standards for the protection of properties which are of "outstanding universal value from the point of view of history, art or science" (Article 1). Determining whether a given historic property is of such universal value requires considerable study and deliberation. The Convention establishes a World Heritage Committee to help coordinate international efforts toward this end, to maintain a World Heritage List of properties that have been determined to be of universal value, and to assist national governments in preserving such properties.

It is not possible to know, without study, whether there are Micronesian properties that would be eligible for the World Heritage List. Two such properties, Nan Madol on Ponape and the Ollei Peninsula on Babeldaub Island in Palau, were published on April 30, 1980, in the FEDERAL REGISTER as part of the U.S. inventory of suggested World Heritage Properties, and other Micronesian properties may well qualify for such listing as well, but the U.S. Government has not been active in pressing for listing even the first two Micronesian properties. Presumably this reflects an unwillingness on the part of the United States to commit the Micronesian governments to an international designation that would continue in effect after termination of the Trusteeship, as well as a tendency to give priority to properties within the boundaries of the United States.

Assuming that some Micronesian historic properties are truly of universal value, the Convention establishes for the United States during its period of Trusteeship over Micronesia, the responsibility:

- "(a) to adopt a general policy which aims to give the cultural and natural heritage a function in the life of the community and to integrate the protection of that heritage into comprehensive planning programs;
- (b) to set up within its territories, where such services do not exist, one or more services

for the protection, conservation and presentation of the cultural and natural heritage with an appropriate staff and possessing the means to discharge their functions;

- (c) to develop scientific and technical studies and research and to work out such operating methods as will make the State capable of counteracting the dangers that threaten its cultural or natural heritage;
- (d) to take the appropriate legal, scientific, technical, administrative and financial measures necessary for the identification, protection, conservation, presentation and rehabilitation of this heritage; and
- (e) to foster the establishment or development of national or regional centres for training in the protection, conservation and presentation of the cultural and natural heritage and to encourage scientific research in this field." (Article 5).

After termination, the U.S. will continue to have certain responsibilities toward the cultural and natural heritage in Micronesia, notably:

"The States Parties undertake, in accordance with the provisions of this Convention, to give their help in identification, protection, conservation and preservation of the cultural and natural heritage referred to in paragraphs 2 and 4 of article 11 if the States on whose territory it is situated so request" (Article 6, Para. 2).

"Each State Party to this Convention undertakes not to take any deliberate measures which might damage directly or indirectly the cultural and natural heritage referred to in Articles 1 and 2 situated on the territory of other States Parties to this Convention" (Article 6, Para. 3).

Thus far, the U.S. has carried out its obligations in Micronesia under the World Heritage Convention by supporting the Trust Territory Historic Preservation Office and its programs. However, the obligations assumed by the U.S. under the Convention have by no means been fulfilled, since it is not yet known which Micronesian properties are eligible for the World Heritage List. Without this basic information, none of the convention's protective mechanisms can be effectively implemented.

The crucial question with respect to termination of the Trusteeship is, will the Micronesian governments be able, financially and technically, to assume the

responsibilities established by the Convention, should they choose to become States Parties? Without some transitional assistance from the United States, it appears likely that the conditions that prompted adoption of the Convention will prevail in Micronesia. In the preamble to the Convention, the signatories noted that:

"protection of this (cultural and natural) heritage at the national level often remains incomplete because of the scale of the resources it requires and of the insufficient economic, scientific, and technical resources of the country where the property to be protected is situated."

Several official recommendations have been adopted by UNESCO springing from the Convention, or preceding the Convention and reflecting the same international concern. While not binding on States Parties, they are indicative of the directions the international community expects States Parties to pursue, and set a general standard for the quality of the historic preservation program within a Nation.

The Recommendation Concerning the Protection, at National Level, of the Cultural and Natural Heritage was adopted by the General Conference of UNESCO at the same 1972 session that adopted the World Heritage Convention. The Recommendation addressed itself, however, to protection of properties of "special value from the point of view of archeology, history, art or science" (Section I, Paragraph 1). The standards it enunciates, thus, may appropriately be applied to properties in Micronesia which may not be recognized as possessing "outstanding universal value," but still possess national and local significance.

Finding that "it is essential for man's equilibrium and development to preserve for him a fitting setting in which to live, where he will remain in contact with nature and the evidences of civilization bequeathed by past generations, and that, to this end, it is appropriate to give the cultural and natural heritage an active function in community life and to integrate into an overall policy the achievements of our time, the values of the past and the beauty of nature," (Preamble) the Recommendation goes on to state the following international policy:

"In conformity with their jurisdictional and legislative requirements, each State should formulate, develop and apply as far as possible a policy whose principal aim should be to coordinate and make use of all scientific, technical, cultural and other resources available to secure the effective protection, conservation and presentation of the cultural and natural heritage." (Section II, Paragraph 3).



The Recommendation establishes standards for UNESCO members. As a member, the United States has an obligation to comport itself by these standards not only within its own borders, but in activities and relationships outside its territory. Thus, the United States has a responsibility both to assist the Micronesian governments in protecting their cultural properties according to recognized international standards, and to see that termination of U.S. jurisdiction does not jeopardize mechanisms already established to implement those standards.

The Trust Territory Historic Preservation Officer (Appendix I) has indicated that termination of the Trusteeship without implementation of some protective and mitigative measures will certainly result in damage, indirectly if not directly. The Council's analysis in this report supports the HPO's conclusion.

Consequently, the following areas need to be addressed in order to ensure that standards of protection offered by the Recommendations will continue to be met in Micronesia.

Section IV, Paragraph 13(a) recommends that:

"...Member States should set up in their territory, whenever they do not already exist, one or more specialized public services responsible for the efficient discharge of the following functions:

- (a) developing and putting into effect measures of all kinds designed for protection, conservation and presentation of the country's cultural and natural heritage and for making it an active factor in the life of the community; and primarily, compiling an inventory of the cultural and natural heritage and establishing appropriate documentation services;
- (b) training and recruiting scientific, technical and administrative staff as required, to be responsible for working out identification, protection, conservation and integration programmes and directing their execution;
- (c) organizing close co-operation among specialists of various disciplines to study the technical conservation problems of the cultural and natural heritage;
- (d) using or creating laboratories for the study of all the scientific problems arising in connexion with the conservation of the cultural and natural heritage;



- (e) ensuring that owners or tenants carry out the necessary restoration work and provide for the upkeep of the buildings in the best artistic and technical conditions."

Section V calls for protective measures:

"Member States should, as far as possible, take all necessary scientific, technical and administrative legal and financial measures to ensure the protection of the cultural and natural heritage in their territories. Such measures should be determined in accordance with the legislation and organization of the State."

The United States, in administering Micronesia under the Trusteeship agreement, has responded to this duty by supporting through grant funding the Trust Territory Historic Preservation Office, and by extending the protection of Section 106 of the National Historic Preservation Act to Micronesian historic properties. With termination of the Trusteeship, however, these mechanisms for carrying out the duty accepted by the U.S. Government in signing the Convention and the Recommendation no longer will be available.

Section VI, Paragraph 61 states:

"Member States should undertake educational campaigns to arouse widespread public interest in, and respect for, the cultural and natural heritage. Continuing efforts should be made to inform the public about what is being and can be done to protect the cultural or natural heritage and to inculcate appreciation and respect for the values it enshrines.

The U.S. has made some effort to implement this section of the Recommendations in Micronesia through the Trust Territory Historic Preservation Program and through closely related programs in bilingual and bicultural education. Further integration of these programs might be an important mechanism for ensuring a responsible historic preservation program after termination of the Trusteeship Agreement.

Section VII, Paragraph 66 of the Recommendation states that:

"Member States should co-operate with regard to the protection, conservation and presentation of the cultural and natural heritage, seeking aid, if it seems desirable, from international organizations.

The Micronesian governments of course are not yet Member States of UNESCO, but as shown in the previous chapter, they have repeatedly requested the kinds of help referred to in Section VII.

Section I, Paragraph 10 of the Recommendation enunciates the following general principle:

"Increasingly significant financial resources should, as far as possible, be made available by the public authorities for the safeguarding and presentation of the cultural and natural heritage."

This is the core of the problem in Micronesia; the new governments may not have the financial, and hence the technical and scientific resources to identify, administer, and protect their cultural properties.

The Recommendation, thus, establishes several clear standards about which international consensus has been reached concerning treatment of properties of "special value." Under United States jurisdiction, substantial progress has been made toward conforming with these standards in Micronesia. Serious consideration must now be given to appropriate measures through which this progress can be maintained despite termination of United States jurisdiction.

Other pertinent recommendations include:

"Recommendation concerning the safeguarding and contemporary role of historic areas." UNESCO 19th session, Nairobi 11/26/76.

"Recommendation concerning the preservation of cultural property endangered by public or private works." UNESCO 15th session, Paris 11/19/68.

"Recommendation concerning the safeguarding of the beauty and character of landscapes and sites." UNESCO 12th session, Paris 12/11/62.

"Recommendation on International Principles applicable to archeological excavations." UNESCO 9th session, 12/5/56.

To generalize, the recommendations tend to stress:

1. the need to identify historic and cultural properties;
2. the need to establish administrative mechanisms to ensure their orderly recording and protection;
3. the need for scholarly study of such properties;
4. the need to incorporate consideration of such properties into land use planning;
5. the need to educate people about the importance and nature of such properties; and,

6. the need for international cooperation to ensure that such needs are effectively realized in nations unable otherwise to do so.



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Part III: UNITED STATES LAW AND POLICY

Section 2(2) of the National Historic Preservation Act establishes as the policy of the Federal Government to:

"provide leadership in the preservation of the prehistoric and historic resources of the United States and of the international community of nations."

Other subsections of this Section suggest how this leadership is to be provided in ways that are relevant to Micronesia. The Section states as Federal policy that the Government will:

"use measures, including financial and technical assistance, to foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations" (Sec. 2(1)); and,

"contribute to the preservation of nonfederally owned prehistoric and historic resources and give maximum encouragement to organizations and individuals undertaking preservation by private means" (Sec. 2(4)).

Establishment and operation of the Trust Territory Historic Preservation Program has provided, in Micronesia, the sort of leadership called for by Section 2(2), through the use of measures like those mentioned in Section 2(1) and by providing the kinds of encouragement alluded to in Section 2(4). Application of Section 106 of the Act to agency activities in Micronesia has also been consistent with the intent of Section 2(1), because the consultation process prescribed by the Council's regulations is explicitly designed to achieve the sort of "productive harmony" envisioned by Congress in Section 2(1).

The problem now facing the U.S. Government, and the subject of this paper, is how to provide the leadership called for by Section 2(2) in the context of terminating the Trusteeship.

Section 110 of the Act sets forth the general responsibilities of Federal agencies. In abbreviated form, these are

quite similar to the responsibilities of States Parties to the World Heritage Convention, as elaborated by the various applicable UNESCO Recommendations discussed in the previous section. These responsibilities include identifying historic properties (Sec. 110(a)(2)), exercising caution to keep such properties from being unnecessarily destroyed or damaged (Sec. 110(a)(3)), ensuring that records are made and properly preserved whenever such a property must be destroyed (Sec. 110(b)), and carrying out all agency programs and projects, to the extent feasible given each agency's mission, in a manner that will further the purposes of the Act (Sec. 110(d)). Section 106 sets forth the further requirement that all agencies take into account the effects of their undertakings on historic properties and afford the Council the opportunity to comment.

Virtually every agency of the U.S. Government is somehow involved in the process of terminating the Trusteeship. It follows that the Government as a whole should seek to end the Trusteeship, to the extent feasible, in a manner that furthers the purposes of the Act.

Other relevant sections of the Act are Section 401 and 402. Section 401 establishes the Secretary of the Interior as the coordinator of U.S. participation in the World Heritage Convention, and requires that the Secretary's participation occur in cooperation with the Council, the Smithsonian Institution, and the Secretary of State. Section 402 requires all Federal agencies having direct or indirect jurisdiction over undertakings outside the United States to take into account the effects of their undertakings on any property included in the World Heritage List or the applicable country's equivalent of the National Register of Historic Places. As noted above, two Micronesian properties have been included in the U.S. list of suggested World Heritage List properties. Palau and all four States of the Federated States of Micronesia maintain inventories that might be regarded as the cumulative equivalent of the National Register.

Part IV: MICRONESIAN LAW AND POLICY

The Federated States of Micronesia has enacted Public Law 1-48, commonly called the Micronesian Historic and Cultural Preservation Act, which articulates the following policy:

"It is the policy of the Federated States of Micronesia to protect and preserve the diverse cultural heritage of the peoples of Micronesia and, in furtherance of that policy, to assist in the identification and maintenance of those areas, sites, and objects of historical significance within the Federated States of Micronesia."

The Act goes on to establish the Institute for Micronesian History and Culture, with duties to provide professional assistance in preservation, to advise all levels of government, to secure and administer grants, to report on its activities, to establish facilities for preservation, to establish a national archive, to monitor the activities of agencies and individuals that might affect historic properties and nonmaterial attributes of culture, and to prepare rules and regulations. A procedure is also established by the Act, not unlike that provided by Section 106 of the National Historic Preservation Act, for identifying and mediating conflicts between historic preservation and development.

Yap and Kosrae have passed State legislation equivalent to the national Act, and provided for integration with it. Similar legislation is pending in Truk and Ponape.

Palau established its Historical Preservation Commission by statute in 1978, and is now preparing national legislation formalizing its status within the new government. Palau's Public Law 6-6-19 declares that it is Palau's policy to:

"preserve for public use locations, structures, landmarks, buildings, and other objects of outstanding historical, archaeological or cultural significance for the inspiration and benefit of the people of Palau."

The Act goes on to establish the Commission and specify its duties, including maintenance of the Palau Register of Historic Sites, the conduct of studies, the acquisition of property, the conduct of restoration, rehabilitation,

and protection projects, the development of education programs, and the provision of advice to agencies involved in planning, land use, and other activities, regarding historic preservation. Section 6 directs the Commission to review public construction projects to determine their effects on historic sites, and advise the chief executive.

The Marshall Islands have no historic preservation legislation.





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Chapter Four: Recommendations

Part I: INTRODUCTION

Termination of the Trusteeship will threaten the integrity of an unknown number of significant historic and cultural properties, many of which are now included in or eligible for the U.S. National Register of Historic Places, and some of which are probably eligible for inclusion in the World Heritage List. The threats to these properties will arise from the actions of U.S. agencies, Micronesian government agencies, and private parties, whose activities may not be properly monitored and who may not receive appropriate consultation and advice about preservation due to the uncertain future of historic preservation programs in Micronesia after termination, and due to termination of Council review of most development and land use activities.

Allowing such threats to go unchallenged is inconsistent with policies of the United States Government articulated in the National Historic Preservation Act, and with the broad responsibilities accepted by the United States as a State Party to the World Heritage Convention, and as a signatory to various international recommendations. The threats can, however, be met, and overcome. To do so, the following recommendations are offered:

Part II: RECOMMENDATIONS

The President is now reviewing the tentative agreements reached during the last year between the U.S. and the Micronesian governments. Should the President decide to reopen negotiation on points contained in the present draft Compact of Free Association, the Council recommends that this report be considered during the negotiation process, and that the U.S. seek to ensure continuation of a vigorous, well-balanced historic and cultural preservation program in Micronesia, meeting recognized international standards.

Should the President decide to proceed toward termination of the Trusteeship based on the existing draft Compact of Free Association, the Council offers the following specific recommendations.

A. Grants and Assistance

The Council recommends that the Office of Micronesian Status Negotiations invite the Micronesian governments to initiate consultation to arrange for extension of categorical grants and other forms of assistance at a reasonable level, through at least the first 5 years following termination. Such consultation should be aimed at ensuring that assistance can be provided immediately upon termination of the Trusteeship under the authority of Sections 224 and/or 226 of the Compact of Free Association, with a minimum of discontinuity between the existing Trust Territory Historic Preservation Program and the programs that may exist after termination. Assistance should be provided in such a way as to encourage development of self-sufficient indigenous programs meeting accepted international standards, not to foster dependence on U.S. aid. The Council, the Secretary of the Interior, and appropriate funding agencies should be involved in this consultation, perhaps as a Council Task Force.

In consulting with the Micronesian governments pursuant to this recommendation, the U.S. should be guided by the following general principles as well as by the international recommendations cited in the preceding chapter.

1. Assistance should be designed to help the Micronesian governments establish their own self-sustaining programs. It should not be regarded as a permanent or even long-term arrangement, but should be phased out as the Micronesian historic preservation programs develop internal and/or international sources of support.
2. Continuing U.S. assistance should require a continuing commitment by the Micronesian governments and their people, through their provision of funds, in-kind services, and/or assistance obtained from international organizations, private enterprise, other governments, or other external sources.
3. U.S. assistance should be directed toward basic program needs such as identification of historic properties, training, protection, consultation, recordkeeping, and emergency projects. Development of historic properties should be given low priority for assistance, and generally should not be assisted unless it is fully justified on economic or other grounds and no other appropriate sources of assistance are available.
4. The U.S. should promote high standards of professionalism among Micronesian preservationists, but should also promote development of programs that are truly Micronesian. Specifically, the U.S. should avoid encouraging a disproportionate concern for the remains of recent political occupations, including World War II hardware, but should encourage retention and enhancement of properties that represent the continuum of indigenous cultures.

B. Capacity Building

The Council further recommends that a key element in the provision of assistance be the building of technical capability in preservation-related fields through training by relevant U.S. agencies and by other means. Provision should be made in any categorical assistance program for training of Micronesian professionals in archeology, cultural anthropology, architecture, history, environmental management, library sciences and similar fields to the extent possible at the College of Micronesia, the University of Guam, or other institutions. Courses of study required for such purposes and not available at Pacific institutions might be funded through scholarships or grants for study at appropriate institutions in the continental United States. Participating U.S. agencies should provide internships and other forms of training for Micronesian professionals and paraprofessionals in activities related to preservation, as well as in preservation programs



per se. A variety of agencies might cooperate in such capacity building programs; not only traditional preservation agencies like the Department of the Interior and the Council, but such agencies as the Department of Defense, which maintains substantial bodies of expertise in such fields as environmental planning, architecture, archeology, history, and records management.

It bears repeating that the assistance provided should in no way be used to foster dependence on the United States; it should be designed to help the Micronesian governments build a strong base for independent action to protect and develop their cultural environments. Such independent action does not preclude cooperative relationships with U.S. preservation programs over the long run, but these should be true partnerships, not relationships of dominance or dependence.

C. Tangible and Intangible Resources

The Council further recommends that U.S. agencies, in cooperation with and providing assistance to the Micronesian governments in preservation matters, recognized the legitimacy of the Micronesian approach to preservation, which emphasizes a holistic concern for cultural integrity rather than a focus on tangible historic properties per se. In pursuing the study of intangible resources mandated by Congress in Public Law 96-515, the Secretary of the Interior and the National Folklife Center should consider what can be learned from the Micronesian perspective on preservation, and in carrying out programs and projects in Micronesia, U.S. agencies should respect not only the integrity of sites, buildings, structures, districts and objects of historical and cultural value, but the integrity of intangible social and cultural institutions as well.

D. Regional Center

The Council further recommends that the U.S. strongly encourage intergovernmental agreements among the three Micronesian Governments, the Government of the Northern Mariana Islands, and the Government of Guam, to undertake cooperative programs in historic and cultural preservation, and to exchange and, where appropriate, to pool personnel and facilities. Specifically, the governments should seek to establish a regional center for historic and

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cultural preservation in the western Pacific, carrying out the provisions of Article 5, Paragraph (e) of the World Heritage Convention and enhancing the efficiency of all preservation programs in the region by sharing personnel and facilities and undertaking mutually comparable studies and programs. The Institute for Micronesian History and Culture, the College of Micronesia, and the University of Guam might be appropriate loci for such a regional center. Section 101(b)(4) of the National Historic Preservation Act provides a mechanism whereby the State Historic Preservation Officers in Guam and the Northern Mariana Islands might participate in such a center, and Section 110(g) provides a similar authority for participation by Federal agencies. Private preservation organizations, groups concerned with heritage conservation like the Pacific Area Travel Association, and other governments in the western Pacific might be encouraged to participate in the work of such a regional center.

E. Integration with Education

The Council further recommends that, to reduce costs and promote positive integration of historic preservation into the operations of government and the private sector at all levels in Micronesia, the Micronesian governments be encouraged to strengthen ties between their historic preservation programs and their educational programs.

F. Standards for U.S. Agencies

The Council further recommends that the Office of Micronesian Status Negotiations formally establish a working group including the Secretaries of the Interior, State, and Defense, the Smithsonian Institution, and the Council, to establish standards and procedures for use by U.S. agencies in identifying and avoiding or mitigating adverse effects on historic properties in Micronesia in connection with their post-termination activities. These standards and procedures should be substantively similar to those utilized by agencies under the authority of Sections 110 and 106 of the National Historic Preservation Act, and consistent with pertinent UNESCO Recommendations. In accordance with Section 161(a)(4) and 161(b) of the Compact of Free Association, the Micronesian governments should be afforded the opportunity to comment on the standards and procedures during their development,

and the standards and procedures should be reasonably consistent with the provisions of the historic and cultural preservation statutes now in place and being developed in Palau and the Federated States. Further, the Office of Micronesian Status Negotiations should afford the Micronesian governments the opportunity to agree to the application of such standards and procedures pursuant to Section 161(a)(3) of the Compact.



Part III: EXECUTIVE DIRECTOR'S RESPONSIBILITY

The Executive Director of the Council will provide these recommendations to all relevant agencies and branches of government and to the public, and will consult with the Office of Micronesian Status Negotiations and other appropriate parties toward their implementation.



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Appendix I: Views of the Trust Territory Historic Preservation Officer



Introduction

Since 1975, the Trust Territory has participated as a "state" in the U.S. Historic Preservation Fund Program by virtue of an amendment to the National Historic Preservation Act of 1966.

There are three factors which influenced the development of the program in the Trust Territory. They are:

- (1) The Geographical setting: The Trust Territory, consisting of over two thousand individual islands arranged into six separate "districts", is scattered over nearly three million square miles of ocean. (see map) Transportation and communications with all but the district centers are extremely difficult, time consuming, and expensive.
- (2) Political Transition: Since 1969, the "districts" of the Trust Territory have been negotiating their future political status with the U.S. Government with the final aim of terminating the Trusteeship and establishing constitutional governments. In 1976, the Northern Mariana Islands were administratively separated from the rest of the Trust Territory, and entered into Commonwealth with the U.S. in 1978. Currently the Republic of Palau, the Federated States of Micronesia (consisting of the former districts of Yap, Kosrae, Truk and Ponape) and the Marshall Islands continue their negotiations. The Trust Territory is tentatively scheduled to be terminated in 1981, after which time all federal programs, with a few specific exceptions, will also be terminated.
- (3) Initial lack of professional program staff: For the first two years, the Trust Territory did not have the professional staff necessary to run an effective program. Survey activities were not undertaken, development projects not initiated, and construction projects were allowed to proceed without undergoing review. Additionally, Micronesia

did not have a professional community to undertake research independently of the Historic Preservation Office. Consequently data on historic properties was virtually non-existent.

Because of Factor 3, the Trust Territory program fell many years behind mainland programs in the level of program development. The program did not become effective until after the arrival of Dr. Thomas F. King in late 1977. Dr. King, then an archeologist with Interagency Archeological Services, was loaned to the Trust Territory by the National Park Service to assist in the development of a viable preservation program. Shortly after Dr. King's arrival the Micronesian Archeological Survey (MAS) was established, a system was implemented for the review of federally assisted construction projects, and plans were made to undertake an Acquisition and Development project.

Factors 1 and 2 made it necessary for the central office to begin developing strong local offices, both to cope with the logistical problems as well as prepare the necessary framework to allow the local programs to continue after termination. To strengthen the local programs, local historic preservation coordinators were hired and trained in each district, local historic preservation committees, originally established in 1975, were reorganized and upgraded, local archeological survey teams were hired and trained, and Micronesian professional staff given initial training. The central office also assisted in the drafting of local historic preservation legislation.

Current condition of the Program

A. Structure

1. The Central Office: At present, the Historic Preservation Program is administered by a central office attached directly to the Office of the High Commissioner, reporting directly through the Deputy High Commissioner. The office consists of a staff archeologist, staff historian, grants manager, and and archeologist trainee. The staff historian currently serves as the Historic Preservation Officer. Funds for the program are derived from the regular Trust Territory operating account, from grants provided by the Heritage Conservation and Recreation Service, from other grant sources, and by transfers from other agencies to pay for surveys and slavage archeology in connection with construction projects. Funds have also been appropriated by the legislatures in Palau and Ponape to support historic preservation activities, and extensive in-kind contributions made by local agencies, individuals, Historic Preservation Committees and contractors.

2. Local Offices: Local offices were established in the districts begining in 1977. Their purpose is to coordinate all local historic preservation activities, and to advise the central office on compliance matters. In 1979, three separate political entities emerged from the Trust Territory; the Federated States of Micronesia, the Republic of Palau, and the Marshall Islands. Since that time, the central office has organized the local programs consistent with these political developments. Presented below is a summary of the conditions existing in the three program areas:
 - a. Federated States of Micronesia: There are two levels of government in the Federated States; the National level, represented by the FSM government with its capitol on Ponape; and the state governments of Yap, Truk, Ponape, and Kosrae. In 1979, the FSM Congress passed Public Law

1-48 which establishes a national level historic preservation program in the Federated States. At the heart of Public Law 1-48 is the Institute of Micronesian History and Culture which will provide professional and technical assistance to the state level programs. When fully staffed, the Institute will have the capability of executing all functions now handled by the central office.

Yap passed state level legislation in 1980, and currently similar bills are pending in Truk, Kosrae and Ponape.

At present, the Institute is not functional; it has no physical facilities, no staff and no operating budget. Its general functions are being carried out by the central Trust Territory office. In effect, there is no national level program activity. All activity is occurring at the state level. All states have full-time coordinators, physical facilities, historic preservation committees, and two have trained archeological survey teams. It will still be necessary to provide additional training to some of the coordinators, and local legislation still needs to be passed in Ponape, Kosrae and Truk. It will also be necessary to begin pushing for local appropriations to support office expenses.

- b. The Republic of Palau: Politically, Palau has lagged behind the FSM and the Marshall Islands in transition. Their constitution was only passed in July 1980, and consequently it has not been possible to enact comprehensive preservation legislation. Palau still operates under District Law 6-6-19 which establishes a Palau Historical and Cultural Preservation Commission, and allows the program to receive funds from the Palau Legislature. It is anticipated that after the seating of the new constitutional government in early 1981, new legislation will be introduced. Presently the



Palau office consists of an Executive Director, three staff members, and a two man survey team. Program activities are reviewed by the Palau Historical and Cultural Preservation Commission.

- c. The Marshall Islands: The program in the Marshall Islands is the least developed in Micronesia. It has no coordinator or legislation, and few program activities have been undertaken. Program activities when they do occur are under the general supervision of the Chairman of the Historic Preservation Committee.

Although the Marshall Islands Government has shown little support for the program, there does seem to be a good deal of individual interest in preservation. To date, the central office has been frustrated in its attempts to establish some type of lasting program. Because of the lack of interest repeatedly displayed by the Marshall Islands Government, the central office has no specific actions planned for the program there. If this situation changes in the future, the central office is prepared to extend to the Marshalls the same type of assistance extended to the other programs in Micronesia,

B. Activities

Since 1977, survey activities have greatly accelerated, and the Micronesian Archeological Survey continues to stress high quality research oriented projects. Increased survey data are allowing for the refinement of predictive models as well as allowing for the protection and development of important Micronesian properties. However, because of its late start, the Trust Territory feels it is significantly behind other state programs. Survey activities to date have only covered approximately 1-2 percent of the total land area, and many important sites have yet to be discovered. Also many important properties are in need of preservation measures.

Clearly, if important properties are to be located and protected, a great many more survey and development projects are needed. (See table 1 for a list of projects undertaken by the Trust Territory through FY 1980)

Effects of Termination on the Program

Termination of the Trusteeship will affect the program by cutting off all current sources of major funding, and by removing present statutory protection afforded to historic properties from the adverse effects of federally assisted land-use projects. As mentioned earlier, the Trust Territory Historic Preservation Program receives the bulk of its funds from three sources; from the T.T. operating account; from annual program grants from HCRS; and from construction project budgets. As it stands now, termination will cut off all of these sources. The loss of the T.T. operating funds will make it necessary to close the central office, thus eliminating the professional staff. Ongoing training programs, and professional review of all program functions will cease. Termination will also cause the loss of annual program grants now made available by HCRS. These grants are used to fund virtually all survey activities and development projects. Additionally, these funds are used to maintain the local historic preservation offices. Loss of the federal historic preservation grants will greatly decrease survey activities, end development projects, and require the closing of the state level offices. Along with the loss of annual program grants, termination will also end Section 106 protection. Consequently, funds now being provided by construction agencies for surveys and mitigation measures will also cease. Since federal land-use activities are not expected to end upon termination, the loss of Section 106 protection (coupled with the loss of professional staff and local state offices) poses a serious threat to important historic and cultural properties.

Termination, in effect, will place almost the entire financial burden on the backs of the FSM and Palau Governments. Although the Microneisan governments have repeatedly expressed strong support for the program, it is unclear whether funding will be made immediately available. Already the new

governments have been strained to the limit by the rising cost of fuel and other necessities. If funding for the programs is made available it will surely be at a greatly reduced level. Insufficient program funding will be nearly as damaging as no funding.

Clearly, termination as it is planned now, will pose a serious threat to important historic properties, and will surely deal a damaging blow to the emerging preservation programs in Micronesia.

Recommendations

If adverse effects are to be avoided, and the Micronesian programs allowed to continue after termination, the Historic Preservation Officer recommends the following actions be taken:

- (1) Continue professional surveys: Much survey work remains to be done, and the Micronesian programs will have to continue to rely on outside researchers to do the professional work. Although most archeologists have been willing to work in the Trust Territory without salary, it will still be necessary to provide funds for transportation, per diem, local labor and report preparation costs. Three to five years of survey efforts, roughly equal to the FY 1980 level, will allow for 20-30 percent areal coverage of the major islands. Priority should be given to areas likely to be developed within the next twenty years.
- (2) Complete development of important historic properties: A number of significant properties exist in the Trust Territory which are in immediate need of stabilization and/or restoration, or which are of potential economic or educational value. These projects should be developed during the next three to five years. Development projects, unlike survey activities, are highly visible and have the potential to increase support of the program in general, especially when the development allows a property to become a financial asset. Development projects have been the most difficult to initiate in the Trust Territory because of the lack of cash resources and professional personnel.

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- (3) Continue to review Federally assisted land-use projects: Although Section 106 will no longer apply after termination, federal agencies will continue to engage in land-use activities. Naturally, without adequate review, these activities will pose serious threats to Micronesian properties. It is strongly recommended that the review of federally assisted construction projects continue after termination. Surveys and necessary mitigation measures should be funded by the responsible agency as before.
- (4) Complete training of Micronesian Professional Staff: For the program to continue, it will be necessary for the upper management and professional positions to be filled with trained Micronesians. Currently expatriates fill the two professional positions in the central office. A citizen of the Federated States is currently being trained by the Staff Archeologist, but he will still require some graduate level college work, as well as additional on-the-job training. A trainee for the Staff Historian's position and a director for the Institute must also be located and trained. It may also be necessary to assist in the training of personnel for the central Palau Office.
- (5) Effect transfer of central office functions to the Institute and the central Palau office: The central office still retains a good deal of control over important program functions. This is partially because the central office is officially recognized by HCRS as the "state" office, and also because at the present time the local programs are not fully functional. It will be necessary to complete the transfer of all central office functions to the Institute and the central Palau office.
- (6) Identify non-federal sources of funding: It is recognized that federal funding cannot and should not continue indefinitely as the major source of preservation funding in Micronesia. Consequently it will be necessary during the next several years to identify and secure additional funding for the program. These funds will be used to supplement appropriations made by the local governments.

In order for these recommendations to be accomplished, it will be necessary for the Micronesian programs to be extended federal support in some form for three to five years. It will be especially critical to continue funding until the programs have been fully established and have been allowed to accomplish pressing projects. This funding is not intended to foster dependency but only to allow the local programs to protect valuable properties and become self-sufficient. There appear to be two basic ways of extending federal funding to the programs after termination; (1) the programs can receive a specified amount of money for a specified number of years; or (2) the National Historic Preservation Act can be amended to allow the new governments to participate as "states". The final funding form should be left to the discretion of the Micronesian governments, and consequently the Historic Preservation Officer will not discuss the matter in any greater detail in this paper. Serious consideration should also be given to extending Section 106 requirements when federal agencies are involved in land-use activities in Micronesia.

The Historic Preservation Office has prepared recommended budget estimates for discussion purposes. They appear as Table 2. These estimates are based on the costs of operating the program over the past three years.



Table 1
Projects Since 1977

YEAR	PROJECT
<u>Palau</u>	
1977	Test Excavations: Koror, Aluptaciel & Pelilieu
1978	Test Excavations: Kayengel, Rock Islands & Angaur
	Survey: Road Improvements, Babelthaup
	Survey: Secondary Road, Ngaraard
	Survey: Airai Airport
1979	Restoration: Bai ra Irrai
	Survey: Coral Hauling Roads, Airai
	Survey: Housing Development, Ngerbechedesau
	Data Recovery, Palau Airport Terraces
1980	Survey: Babeldaob
	Survey: Ngeryekai Village
<u>Yap</u>	
1978	Survey: Capital Improvement Projects
	Survey: Yap Airport
	Survey: Yap Airport
	Survey: Yap Airport
	Survey: Neighborhood Center, Gagil
	Survey: HUD projects, Rumung
	Survey: Rang Village
	Test Excavations: Lamotrek, Faraulap & Woleai Atolls
	Survey and Test Excavations: Ulithi Atoll
1979	Data Recovery Plan Yap Airport
1980	Data Recovery, Yap Airport
	Survey: Balabat and Gitam Villages
	Survey: Toru Village
<u>Truk</u>	
1977	Salvage Excavation: Fefan
1978	Predictions: Site Locations
	Survey: Capital Improvement Projects
	Survey: Road, Tol
	Plan Site Development: Fauba Fort, Tol
	Survey & Salvage Excavation: Iras Sewer
1979	Survey: Sapuk Dredge Site
	Test Excavations: Mortlocks

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Table 1 (Continued)

Truk (cont.)

- 1979 Site Development: Fauba Fort, Tol
Survey: World War II Sites
Survey and Site Development Plan: Puluwat
Lighthouse
- 1980 Survey: Nepokos Village
Survey: Tunnuk Village
Geoarcheological Invesitgations: Truk Lagoon
Survey: Sapuk Village

Ponape

- 1977 Survey: Pepper Plantation, Sokehs
Survey and Test Excavations: Awak Valley, Uh
- 1978 Survey: Pohndollap Homesteads, Sokehs
Survey Circumferential Road
Survey and Test Excavations: Awak Valley, Uh,
and Ant Atoll
Site Development Plan: Nan Madol
- 1979 Survey: World War II Sites
Survey: Palikir, Sokehs
Survey: Nan Madol
Survey and Test Excavations: Awak Valley,
Uh; Wene Valley, Kitti; and Ant Atoll
Site Development Plan: German Belltower,
Kolonias
Survey: Wene and Awak Valleys
Survey: Historic Kolonia

Kosrae

- 1977 Survey: Lelu Sewer
Survey: General
- 1978 Survey: Capital Improvement Projects
Survey: Tafeyat Waterline
- 1979 Survey: Dam Redevelopments
Survey: Contractor's Camp
Survey: Lela
Survey: Innem/Okat Road
Survey and Test Excavations: Putuk Wiya,
and Tepot Overburden Sites
Predictions: Site Locations
Survey: Lelu Stone Ruins
Survey: Lelu Stone Ruins
Survey: Yewal and Fwinkol
Survey: Tofol Valley
Survey and Test Excavations: Wiya Traditional
Village
Survey: Kupla Traditional Village
Survey: Lelu Stone Ruins

-12-
Table 1 (Continued)

Marshall Islands

1978
1979

Restoration: DeBrum House
Report Preparation: 1977 Kelton
Expedition
Survey and Test Excavations: Majuro
Survey: Outer Islands Docks
Survey: Majuro

Please note: This listing does not include a number of projects to be undertaken shortly. Research designs for these projects have been developed, but principle investigators are not yet in the field. This listing also does not include Tools for Survey and Planning Projects, or cultural preservation projects.



Table 2
Annual Budget Estimates

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1. FSM Institute Operating Costs

A. Salaries	
Director	\$16,000
Archeologist	11,000
Historian	11,000
Oral Historian	12,500
Grants Officer	6,000
Secretary	4,000
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	\$60,500
Benefits 2.5%	1,500
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Total Salaries	\$62,000

B. Travel	\$15,000
C. Office Operating Costs	\$10,000
D. Educational Training	\$10,000
E. Meetings	\$ 5,000
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TOTAL	\$102,000

2. State Offices Operating Costs

A. Yap	\$16,000-20,000
B. Truk	\$25,000-30,000
C. Ponape	\$25,000-30,000
D. Kosrae	\$30,000-35,000
	<hr/>
	<hr/>
TOTAL	\$96,000-\$102,000

3. FSM Projects

A. Archeological/Historical	
4 projects at \$15,000	\$60,000
B. Cultural Preservation	
4 projects at \$10,000	\$40,000
	<hr/>
	<hr/>
TOTAL	\$100,000

Table 2 (Continued)

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4. Palau Central Office Operating Costs

A. Salaries

Executive Director	\$12,000
Registrar	7,000
Staff Historian	6,000
Oral Historian	6,000
Survey Team (2 person)	10,000

\$41,000

Benefits 2.5% 1,025

Total Salaries \$42,025

B. Travel \$5,000

C. Office Operating costs \$5,000

D. Meetings, Seminars \$5,000

TOTAL \$57,025

5. Palau Projects

A. Archeological/Historical
2 projects at \$10,000 \$20,000

B. Cultural Preservation
2 projects at \$10,000 \$20,000

TOTAL \$40,000

TOTAL FSM AMOUNT \$302,000

TOTAL PALAU AMOUNT \$ 97,025

ANNUAL GRAND TOTAL \$399,025



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B I B L I O G R A P H Y

- Cordy, Ross
1979 The Trust Territory Historic Preservation Program: Its Framework and Projects Since 1977.
- Cordy, Ross
1980 The Trust Territory Historic Preservation Program: Update on Framework and Projects to End of FY 79.
- Cordy, Ross
1980 The Trust Territory Historic Preservation Program: An FY 80 Mid-year Progress Report.
- Cordy, Ross
1980 Archeology in Micronesia. JOURNAL OF THE POLYNESIAN SOCIETY. September, 1980.
- King, Thomas F.
1979 The Past After 1981: A plan for Historic Preservation in Micronesia's Future.
- Russell, Scott
1979 Preservation in Paradise. THE NEW PACIFIC MAGIZINE. July-August 1979.
- Russell, Scott
1979 Preservation Micronesia
- Russell, Scott
1979 The Future of Micronesia's Past. MICRONESIAN REPORTER, Forth Quarter, 1979.

Appendix II: Views of Governments and Preservation Organizations in Micronesia

- A. Comments Supporting the Views of the Historic Preservation Officer
- B. Historic Preservation Legislation
- C. Historic Preservation Concerns in Micronesian Constitutions





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A. Comments Supporting the Views of the Historic
Preservation Officer

1102 S.E. ...
Office ...
Yap ...

SEP 18 1980
10 1 1980

September 18, 1980

Mr. Andon L. Amaraich
Chairman
Commission on Political Status
and Transition
Federated States of Micronesia
Kolonia, Ponape E. C. Is. 96941

Dear Mr. Amaraich:

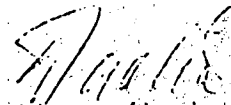
I am sure you have been receiving numerous letters and verbal requests from various concerned citizens supporting the continuation of the Historic Preservation Program after the termination of the Trusteeship Agreement in the near future. I am writing merely to make known to your good office and to all concerned, my full endorsement and support of the attached Resolution from the Yap State Legislature and all the letters pertaining to the issue from the FSM Citizens.

I am confident that the member of your commission will take into serious consideration, among other issues, the Historic Preservation Program for our islands during your negotiation. In addition to the attached Resolution, we have also Yap State Law No. 1-5S which we hope to fully implement in the near future. In order to implement the provisions of this law, we need support from all sources available. One of the source which has proven worthy of its support is the U.S. National Historic Preservation Act which enabled the T.T. Historic Preservation Program to function up to the present.

With all the respect and in consideration of the continuation of the Historic Preservation Program, I will leave the future of this program in the hands of the member of your commission.

Wishing you the most successful negotiation, I remain.

Sincerely yours,


Henry Tichell
Acting Governor, Yap

Attachment/Res. No. 1-17

FEDERATED STATES OF MICRONESIA
Kosrae Historic Preservation Office
EASTERN CAROLINE ISLANDS 96944

August 15, 1980

Status Negotiation Team
Federated States of Micronesia
Office of the External Affairs
Kolonia, Ponape, E.C. Islands 96941

Dear Sirs:

We, the representatives of the Kosrae Historic Preservation Review Board and Committees, wish to urge the Status Negotiation Team to include Historic Preservation on the list of Federal programs to be continued after 1981. We feel this is a valuable program, and a long overdue one. It has value in that we can consider preservation of historic places and culture. Also, it can greatly aid education and tourism programs.

There are two serious historic preservation problems in the Federated States of Micronesia that need to be resolved in order to adequately protect valuable historic properties in the area and to ensure that the historic environment is adequately protected.

1. The development of a top quality program prior to termination must be finalized.
2. The continuation of a top quality program after termination must be ensured where such a program has been requested--in the FSM and Palau.

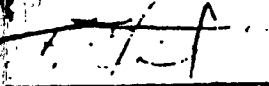
Progress has been made on both problems, but much additional work is needed. Funding considerations are vital. And only one year of the Trusteeship remains.

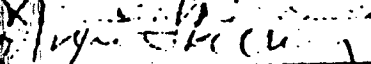
A legislation Bill for an Act is now being transmitted through the Second Kosrae State Legislature, to establish the Kosrae Historic Preservation Program and we feel that the Bill will be passed with out any problems.


We, the representatives for the Kosrae Historic Preservation Review Board and Committees, urge the Status Negotiation Team to add more funding for this program.

It would truly be unfortunate if the major funding source of historic preservation were terminated when it could be retained particularly just when we have gotten this program established and working effectively. Thus, again we urge additional funding to run this program after the termination of the Trusteeship.

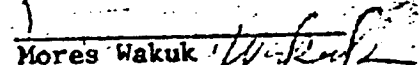
Respectfully,


Teddy John
Coordinator, KHP

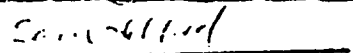

Myrie Skilling
KHP Committee Chairman


Harold Edmond
KHP Committee Member

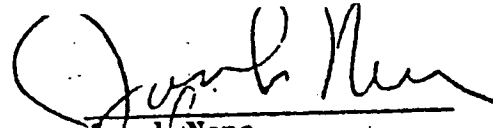
Alokoa Talley
KHP Committee Member

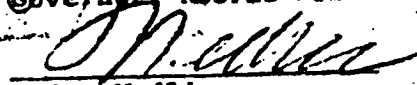

Mores Wakuk
KHP Committee Member

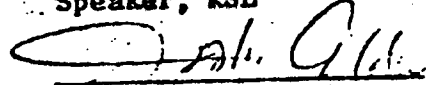
Donald Jonna
KHP Committee Member


Sam Albert
KHP Committee Member

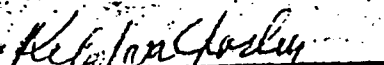

Kun Arriola
Review Board Member, THP

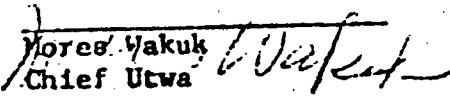

Jacob Nena
Governor, Kosrae State


Gaius Nedlic
Speaker, KSL


Joshua Alokoa
Chief Lelu


Alokos Seymour
Chief Tafunsak


Kilafwa Charley
Chief Malem


Mores Wakuk
Chief Utwa

HONOR. ANTON AMARATCH
HONOR. HIROSHI ISHMAEL
APO, SAIPAN HQ

Re. 11
0.12

Andrew P. Kuqfas
Historical Preservation Coordinat
Colonia, Yap #96943

August 12, 1980

Andon Amaraich
Chairman
Commission on Political Status
and Transition
Federated States of Micronesia
Kolonia, Ponape
Eastern Caroline Islands #96941

Dear Mr. Amaraich,

I am writing in support of continuing the Historic Preservation Program, under the National Historic Preservation Act, after the termination of the Trusteeship Agreement.

Although our National Government enacted Public Law No. 1-48, establishing an Institute for Micronesian History and Culture, and the State Government of Yap is expected to approve similar legislation shortly, I believe there is a great need to continue United States Federal assistance and support for the Historic Preservation Program within Yap and the Federated States of Micronesia. I do not believe we have or are about to develop an adequate substitute for the assistance and support now offered to us pursuant to the National Historic Preservation Act. I do not see any feasible alternatives that we are developing to the Heritage Conservation and Recreation Service or the Micronesian Archaeological Survey and the grants and technical assistance and support these programs offer.

I believe the National Historic Preservation Act is unlike many other United States Federal programs that foster dependency. The only self sufficiency our islands have experienced has been based on our traditional heritage. By preserving our traditional heritage, we are preserving the only basis we have of self sufficiency. It is not the type of federal program that is self perpetuating. Once we fully develop our Historic Preservation Program, the need for this federal program will diminish. While being a program primarily for ourselves in preserving our traditional heritage, the Historic Preservation Program will contribute to economic development in the area of attracting tourism.

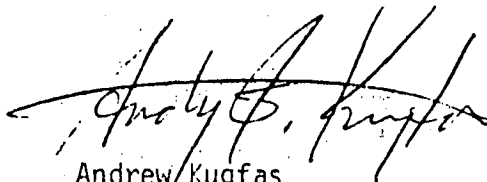
It is my hope that you and the Commission on Political Status and Transition will find that the National Historic Preservation Act is one of the United States Federal programs worthy of continuation

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Page 2

after termination of the Trusteeship Agreement. I would be most pleased in receiving any comment from you on this subject. Thank you for taking the time to read this letter and any consideration it may receive from you and the Commission.

Sincerely yours,



Andrew Kugfas
Yan Historic Preservation
Coordinator

xc: Governor Mangefel
Senator Tman
Speaker Ayin
Chairman Roboman
Chairman Hathey
Scott Russell

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September 26, 1979

Chairman
Future Political Status and Transition
P.O. Box 429
Kolonla, Ponape 96941

Dear Mr. Chairman:

I would like to express my full support for the U.S. federally funded Historic Preservation Program project in Truk. This federal program has brought innumerable benefits to the people of Truk, and made possible the planned preservation of several valuable historic sites on our islands.

I am expressing my full support for the program and urge its continuance, in spite of the U.S. Dept. of Interior order to terminate all such federal programs along with the Trusteeship Agreement in 1981. I am strongly against such a policy, especially because of the negative consequences it will have on the development and preservation of the historic sites in Truk State.

I am sure you will concur with me concerning this, and also will assist us to insure the continuance of such a needed program. Please help us to provide for a better future for the people of Truk through preserving our precious past.

Sincerely yours,

Hans Willander
Acting Governor, Truk State

cc: Historic Preservation Office/Truk
Historic Preservation Office/Salpan
Historic Preservation Commission/Truk



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TRUST TERRITORIES OF THE PACIFIC ISLANDS
OFFICE OF THE HISTORIC PRESERVATION
WASHINGTON, D.C. 20540

August 31, 1979

The Federated States of Micronesia Status Negotiation Team

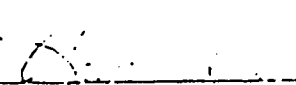
Dear Sirs:

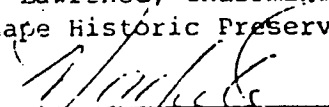
We, the representatives of the Trust Territory Historic Preservation Review Board and Committees, wish to urge the Status Negotiation Team to include Historic Preservation on the list of federal programs to be continued after 1981. We feel this is a valuable program, and a long overdue one. It has value in that we can consider preservation of historic places and culture. Also, it can greatly aid education and tourism programs.

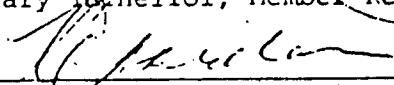
The Congress of Micronesia supported historic and cultural preservation in 1978 (House Resolution 7-25). Palau has recently passed historic preservation laws. The Federated States of Micronesia's Congress has just passed a bill establishing the program in the Federated States of Micronesia, and the President of the Federated States of Micronesia has stated that this is a valuable program.

It would truly be unfortunate if the major funding source of historic preservation were terminated when it could be retained, particularly just when we have gotten this program established and working effectively. Thus, again we urge this program be put on the list of federal programs to be continued after 1981.

Respectfully,


Pensile Lawrence, Chairman Trust Territory Review Board & Vice-Chairman
Ponape Historic Preservation Committee


Hilary Tscheliol, Member Review Board


Kun Arriola, Member Review Board

[Signature]
Jesio Moses, Member Review Board

[Signature]
Celestino Emwalu, Member Review Board

[Signature]
Carmen Bigler, Member Review Board

[Signature]
Lazarus Salii, Member Review Board

[Signature]
Duane Denfeld, Member Review Board, Historic Archaeologist

[Signature]
Jack Jones, Member Review Board, Architect

[Signature]
Josefe Figirliyong, Member Review Board

[Signature]
Norjo Skilling, Chairman Kosrae Historic Preservation Committee

[Signature]
Narsi Kostka, Coordinator Ponape Historic Preservation Committee

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Francis Buekea, Coordinator Truk Historic Preservation Committee

[Signature]
Moses Sam, Executive Director Palau Historical & Cultural Preservation Commission