



Foundation Document

War in the Pacific National Historical Park | American Memorial Park

Guam | Saipan

February 2017









U.S. Marines coming ashore in Saipan. June 1944



USMC Hdqtrs 85, 172. U.S. Marines enter a wrecked building in Garapan, principal city of Saipan to clean out Japanese snipers hidden in the rubble. Naval and aerial bombardment leveled the town prior to its capture.

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The World Globe in front of the visitor center, AMME, Saipan

Mission of the National Park Service

The National Park Service (NPS) preserves unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations. The National Park Service cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.

The NPS core values are a framework in which the National Park Service accomplishes its mission. They express the manner in which, both individually and collectively, the National Park Service pursues its mission. The NPS core values are:

- **Shared stewardship:** We share a commitment to resource stewardship with the global preservation community.
- **Excellence:** We strive continually to learn and improve so that we may achieve the highest ideals of public service.
- **Integrity:** We deal honestly and fairly with the public and one another.
- **Tradition:** We are proud of it; we learn from it; we are not bound by it.
- **Respect:** We embrace each other's differences so that we may enrich the well-being of everyone.

The National Park Service is a bureau within the Department of the Interior. While numerous national park system units were created prior to 1916, it was not until August 25, 1916, that President Woodrow Wilson signed the National Park Service Organic Act formally establishing the National Park Service.

The national park system continues to grow and comprises more than 400 park units covering more than 84 million acres in every state, the District of Columbia, American Samoa, Guam, Puerto Rico, and the Virgin Islands. These units include, but are not limited to, national parks, monuments, battlefields, military parks, historical parks, historic sites, lakeshores, seashores, recreation areas, scenic rivers and trails, and the White House. In addition, there are 25 affiliated areas in several states, the District of Columbia, Canada, and the Commonwealth of the Northern Mariana Islands (CNMI). The variety and diversity of park units throughout the nation require a strong commitment to resource stewardship and management to ensure both the protection and enjoyment of these resources for future generations.



The arrowhead was authorized as the official National Park Service emblem by the Secretary of the Interior on July 20, 1951. The sequoia tree and bison represent vegetation and wildlife, the mountains and water represent scenic and recreational values, and the arrowhead represents historical and archeological values.

Introduction

Every unit of the national park system will have a foundational document to provide basic guidance for planning and management decisions—a foundation for planning and management. The core components of a foundation document include a brief description of the park as well as the park’s purpose, significance, fundamental resources and values, other important resources and values, and interpretive themes. The foundation document also includes special mandates and administrative commitments, an assessment of planning and data needs that identifies planning issues, planning products to be developed, and the associated studies and data required for park planning. Along with the core components, the assessment provides a focus for park planning activities and establishes a baseline from which planning documents are developed.

A primary benefit of developing a foundation document is the opportunity to integrate and coordinate all kinds and levels of planning from a single, shared understanding of what is most important about the park. The process of developing a foundation document begins with gathering and integrating information about the park. Next, this information is refined and focused to determine what the most important attributes of the park are. The process of preparing a foundation document aids park managers, staff, and the public in identifying and clearly stating in one document the essential information that is necessary for park management to consider when determining future planning efforts, outlining key planning issues, and protecting resources and values that are integral to park purpose and identity.

While not included in this document, a park atlas is also part of a foundation project. The atlas is a series of maps compiled from available geographic information system (GIS) data on natural and cultural resources, visitor use patterns, facilities, and other topics. It serves as a GIS-based support tool for planning and park operations. The atlas is published as a (hard copy) paper product and as geospatial data for use in a web mapping environment. The park atlases for War in the Pacific National Historical Park and American Memorial Park can be accessed online at: <http://insideparkatlas.nps.gov/>.



Defense Department (USMC) 83,219. June 15, 1944. U.S. Marines ride their landing barges as they head for the beach on Saipan early in the morning of D-day.

Part 1: Core Components

The core components of a foundation document include a brief description of the park, park purpose, significance statements, fundamental resources and values, other important resources and values, and interpretive themes. These components are core because they typically do not change over time. Core components are expected to be used in future planning and management efforts.

Brief Description of the Parks

War in the Pacific National Historical Park

War in the Pacific National Historical Park is on the island of Guam, an unincorporated U.S. territory in the western Pacific. The park was created on August 18, 1978, to “commemorate the bravery and sacrifices of those participating in the campaigns of the Pacific Theater of World War II and to conserve and interpret the outstanding natural, scenic, historic values and objects on the island of Guam.” The dual mission to honor all those who were involved in the Pacific War, both military and civilians, and to preserve the rich resources within the park makes this dynamic national park a unique destination in this part of the world. Conserving park resources and interpreting uses of the land also helps preserve Guam’s history for future generations. The forest, freshwater, and marine resources within park boundaries rank this park as the most biologically diverse park in the national park system.

The park protects seven units within, adjacent to, and surrounding the villages of Asan, Piti, and Agat, all significant key features of the battles that took place on Guam in 1944 (see park map). To protect the “historic values and objects,” the park is working to restore elements of the historic landscape by maintaining the open space, reintroducing native vegetation, and allowing for the traditional uses of the land. The significant key features of the 1944 battles such as the invasion beaches, pillboxes, caves, and historic structures are preserved as reminders of the tangible World War II resources that help tell the Battle for Guam story. The T. Stell Newman Visitor Center (see park map) provides visitors with an orientation to the park, events surrounding the Pacific War, and the Battle for Guam.

The **Asan Beach Unit** (109 land acres, 445 water acres) includes all of Asan Point, the landing beaches, and fringing coral reefs. The park preserves the landing beach where the 3rd Marine Division stormed ashore under heavy enemy fire to retake Guam on July 21, 1944. The unit includes several memorials, a network of concealed caves, gun emplacements, and Japanese pillboxes. Offshore lie the remains of an American landing craft used to transport troops ashore and scattered unexploded ordnance.

The **Asan Inland Unit** (593 acres) includes cliffs and hillsides with thick sword grass, vines, steep ravines, and rocky outcroppings where Japanese troops built defensive structures overlooking the invasion beaches below. Located at this site is the Asan Bay Overlook Memorial Wall with the inscribed names of the American war dead who defended the island in 1941 and those who took the island from Japan’s control in 1944 and the names of the people of Guam who died or suffered war atrocities.



U.S. Marines land at Asan Beach July 21, 1944. WAPA, Guam



First Piti Gun, Piti Guns unit, WAPA, Guam

The **Fonte Plateau Unit** (38 acres) a former Japanese naval communications center, overlooks the Asan Bay. The high land of Fonte Plateau, later renamed to Nimitz Hill, is the site of one of the more bitter battles between the U.S. Marines and the Japanese military. The site of the advance base for Commander in Chief Pacific Fleet Headquarters for Admiral Chester W. Nimitz in 1945 is located nearby at the current location of the Joint Region Marianas headquarters.

The **Agat Unit** (38 land acres, 557 water acres) includes Apaca Point, Ga'an Point, Bangi Point, and Bangi, Alutom, and Pelagi Islands. The Agat Unit features caves, bunkers, several pillboxes, and a World War II latrine foundation—a remnant of the former refugee camps where thousands of Chamorros were left homeless. At dawn on July 21, 1944, the 1st Provisional Marine Brigade followed by the 77th Army Infantry landed under heavy Japanese gunfire and took the southern beachhead. Ga'an Point, the geographic center of Japanese defense of the Agat Beachhead, includes an impressive Japanese stronghold as well as a naval gun and anti-aircraft machine guns typical of those used in surrounding areas.

The invasion beaches and adjacent upland units, once bloody battlefields where the Americans fought to gain ground and where Japanese military dug in to defend the island, now remain silent with open green spaces, limestone forests, freshwater aquatic life, diversity of coral reefs and marine life, more than 400 species of plants, and breathtaking scenic views of the landscape.

The **Mt. Alifan Unit** (158 acres), about 871 feet above Agat beaches, served as the former Japanese command post and contains a network of bomb craters, fox holes, and trenches. The slopes of these hills saw intense battles between U.S. Marines and the defending Japanese forces.

The **Piti Guns Unit** (24 acres) preserves three Japanese 140mm coastal defense guns concealed within the rich mahogany forest planted in the early 1920s. Although the guns were not ready when the Americans landed, their firing range of nearly 10 miles would have wreaked havoc on the offshore ships and approaching landing craft. These heavy guns were hauled in by Chamorros under forced labor in 1944 on tree trunks used as rollers.

The **Mt. Chachao/Mt. Tenjo Unit** (45 acres), the high ground the Americans captured in 1944, is where the two U.S. invading forces, from Asan and Agat, linked up. The unimproved trail leads to foxholes, trenches, a former World War I American gun emplacement, and a scenic overview of Apra Harbor and Orote Point.

American Memorial Park

American Memorial Park is on the island of Saipan, in the western Pacific's Northern Mariana Islands, 120 miles north of Guam. The park is an affiliated area managed by the National Park Service.

American Memorial Park (133 acres) was created to honor the American and Marianas people who died in the World War II Marianas Campaign. The park serves as a living legacy for future generations to understand the Marianas Campaign, its sacrifices, and how the taking of the islands (Saipan, Tinian, and Guam) helped to shorten the Pacific Theater of World War II. The park does not include World War II battlefield sites, but does contain World War II era structures (Japanese pillboxes, fuel storage tanks, bunkers, and a carbide plant storage building) and more recently constructed memorials.

The park's concept of a "living memorial" offers activities enjoyed more than half a century ago by American service men and women. Visitors to the park can enjoy similar activities today, picnicking, fishing, photography, water sports, tennis, jogging, and bicycling. Today the park serves as the major venue for community gatherings, fiestas, formal ceremonies, and islandwide events, and is a place that provides visitors year-round cultural, natural, historical, and recreational opportunities. More importantly, American Memorial Park serves as a place to reflect on the history and to remember the fallen, so that those who died in the Marianas Campaign during World War II are not forgotten.

Inscribed in the **Court of Honor and Flag Circle** are the names of more than 5,000 American marines, soldiers, sailors, coastguardsmen, and airmen who died during World War II on Saipan, Tinian, and in the Battle of the Philippine Sea. The Flag Circle prominently flies the service colors under which these men proudly fought.

The **Marianas Memorial** honors the 933 Chamorros and Carolinians who lost their lives as a result of the war from the beginning of the American aerial bombardment on Saipan on June 11, 1944, to the closure of internment camps on July 4, 1946. For many of the Chamorros and Carolinians who died during the war, this may be the only place where family members can honor their war dead as many have no tombstones to mark their final resting place.

Installed in 1995, the **Bell Tower and Carillon Monument** chimes the American and the Marianas Anthems, a selection of patriotic tunes, hymns, and songs of hope and cheer. The carillon plays *Taps* each evening to honor those who made the ultimate sacrifice in their fight for freedom.

Within the park boundaries is Micro Beach, one of the best white sandy beaches on Saipan. This site is significant to the Carolinian people as it is the place where the first settlers landed when they migrated to Saipan and where elders taught traditional navigational skills and burial rituals to their young.

Within the American Memorial Park is a 30-acre wetland and mangrove forest. Consisting of mudflats, marshes, and mangroves, this remnant habitat is now quite scarce in the Northern Marianas. This area contains rare flora and fauna including the endangered Nightingale Reed-warbler; while the entire park and the adjacent mudflats are an important migratory bird site.

The visitor center houses multilingual audio-visual displays combined with artifacts and exhibits, enabling visitors to walk through time. Visitors learn about pre-war life in the Northern Marianas under Japanese control, the epic story of the battle for the Marianas during World War II through the end of the Pacific War. The visitor center has a 120-seat theater where the park's signature film, "An Island Called Saipan," is shown in multiple languages.



Carillon Bell Tower, AMME, Saipan

Park Purpose

The purpose statement identifies the specific reason(s) for establishment of a particular park. The purpose statements for War in the Pacific National Historical Park and American Memorial Park were drafted through a careful analysis of their enabling legislation and the legislative history that influenced their development. The parks were established when the enabling legislation adopted by Congress was signed into law on August 18, 1978 (see appendix A for enabling legislation and subsequent legislative acts). The purpose statement lays the foundation for understanding what is most important about each park.

WAR IN THE PACIFIC NATIONAL HISTORICAL PARK commemorates the bravery and sacrifice of all those who participated in or were affected by the campaigns of the Pacific Theater of World War II. The park conserves and interprets outstanding natural, scenic, and historic values and objects on Guam.



Memorial Day flag display, Asan Beach unit, WAPA, Guam

*AMERICAN MEMORIAL PARK on Saipan
honors those who died during the
Marianas Campaign of the Pacific
Theater of World War II. The park
supports education and appropriate
use by the public.*



A U.S. Marine on patrol found this family hiding in a hillside cave (Saipan) USMC #83266.

Park Significance

Significance statements express why a park's resources and values are important enough to merit designation as a unit of the national park system. These statements are linked to the purpose of War in the Pacific National Historical Park and American Memorial Park, and are supported by data, research, and consensus. Statements of significance describe the distinctive nature of the park and why an area is important within a global, national, regional, and systemwide context. They focus on the most important resources and values that will assist in park planning and management.

The following significance statements have been identified for War in the Pacific National Historical Park and American Memorial Park. (Please note that the sequence of the statements does not reflect the level of significance.)

Significance Statements for both War in the Pacific National Historical Park and American Memorial Park

1. War in the Pacific National Historical Park on Guam and American Memorial Park on Saipan tell the history of the Pacific Theater of World War II and the devastating loss of life during the Marianas Campaign. The Mariana Islands were strategic colonial outposts governed by the United States and Japan and became battlefields for control of the Pacific during World War II. More than 70,000 Japanese, Americans, and civilians died over the 61 days of the Marianas Campaign.
2. War in the Pacific National Historical Park and American Memorial Park, located in the western Pacific, are uniquely situated to introduce the national park idea to diverse, non-English speaking, international visitors from the Pacific and Asia.



Bas relief sculpture, Asan Bay Overlook, Asan Inland unit, WAPA, Guam



Memorial Day flag display, Asan Beach unit, WAPA, Guam

Significance Statements for War in the Pacific National Historical Park

3. War in the Pacific National Historical Park interprets the air, sea, and land battles of the World War II Marianas Campaign that resulted in the amphibious invasions of three islands (Saipan, Tinian, and Guam). The park preserves the dramatic landscape setting (invasion beaches, battlefields and surrounding hills) that help interpret the Battle for Guam story. The tactics used to retake Guam by American forces and the Japanese defensive strategies were representative of the island by island fighting techniques used throughout the Pacific.
4. War in the Pacific National Historical Park has more species of plants and animals than any other national park. There are more than 400 terrestrial and freshwater species, including rare and endangered species endemic to tropical limestone forests on Guam. The Guam coral reefs have more than 3,500 species, including more than 400 known corals, more than 1,000 fish, and several threatened and endangered marine species. Most of these species as well as protected marine mammals are present in park waters.
5. War in the Pacific National Historical Park honors all those who participated in the campaigns of the Pacific Theater of World War II and memorializes the sacrifices and war dead of the peoples caught in the conflict between two warring nations.
6. War in the Pacific National Historical Park commemorates the unique experiences of the Chamorro people and other island communities during World War II.

Significance Statement for American Memorial Park

7. American Memorial Park interprets the unique experiences of the northern Marianas communities during World War II.



Visitor center display, AMME, Saipan

Fundamental Resources and Values

Fundamental resources and values (FRVs) are those features, systems, processes, experiences, stories, scenes, sounds, smells, or other attributes determined to warrant primary consideration during planning and management processes because they are essential to achieving the purpose of the park and maintaining its significance. Fundamental resources and values are closely related to a park's legislative purpose and are more specific than significance statements.

Fundamental resources and values help focus planning and management efforts on what is truly significant about the park. One of the most important responsibilities of NPS managers is to ensure the conservation and public enjoyment of those qualities that are essential (fundamental) to achieving the purpose of the park and maintaining its significance. If fundamental resources and values are allowed to deteriorate, the park purpose and/or significance could be jeopardized.

The following fundamental resources and values have been identified for War in the Pacific National Historical Park:

- **The Power of Place (Historic Landscapes).** The park's seven units preserve the former World War II battlefield landscapes of Guam from the offshore waters, to the landing beaches, to the high ground—all critical objectives to liberate the island. Within these landscapes are the remnants of submerged military equipment, fortifications and defensive positions, and guns from the Battle for Guam.
- **The Asan Bay Overlook and Memorial.** The Asan Bay Overlook provides an opportunity to experience a solemn, peaceful, and reverent space where one can remember the fallen and also reflect upon the battlefields below. The memorial wall's black granite panels list the names of the American servicemen who died defending Guam in 1941, those who died liberating the island from the Japanese occupation in 1944, and the people of Guam who suffered and died during the 31 months of brutal enemy occupation.
- **Museum Collection.** The park museum collection of more than 100,000 items includes World War II photographs, artifacts, war memorabilia, and oral histories that help tell the diverse stories of the Pacific War and the war years on Guam.
- **Marine Resources.** More than half of the War in the Pacific National Historical Park's area consists of coral reefs with the highest biological diversity of any NPS area. Marine resources include endangered corals, sea turtles, sharks, protected marine mammals (dolphins), fish, invertebrates, and productive sea grass habitats. Traditional Chamorro and recreational fishing is practiced in most park waters and a part of the park's reefs are protected as a marine preserve to sustain fishery stocks.
- **Terrestrial Resources.** The park's terrestrial habitats support native plants and animals in limestone forests (unique in the national park system), tropical savannas, riverine forests, and beach strand communities. When control of invasive species such as the brown tree snake is accomplished, these habitats will be suitable for the restoration of native plants and for the reintroduction of birds, bats, and lizards. Listed, threatened, and endangered plants and animals include the protected population of *Tinospora homosepala*, an endemic vine with fewer than 50 individuals remaining worldwide.
- **Education, Telling the Story.** War in the Pacific National Historical Park staff, and its nonprofit partner, Pacific Historic Parks, share compelling stories through outreach programs and provide unique opportunities to connect the public and youth to park resources and values, encouraging stewardship of our national parks and Guam's heritage.



Court of Honor, AMME, Saipan

The following fundamental resources and values have been identified for American Memorial Park:

- **Memorials.** The Court of Honor and Flag Circle contain the engraved names of more than 5,000 American military personnel who died in the battles for Saipan, Tinian, and the Philippine Sea. The flags represent the American armed forces' military branches that participated in these battles in June 1944. The Marianas Memorial honors the Chamorro and Carolinian people who died during the tragic war years on Saipan.
- **Public Use.** The diverse resources and facilities at American Memorial Park provide a cohesive blending of reverence, public use, and educational opportunities. Public use opportunities include visiting memorials and historic structures and recreation such as walking, running, bicycling, fishing, wind surfing, snorkeling, picnicking, and enjoying nature.
- **Education—Telling the Story.** American Memorial Park is dedicated to interpreting and keeping relevant the military, social, and cultural history of the American invasion of the Japanese-ruled Chamorro and Carolinian homelands. American Memorial Park also interprets nonmilitary themes in the natural and cultural landscape.
- **Connection to Other World War II Sites (the Battles for the Marianas).** American Memorial Park interprets the strategic, historical, and cultural significance of the Marianas Campaign during World War II. The major story interpreted is the Battle for Saipan along with the war events on Tinian and Rota. The lessons learned on Saipan were incorporated in the American strategies in retaking Guam and Japanese strategies in the defense of Iwo Jima.

Other Important Resources and Values

War in the Pacific National Historical Park and American Memorial Park contain other resources and values that are not fundamental to the purposes of the parks and may be unrelated to their significance, but are important to consider in planning processes. These are referred to as “other important resources and values” (OIRV). These resources and values have been selected because they are important in the operation and management of the parks and warrant special consideration in park planning.

The following other important resources and values have been identified for War in the Pacific National Historical Park:

- **Other Monuments at Asan Beach.** The Marine Monument, Liberator’s Monument, and the 3rd Marine Division Monument honor the military armed forces involved in the Battle for Guam. The Mabini monuments, installed before the establishment of the park, honor Philippine national hero Apolinario Mabini, who was interred at Asan Beach during the early 1900s.
- **Public Use.** Public use and recreation occurs throughout the park where not in conflict with the site’s solemnity. Facilities and spaces provide for gatherings, appropriate special events, large picnics, swimming, diving, snorkeling, watersports, and fishing.
- **Traditional Uses.** War in the Pacific National Historical Park allows for the continued traditional uses of the land and sea (food harvesting, fishing, and family gathering) by the indigenous people of Guam.
- **Connection to Other Relevant Sites.** As directed through its enabling legislation, War in the Pacific National Historical Park interprets the campaigns of the Pacific theater of World War II. Historical, cultural, and other World War II-related sites outside of War in the Pacific National Historical Park and Guam (including submerged World War II shipwrecks and aircraft) provide opportunities for the park to convey its broad scope and allow for resource sharing within a local, regional, and global context.

The following other important resources and values have been identified for American Memorial Park:

- **Historic Structures.** Several pre-war and World War II historic structures are preserved within the park. They include pillboxes, storage tanks, a carbide building, and bath structures.
- **Wetlands and Mangroves.** American Memorial Park protects unique wetlands containing endangered species habitats and the largest remaining mangrove forest habitat in the Northern Mariana Islands.
- **Micro Beach for Carolinian Uses.** Micro Beach is the site of the first major Carolinian migration to Saipan and where elders taught traditional navigational skills to youth. Though erosion is altering the shoreline, the site still remains an important part of Carolinian history.
- **Museum Collection.** The American Memorial Park museum collection, curated at the NPS facility on Guam, protects World War II memorabilia, artifacts, historic photographs, and oral histories that help tell the story of the Battle for Saipan.



Mangrove trees anchor soil, AMME, Saipan

Interpretive Themes

Interpretive themes are often described as the key stories or concepts that visitors should understand after visiting a park—they define the most important ideas or concepts communicated to visitors about a park unit. Themes are derived from, and should reflect, park purpose, significance, resources, and values. The set of interpretive themes is complete when it provides the structure necessary for park staff to develop opportunities for visitors to explore and relate to all park significance statements and fundamental and other important resources and values.

Interpretive themes are an organizational tool that reveal and clarify meaning, concepts, contexts, and values represented by park resources. Sound themes are accurate and reflect current scholarship and science. They encourage exploration of the context in which events or natural processes occurred and the effects of those events and processes. Interpretive themes go beyond a mere description of the event or process to foster multiple opportunities to experience and consider the park and its resources. These themes help explain why a park story is relevant to people who may otherwise be unaware of connections they have to an event, time, or place associated with the park.

The following interpretive themes have been identified for War in the Pacific National Historical Park and American Memorial Park:

- War in the Pacific National Historical Park and American Memorial Park tell the stories of the tragedy of war and promote reconciliation, friendship, and peace among former enemies.
- Throughout the Pacific, residents and indigenous island people were trapped between global warring nations and were deeply impacted by a war not of their making. The people of the Pacific Islands endured invasions, occupation, warfare, relocation, recovery, and reconciliation, while retaining their cultural identity, language, and traditions.
- The parks honor the extraordinary sacrifices and exceptional courage of military personnel who fought for their countries.
- The natural ecosystems of Guam and Saipan changed greatly during and after World War II. Vegetation and coral reefs have largely recovered from the devastating impacts of the war, but face new threats from invasive species, development, and climate change.
- The parks provide for continued cultural and traditional uses of the land and ocean where families and the public can perpetuate their heritage.
- As national parks in the remote western Pacific, War in the Pacific National Historical Park and American Memorial Park convey the significance of the Marianas Campaign and the role it played in helping to end the Pacific Theater of World War II. This significant historical event connects the Marianas people and international visitors to our nation's heritage.

Interpretive theme for American Memorial Park:

- American Memorial Park serves as a living memorial to the past and present cultures of Saipan and the other Northern Mariana Islands.



Memorial service at Faha cave massacre site, July 15, 1945, Merizo, Guam



Silver Star winner Tony Duenas and family, award presentation, June 7, 1945, Guam

Part 2: Dynamic Components

The dynamic components of a foundation document include special mandates and administrative commitments and an assessment of planning and data needs. These components are dynamic because they will change over time. New special mandates can be established and new administrative commitments made. As conditions and trends of fundamental and other important resources and values change over time, the analysis of planning and data needs will need to be revisited and revised, along with key issues. Therefore, this part of the foundation document will be updated accordingly.

Special Mandates and Administrative Commitments

Many management decisions for a park unit are directed or influenced by special mandates and administrative commitments with other federal agencies, state and local governments, utility companies, partnering organizations, and other entities. Special mandates are requirements specific to a park that must be fulfilled. Mandates can be expressed in enabling legislation, in separate legislation following the establishment of the park, or through a judicial process. They may expand on park purpose or introduce elements unrelated to the purpose of the park. Administrative commitments are, in general, agreements that have been reached through formal, documented processes, often through memorandums of agreement. Examples include easements, rights-of-way, arrangements for emergency service responses, etc. Special mandates and administrative commitments can support, in many cases, a network of partnerships that help fulfill the objectives of the park and facilitate working relationships with other organizations. They are an essential component of managing and planning for War in the Pacific National Historical Park and American Memorial Park.

Special Mandates for War in the Pacific National Historical Park

Park enabling legislation, Public Law 95-348, August 18, 1978

Provide historical interpretation in three languages (English, Chamorro, and Japanese) (Sec 6(f)). The Secretary of the Department of the Interior is authorized to seek the assistance of appropriate historians to interpret the historical aspects of the park, and to conduct interpretive activities in three languages—English, Chamorro, and Japanese—to the greatest extent possible.

Employ and train residents of Guam or of the Northern Mariana Islands (Sec 6(i)). The Secretary of the Department of the Interior is authorized and directed to employ and train residents of Guam or of the Northern Mariana Islands to develop, maintain, and administer the park, to the maximum extent feasible.

No entrance fee (Sec 6(j)). The park is directed not to impose a fee or charge for entrance or admission into the park, notwithstanding any provision of law to the contrary.



Longnose filefish in Staghorn coral, Asan Beach, WAPA, Guam

Establishment of Guam Marine Preserves, Public Law 24-21, Bill No. 49; 1997

Establishment of Piti Bomb Holes Marine Protected Area (Section 15311.2. (2)). This legislation created five marine preserves (Piti Point Preserve, Tumon Bay Preserve, Piti Bomb Holes Preserve, Sasa Bay Preserve, and Achang Reef Flat Preserve) and made changes to Guam's fishing regulations. The Piti Bomb Holes boundaries run from the southwest end of Piti Channel mark to Camel Rock and then to Asan Point. Within this area all forms of fishing and taking of aquatic animals are prohibited except those methods specifically identified as allowable by law or regulation in a marine preserve. Enforcement of this legislation began in October 1999 and violators are subject to fines and/or imprisonment.

Guam Territorial Seashore Protection Act of 1974 (Public Law 12-108, Guam Code Title 21: Real Property – Division 2 – Regulation of Real Property Uses, Ch. 63)

Requires permitting by Territorial Seashore Protection Commission in the Seashore Reserve seaward from 10 meters inland of mean high water. Federal lands are excluded. This affects private property within the park boundary. The park manages those lands according to the Cooperative Agreement between the Government of Guam and the Secretary of the Interior, 2000.

Ocean Shores: Territory Beach Areas (Public Law 12-19, 1974, Guam Code Title 21: Real Property – Division 2 – Regulation of Real Property Uses, Ch. 64)

Department of Parks and Recreation is to administer Guam ocean shore properties from 25 feet inland from the 2 foot contour.

Public Access to the Ocean Shore (Public Law 19-5, 1987, Guam Code Title 21: Real Property – Division 2 – Regulation of Real Property Uses, Ch. 65)

Guarantees the right of public access to the ocean shore and to provide for the maintenance of traditional rights-of-way and the acquisition of public rights-of-way to the ocean shore.

Indigenous Fishing Rights (Public Law 29-127, 2008)

The Chamorro people shall have special rights to off-shore fishing and harvesting of resources in order to redress historical discriminatory policies. The Department of Agriculture was tasked to develop rules and regulations to put this policy into effect. Regulations are still awaiting approval. The park accepts Guam (like state) law through 36 CFR 2.3(a).

Guam Ancestral Lands Commission of 1974 (Public Law 25-045, 1999 and also amended by P.L. 25-178 and 25-180, 2001, 28-133, 2006; Guam Code Title 21: Real Property – Division 2 – Regulation of Real Property Uses, Ch. 80)

The commission is to establish ancestral land registries. This includes an Excess Lands Registry which includes Government of Guam and federal lands that have been declared excess. The Excess Lands Registry shall be used for the purpose of identifying a specified lot or lots of land with which the Commission may use as just compensation in extinguishing ancestral claims.

Guam Excess Lands Act (Public Law 103-339, October 6, 1994)

Excess Federal Lands Law applicable to NPS properties. "Prohibits the transfer of parcels of land under this Act until after Guam enters into a cooperative agreement with the Secretary of the Interior, acting through the Director of the National Park Service, which grants administrative jurisdiction to the Secretary over all undeveloped lands within the boundary of the War in the Pacific National Historical Park to be managed in accordance with the Park's general management plan and in the same manner as federally-owned lands within such Park. Excludes lands owned by Guam at Adelup Point."

Special Mandates for American Memorial Park

Park enabling legislation, Public Law 95-348, August 18, 1978

Employ and train residents of the Mariana Islands (Sec 5(b)). The Secretary of the Department of the Interior is authorized and directed to employ and train residents of the Mariana Islands to develop, maintain, and administer the park, to the maximum extent feasible.

Provide interpretive activities in four languages (English, Chamorro, Carolinian, Japanese) (Sec 5 (d)). The Secretary of the Department of the Interior will provide interpretive activities at the park and is authorized to seek the assistance of appropriate historians to interpret its historical aspects. The interpretive activities will be conducted in four languages—English, Chamorro, Carolinian, and Japanese—to the greatest extent possible.

No entrance fee (Sec 5(e)). The park is directed not to impose a fee or charge for entrance or admission into the park, notwithstanding any provision of law to the contrary.

Administration of the park can be transferred back to the government of the Northern Mariana Islands at the Governor's request (Sec 5(f)). Administration of the park can be transferred to the government of the Northern Mariana Islands at the request of the Governor—pursuant to sections 5 and 7 or article II of the Constitution on the Northern Mariana Islands. All improvements will be returned without cost, and all future costs for park development, administration, and maintenance will become the responsibility of the Northern Mariana Islands government.

Commonwealth of the Northern Marianas Constitution, 1977

The U.S. government cannot own land in the Northern Mariana Islands (Article 12, Sec 1). The acquisition of permanent and long-term interests in real property within the Commonwealth is restricted to persons of Northern Marianas descent with at least some degree of Northern Marianas Chamorro or Northern Marianas Carolinian blood.

For information about the administrative commitments for War in the Pacific National Historical Park and American Memorial Park, please see appendix C.



Flame tree, AMME, Saipan

Assessment of Planning and Data Needs

Once the core components of part 1 of the foundation document have been identified, it is important to gather and evaluate existing information about the park's fundamental and other important resources and values, and develop a full assessment of the park's planning and data needs. The assessment of planning and data needs section presents planning issues, the planning projects that will address these issues, and the associated information requirements for planning, such as resource inventories and data collection, including GIS data.

There are three sections in the assessment of planning and data needs:

1. analysis of fundamental and other important resources and values (see appendix B)
2. identification of key issues and associated planning and data needs
3. identification of planning and data needs (including spatial mapping activities or GIS maps)

The analysis of fundamental and other important resources and values and identification of key issues leads up to and supports the identification of planning and data collection needs.

Analysis of Fundamental Resources and Values

The fundamental resource or value analysis table includes current conditions, potential threats and opportunities, planning and data needs, and selected laws and NPS policies related to management of the identified resource or value. Please see appendix B for the analysis of War in the Pacific National Historical Park's fundamental resources and values and other important resources and values. Because American Memorial Park is an affiliated area, and foundation documents are not required for affiliated areas, the analysis of the park's fundamental and other important resources and values were not prepared.

Identification of Key Issues and Associated Planning and Data Needs

This section considers key issues to be addressed in planning and management and therefore takes a broader view over the primary focus of part 1. A key issue focuses on a question that is important for a park. Key issues often raise questions regarding park purpose and significance and fundamental and other important resources and values. For example, a key issue may pertain to the potential for a fundamental or other important resource or value in a park to be detrimentally affected by discretionary management decisions. A key issue may also address crucial questions that are not directly related to purpose and significance, but that still affect them indirectly. Usually, a key issue is one that a future planning effort or data collection needs to address and requires a decision by NPS managers.

The following are key issues for War in the Pacific National Historical Park and American Memorial Park and the associated planning and data needs to address them:



Memorial at Asan Bay Overlook, Asan Inland unit, WAPA, Guam

- **Improving Operational Capacity.** Operating both War in the Pacific National Historical Park and American Memorial Park is challenging. Many staff work for both parks and some key functions are missing at one site or both, including law enforcement presence at War in the Pacific National Historical Park. There is high staff turnover and available housing for nonlocal staff in Saipan is very limited. The remote location of the parks makes it challenging to hire and retain staff. Capacity shortfalls have impeded the ability to fulfill the purposes of the parks and to provide adequate visitor services and safety, protect cultural and natural resources, and maintain park facilities. Natural disasters, including super-typhoons, result in major impacts on visitor services and park operations, forcing park staff to address resource and facility damage and recovery efforts.

Both parks have experienced an increase in visitation and changes in visitor demographics over the last few years resulting in greater staffing and service demands. Operation of both visitor centers and maintaining the consistency of previously established high-quality programs is difficult. The parks' nonprofit partner, Pacific Historic Parks, manages the bookstore/sales operations at both parks and has led the development and implementation of educational curriculum-based programs at the parks. Together, Pacific Historic Parks along with NPS staff have provided excellent educational outreach programs and opportunities to reach youth, educators, and others; however, this has resulted in an increased demand to continue providing these programs. The park coral reef program, dive program, and associated marine work have seriously declined due to lack of funding and in-house trained staff. However, some program work is being accomplished through a cooperative agreement with the University of Guam.

- *Associated high priority plans and/or data needs include:* long range-interpretive plan, American Memorial Park general management plan update.

- **Data and Guidance for Park Land Management and Protection.** Both War in the Pacific National Historical Park and American Memorial Park lack accurate baseline data regarding land status, park boundaries, and acreage. The Government of Guam, the Commonwealth of the Northern Mariana Islands, and the National Park Service have poor quality lands records that often conflict with each other. War in the Pacific National Historical Park has an outdated land management plan that does not reflect the park's current priorities for land protection, including acquisition. American Memorial Park does not have the guidance it needs to address lands issues.

The lands status of War in the Pacific National Historical Park has changed very little since the park was established and many lands within park boundaries are privately owned. The park doesn't have the capacity to research numerous lands questions regarding ownership and boundaries.

The park unit boundaries do not contain all the critical resources that tell the story of the Battle for Guam, including the top of a battlefield at Mt. Alifan and key battlefield areas at Nimitz Hill. Encroachment, inconsistent/inappropriate uses, and development threaten park lands and adjacent lands with key resources. Unauthorized roads are causing erosion, which can also result in damage to reef resources. The Mt. Chachao/Mt. Tenjo Unit boundary is poorly delineated. It omits numerous historic properties and does not ensure protection of the cultural landscape. There are an undetermined number of private landowners in this unit. Extensive inappropriate uses, including off-roading, occur on the Mt. Chachao/Mt. Tenjo Unit. The park does not have agreements with landowners to promote protection of resources. The Mt. Alifan Unit also has similar issues.

American Memorial Park has a complex management structure guided by the CNMI Constitution and Covenant in addition to park legislation. The CNMI Constitution limits landownership to persons of Northern Marianas descent; therefore, the only option for NPS management of park lands is a long-term lease. Land management is integrated in most park decisions and actions. Park acreage has also changed due to sand shifts caused by erosion and accretion.

- *Associated high priority plans and/or data needs include:* land protection plan.



Students clean trash and recyclables from Asan Beach, WAPA, Guam

- Park Facility and Infrastructure Maintenance.** Park facilities and infrastructure are threatened by general climatological conditions, which include frequent storm and typhoon events as well as long-term climate change and the potential effects of sea level rise. In addition to park operations and visitor facilities, World War II historic resources are also difficult to maintain and preserve in this tropical climate. World War II structures were hastily built and were not meant to last for 60 years or more. The park faces challenges in protecting the resources damaged or destroyed throughout the island by development, intense typhoons, and earthquakes. Super typhoon Pongsona and Typhoon Chata'an heavily damaged park facilities at War in the Pacific National Historical Park in 2002. The Haloda Building, which then housed park offices, the visitor center, and the museum collection, suffered immense damage and was abandoned. In August 2015, super typhoon Soudelor devastated the island of Saipan taking out power, water, sewer, and communications services islandwide. Approximately 90% of the trees in American Memorial Park were knocked down and the main park waterline and other park facilities were damaged.

The cost of doing business is very challenging on Guam and Saipan due to remoteness of the park units to suppliers of goods and services as well as extremely high utility rates and fuel prices. The parks manage large fluctuations in costs by reducing operational funds to maintain major facilities. This includes increased furloughs of staff, equipment not replaced on a regular cycle, and reduced maintenance and repairs on key facilities and sites. Overall, the parks spend between 50% and 60% of what they need on the operation and maintenance of park assets based on generally ascribed industry standards.

- Associated high priority plans and/or data needs include:* cultural landscape report, cultural resources condition assessment, Asan and Agat Units management plan, and American Memorial Park general management plan update. (Note: the parks have a relatively current, optimized park asset management plan.)

- **Changing Demographics, Language Challenges, and Adequate Visitor Programs.** War in the Pacific National Historical Park and American Memorial Park provide a national park experience to a diverse public who are mostly international visitors from Asia. For many visitors, this is their first, and possibly their only, national park experience. When the parks were first established, most international visitors were from Japan. Currently, most visitors are from China, Japan, Korea, and Russia and many do not speak English. The parks meet the legislative guidance to provide interpretation in English, Chamorro, Japanese, and Carolinian, but the park does not provide visitor information in the languages of most current visitors. There are very few multilingual staff who can communicate with these visitors. Communication challenges result in visitors who are not able to understand the purpose of the park or to learn about available visitor opportunities.

The location of the War in the Pacific National Historical Park visitor center makes it challenging to provide information to visitors or to connect with the local community. The visitor center is located directly outside the U.S. Naval Base Guam main gate, far from most park sites. Because the visitor center is not adjacent to the park sites, some visitors are unaware that the facility is related to the park units. Although visitation has increased due to higher tourism, there is a general lack of awareness that the National Park Service exists on Guam and many local residents are unaware that the visitor center exists. The local community doesn't differentiate between the local and federal parks.

The American Memorial Park visitor center is within the park and is walking distance from major resorts in Garapan. The park gets high visitation from international tourists, but park staff are often unable to communicate with all of them due to language barriers.

Due to staffing and other resource shortfalls, the National Park Service and Pacific Historic Parks cannot meet the current demand for educational services. The parks have several popular and award-winning youth programs, but current programming is at full capacity without additional staffing.

There are few hands-on, experiential activities available, and limited opportunities for visitors to share how they feel the War in the Pacific is relevant to their lives. Seventy years have passed since the war and public perceptions and attitudes have changed. The generation that experienced the war firsthand is being lost. Visitors do not get a battlefield experience because elements of the landscape have changed, key park areas are not protected, and nearby development and noise from roads have impacted the view and soundscape. Guidance on how best to improve the visitor experience is lacking.

- *Associated high priority plans and/or data needs include:* long-range interpretive plan and visitor use study.

- **Appropriate Types and Levels of Recreation.** Both parks provide open space heavily used by the local community for recreation. It is challenging for the parks to balance popular recreational use with historic resource preservation and the commemoration of bravery and sacrifice in World War II. War in the Pacific National Historical Park allows passive recreation, but does not allow organized sports. Organized sports would be incompatible and would adversely affect the experience of other visitors wanting to immerse themselves in the history or to experience commemoration and contemplation at the memorials.

American Memorial Park functions as an urban park in Saipan; it is one of the few open spaces on the island that provide recreation and space for cultural gatherings. There are public use pressures to expand recreation and build sports facilities such as ball fields and swimming pools. These types of activities and facilities would conflict with the main purpose of the park. It is challenging for the park to address these requests because the outdated general management plan calls for the development of these facilities, which is not feasible. Current guidance for appropriate types and levels of recreation for the park is lacking. In addition, maintenance of existing recreation-related facilities such as tennis courts and marinas is very costly to the National Park Service.

- *Associated high priority plans and/or data needs include:* Asan and Agat Units management plan, and American Memorial Park general management plan update.

- **Resource Protection, Data, and Management Guidance.** The natural and cultural resources of War in the Pacific National Historical Park and American Memorial Park are threatened by climate change, invasive species, and development. Impacts of heavy uses of natural resources in the submerged portion of the park are not well known and park staff are not able to manage for these increasing uses. World War II structures are deteriorating due to age and general climatological factors (oxidation, vegetation growth, general weathering, and the intended temporary nature of some of the World War II-era cultural resources). Marine resources are sensitive to increasing temperatures. Warmer ocean temperatures are causing coral bleaching. American Memorial Park was devastated by Typhoon Soudelor in August of 2015. This destroyed up to 90% of the trees in the landscaped section heavily used by visitors. A plan to revegetate that section will be under design and implementation as resources allow in 2016.

The parks lack the funding and capacity to address invasive species. The parks' segmented areas necessitate cooperation with other government agencies. Invasive species are changing the landscape and have had significant adverse effects on the natural ecosystems of Guam. Many people are familiar with the devastating effects of the brown tree snake on native birds, but in recent years, new invasive species, such as the Rhinoceros beetle and little fire ant, are causing devastating effects on the vegetation and wildlife on Guam. The Rhinoceros beetle infestation has killed many of the coconut trees. The little fire ant, which is listed as one of the worst invasive species worldwide, is eating insects and small animals, such as snails, lizards, and geckos. American Memorial Park is monitoring for these invasive species because the spread of any of these invasive species would be devastating to the park and to the island of Saipan. Numerous species of invasive plants are replacing native ones and changing landscapes in both parks.

Aging structures and changing vistas due to overgrown vegetation, development, and other threats are apparent. Roots and overgrown plants are damaging historic resources and impacting the overall historic scene. Further development of private property in and surrounding War in the Pacific National Historical Park could compromise the viewshed and historic scene. If these impacts are not addressed, the public will only be able to experience some resources at the visitor center in the future.

War in the Pacific National Historical Park lacks guidance for cultural landscapes including Asan Beach. There are many visions and ideas but plans are now outdated.

On Saipan, there are several national historic landmarks and other key resources outside the park that tell the story of the war. These sites are popular tourist destinations. The National Park Service has provided some assistance with interpretive panels, but there are preservation and interpretation opportunities that have not been explored due to limited resources.

Other threats include wildland fires from hunting activities in surrounding lands, pollution in park waters from erosion, and resource extraction (e.g., gathering fruit and overfishing). Impacts from these and other visitor activities have been observed, but their extent is unknown.

The parks do not have enough of the Japanese and Allied stories. There are resources that the park has not accessed, but there are not enough staff to get these resources. It is critical to gather these data now before first-hand accounts are lost.

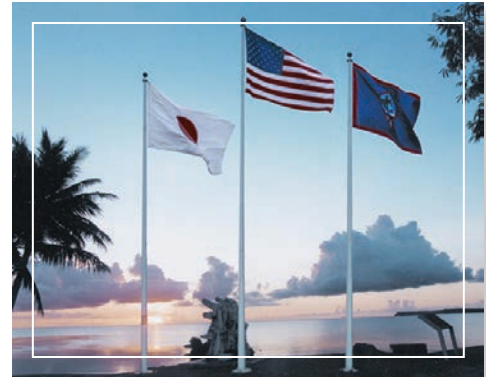
- *Associated high priority plans and/or data needs include:* Asan and Agat Units management plan, American Memorial Park general management plan update, cultural landscape report, cultural resources condition assessment, and integrated pest management plan. In addition, natural resource condition assessments for both parks are ongoing and a landscape vegetation plan for recovery from typhoon damage for American Memorial Park will begin in 2016 (see appendix D).



Brown tree snake, Guam



Superintendent Richardson welcomes Japan Chief Cabinet Secretary Suga, Asan Bay Overlook, Guam



Flag display at Ga'an Point, Agat, WAPA, Guam

- **Recognizing the Loss of Japanese Military.** War in the Pacific National Historical Park has been approached by community groups and Japanese organizations to recognize the loss of Japanese military personnel. The park legislation gives direction to commemorate the bravery and sacrifice of those participating in the campaigns of the Pacific Theater of World War II. A nongovernmental group, Kuentai, has requested to exhume Japanese human remains. This activity would require compliance and associated consultations. The park does not have the resources to conduct this process. Currently, the park commemorates the fallen American servicemen and people of Guam. Ga'an Point is the only site that flies the Japanese flag along with the U.S. and Guam flags in recognition of all who died during the Battle for Guam. Appropriate recognition is under consideration by the park.
 - *Associated high priority plans and/or data needs include:* Asan and Agat Units management plan, long-range interpretive plan.

Planning and Data Needs

To maintain connection to the core elements of the foundation and the importance of these core foundation elements, the planning and data needs listed here are directly related to protecting fundamental resources and values, park significance, and park purpose, as well as addressing key issues. To successfully undertake a planning effort, information from sources such as inventories, studies, research activities, and analyses may be required to provide adequate knowledge of park resources and visitor information. Such information sources have been identified as data needs. Geospatial mapping tasks and products are included in data needs.

Items considered of the utmost importance were identified as high priority, and other items identified, but not rising to the level of high priority, were listed as either medium- or low-priority needs. These priorities inform park management efforts to secure funding and support for planning projects.

Criteria and Considerations for Prioritization. The following criteria were used to evaluate the priority of each planning or data need:

- Emergency or urgency of the issue.
- Protect fundamental resources and values or prevent resource degradation.
- Enhance visitor experience.
- Address multiple interrelated issues.
- Opportunities, including interagency partnership or other assistance.
- Feasibility of accomplishing the plan.

High Priority Planning Needs for Both War in the Pacific National Historical Park and American Memorial Park

Long-range Interpretive Plan.

Rationale — War in the Pacific National Historical Park and American Memorial Park are uniquely situated to serve very diverse, non-English speaking, international visitors, but the parks lack interpretation guidance to meet visitor needs. The story complexities are challenging to relay, especially translating World War II information into languages other than English.

Visitor demographics on Guam and Saipan have been evolving over the past few years. Language barriers present a problem for interpretation if visitors cannot communicate with rangers and interpretive media are not available in multiple languages. The parks are directed through their legislation to provide interpretation in specific languages. For American Memorial Park, the languages are English, Chamorro, Japanese, and Carolinian and for War in the Pacific National Historical Park, English, Chamorro, and Japanese. However, many international visitors do not speak these languages. The permanent exhibits at American Memorial Park were designed in 2004 to meet the demographics of the time, which were mainly Japanese visitors. Interpretation of the permanent exhibits was provided in English, Chamorro, Carolinian, and Japanese. Data from 2015 for American Memorial Park show that the majority of visitors originate from China (80%) with increasing numbers of visitors from Korea and Russia. At War in the Pacific National Historical Park, visitors from Japan represent the highest percentage of visitors at 52% with increasing numbers from China, Korea, and Russia. At War in the Pacific National Historical Park the exhibits are provided in English, Chamorro, and Japanese, with the main film in multiple languages. However, the need exists to provide exhibits in the languages of the increasing international visitors from China and Korea. Visitor center and other park staff are challenged by the language barriers and many international visitors feel excluded when they visit the parks. The two parks serve as the only examples of the NPS value in the Western Pacific for these visitors.

The parks also serve as the only places to educate local youth about the U.S. national park system and the significance of the parks, but they are unable to meet the changing needs of students. The parks do not have a comprehensive vision for outreach and education. These functions are shared with the cooperating association, Pacific Historic Parks. The cooperating association and park staff have been able to collaborate effectively in these activities. At War in the Pacific National Historical Park, the Pacific Historic Parks education team has taken the lead to develop a continuum of curriculum based educational programs. The park staff plays a significant role in implementing these annual programs. However, with the success of these programs the park staff is challenged to meet the growing program needs. At American Memorial Park, Pacific Historic Parks has also provided assistance with developing educational programs. However, both parks lack a comprehensive plan to address educational outreach needs.

With the current staff workloads, growing educational program needs, and a high staff turn-over rate, it also remains difficult to maintain ties to other thematically related (World War II) sites and partners—locally and regionally.



Staff at Liberator's Monument, Asan Beach, WAPA, Guam

Scope — A long-range interpretive plan would provide a vision for the future (5–10 years) of interpretation, education, and visitor experience opportunities at War in the Pacific National Historical Park and American Memorial Park. The plan would identify the park’s interpretive themes, desired visitor experiences, and visitor needs including demographic considerations and multilingual needs. The plan would describe visitor experience goals and would recommend a wide variety of both personal (programs, personal contacts) and nonpersonal (interpretive media and facilities) interpretive services and outreach activities that would best communicate the park’s purpose, significance, and themes. Technology (personal electronic devices, apps, and social media) has great potential to overcome international visitor communications obstacles. The interpretive planning process would be sensitive to which park resource experiences should be made accessible to visitors. Negative impacts on resources would be minimized, and active stewardship would be encouraged. The plan would have a strong outreach focus on addressing the needs of local residents.

Land Protection Plan.

Rationale — Both parks contain nonfederal lands and interests within their authorized boundaries. The land status for War in the Pacific National Historical Park has changed little since its creation, with numerous private lands and insufficient boundary signage. The park has not updated land protection priorities since 1998. Purchasing certain nonfederal lands, marking, and patrolling the boundary would greatly benefit the park by decreasing illegal uses and reducing the threat of development. American Memorial Park has a complex management structure guided by the CNMI Constitution and Covenant in addition to park legislation. Land management is integrated into most park decisions and actions. A land protection plan would provide the park with baseline data including park acreage. For American Memorial Park, the acreage has changed due to sand shifts caused by erosion and accretion. Although the National Park Service does not own land within American Memorial Park, the future potential for ownership could be explored if Article 12 of the CNMI Constitution, which addresses CNMI landownership, is amended or eliminated.

Scope — A land protection plan would help ensure that the resources of both parks are protected in a manner consistent with the stated purpose for which each unit was created. The plan would document what lands or interests in land need to be in public ownership and what means of protection are available to achieve the purposes for which the unit was created. The land protection plan would guide land acquisition priorities, which are subject to availability of funds and other constraints. A land protection plan would document (1) the lands or interests in land that would advance park purposes through public ownership, (2) the means of protecting these lands and interests that are available to achieve park purposes as established by Congress, (3) the protection methods and funds that would be sought or applied to protect resources and to provide for visitor use and park facility development, and (4) acquisition priorities. For American Memorial Park, the plan would evaluate possible future landownership if Article 12 of the CNMI constitution is amended or eliminated, other land protection strategies, partnerships, and other NPS technical assistance for related sites throughout Saipan.

The plan would identify individual tracts that may need preacquisition surveys to better understand or address parcel boundaries, encroachments, and/or legal description defects. Because both parks have lands along the coasts of Guam and Saipan, the plan would evaluate protection of land for climate change resilience. The plan would also evaluate opportunities to partner with other agencies/landowners for protection of lands within the park boundaries. The acquisition priorities within the authorized boundary described in the 1984 land protection plan for War in the Pacific National Historical Park would be updated.

High Priority Data Need for Both War in the Pacific National Historical Park and American Memorial Park

Visitor Use Study.

Rationale — Although the parks have conducted annual visitor use surveys, the surveys have only been available in English. The majority of park visitors originate from Asia and do not speak English. The parks have not been able to accurately identify visitor needs because the surveys have not reached this Asian demographic. A multilingual visitor use study would help the parks gain a better understanding of what international visitors and local residents want from the parks. The study would help inform the long-range interpretive plan, Asan and Agat Units management plan, and the American Memorial Park general management plan update.

Scope — The visitor use study would gather and evaluate data on visitor characteristics, visitor preferences and motivations, and baseline conditions related to visitor use levels and patterns to inform ongoing park management and future decision making. Findings and recommendations would help guide the parks in determining the best path for addressing visitor use issues, including assessing visitor capacity, or undertaking subsequent planning efforts. For both parks, surveys and other visitor information gathering would need to be conducted in multiple languages.

High Priority Planning Needs for War in the Pacific National Historical Park

Asan and Agat Units Management Plan.

Rationale — The Asan Beach, Asan Inland, Agat, and Mt. Alifan Units include rich cultural and natural resources. Resources, facilities, and visitor experience at these units are impacted by climate change, development outside the park, and the lack of park funding and staffing. The combination of climate change, invasive species, storm surge, and vegetation change is altering the landscape of the park. The park lacks an overall cohesive vision for the Asan and Agat Units and guidance for possibly restoring some elements of the historic scene at these units to the early 1944 landscape, prior to the World War II bombing. Except for several interpretive panels, visitor information about the historic battlefields and natural resources is lacking. Many local residents use the Asan Beach Unit for passive recreation, but lack opportunities to understanding the historic significance.

Scope — The Asan and Agat Units management plan would develop a vision for the future of these units. The areas would include the reef, beach, and lands up to the high ground. The plan would address issues related to access, facilities, infrastructure, interpretation, cultural and natural resources, and climate change. The plan could also evaluate park inholdings and adjacent development impacts. The types and scale of needed facilities would be determined and modern-day facility intrusion impacts would be addressed. Appropriate locations of features such as monuments would be determined. Natural resources issues related to climate change, reintroduction of native species, and removal of invasive species would be addressed. Cultural assets and their treatments would be identified as well as guidance for restoration of some elements of the historic scene to the early 1944 landscape. The plan would establish a visitor and interpretative circulation pattern in relationship to the historic landscape. Appropriate public uses on land and offshore, traditional uses, and interpretation would be addressed.

The planning process would include public engagement. The plan would be scalable to allow implementation of elements over time as funding and resources become available. Products might include site analysis, general program description, conceptual site plans, and general cost estimates.



View of Asan Beach from Asan Bay Overlook, Asan Inland unit, WAPA, Guam

Cultural Landscape Report.

Rationale — The park lacks guidance for managing its historic battlefields and treatment guidance for protecting cultural resources.

Scope — A cultural landscape report is the primary document for guiding management and preservation of cultural landscapes. The cultural landscape report would address immediate needs for long-term management, and treatment decisions for the park's ethnographic landscape and historic battlefields. The effort would focus on documenting the historic landscapes of the park, with close attention paid to how current conditions relate to the historic scene, which can inform treatment recommendations. The report would consider vegetation, monuments, and the overall historic scene from sea to the high ground.

High Priority Data Need for War in the Pacific National Historical Park

Cultural Resources Condition Assessment.

Rationale — It is critical to understand what cultural resources information the park has available. The park has good resource inventories but lacks management guidance for a diverse array of cultural resources. Evaluating the current condition of cultural resources would help to inform management guidance. The threats to cultural resources are not fully understood and the park lacks long-term strategies to better protect and manage these resources. The condition assessment would inform the cultural landscape report and the Asan and Agat Units management plan, and could lead to other plans and treatments.

Scope — The condition assessment would identify data gaps and prioritize research needs to ensure information is current and accurate to better protect and manage resources.

For various cultural resource categories, such as archeological resources, cultural landscapes, historic structures, and museum collections, the cultural resources condition assessment would identify

- condition indicators
- condition measures
- condition status-trend-confidence
- rationale for status-trend-confidence
- preliminary actions to improve conditions

The condition assessment would include information to be used for resource management actions and decision making. Comprehensive strategies to move resource conditions toward management targets would be identified. The status of key scientific data and information relative to the park's fundamental and other important cultural resources and values would be included.

High Priority Planning Need for American Memorial Park

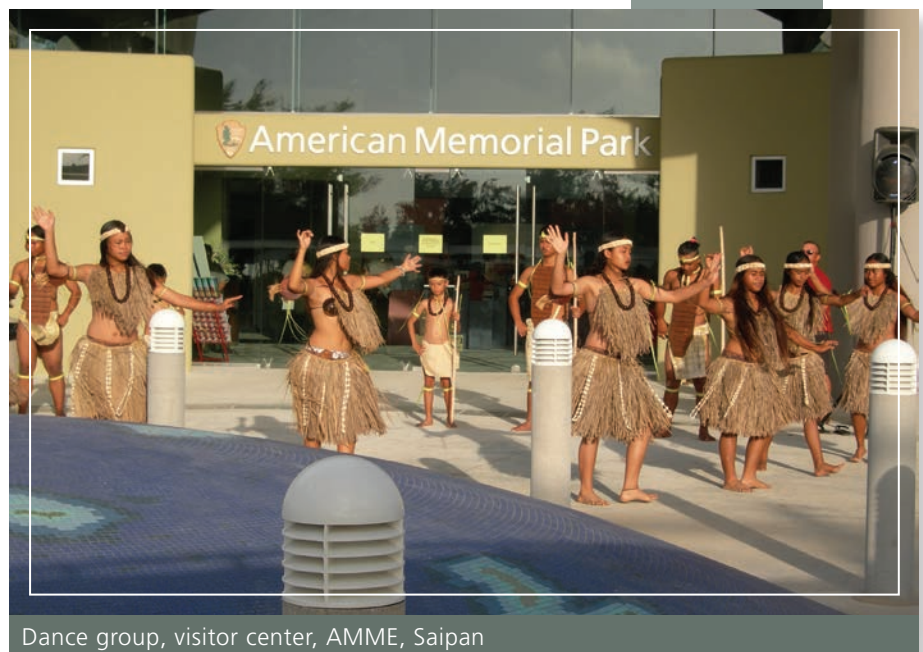
General Management Plan Update.

Rationale — The American Memorial Park 1989 general management plan does not reflect current visitor uses, changes in visitor demographics, the park's unique natural resources, and the current staffing needs. The 1989 plan identifies the construction of large recreation facilities that are too costly and would conflict with the purpose of the park. Because the general management plan is the only comprehensive plan for the park, the old guidance causes confusion among the public, park staff, local agencies, and officials of the Commonwealth of the Northern Mariana Islands.

The park is also faced with new issues including climate change impacts, recreation demands (including local residents' desire for large sporting facilities), and commercial interests (use of park marinas). Demographics and visitor needs have changed dramatically since the park was first established. The park is over capacity; there are not enough restrooms, water supply is limited, and there are utility issues. Within the park, there are wetland and mangrove habitats that are rare in the Northern Mariana Islands and that contain threatened and endangered species that were not known before the park was established. There are some areas within the park boundary that are not managed by the National Park Service, including Outer Cove and Smiling Cove. There are development pressures surrounding the park, including historic landing beaches that are being developed into resorts. The park lacks a relevant and up to date comprehensive plan that defines a vision for the park's future and defines NPS responsibilities for other associated sites, including World War II-related national historic landmarks on Saipan.

Scope — The American Memorial Park general management plan update would determine the appropriate NPS roles and management guidance for the park, as well as for related sites in Saipan. The plan would update elements in the 1989 general management plan that are now out of date. Development of the planning elements and implementation could occur in a phased manner. The plan update would be a definitive outline of NPS obligations, including what resources, areas, and uses the National Park Service would manage. The plan would address issues that conflict with NPS policies and the overall purpose of the park, such as the CNMI desire for large athletic fields and other recreational facilities. The plan would include a boundary assessment. Multiple areas outside the park boundary contribute to the history of American Memorial Park and World War II history. The levels and types of visitor uses and services would be identified. Development and maintenance strategies for facilities would be determined. Natural resources, including the wetland area would be addressed. Long-term guidance for resources would involve input from the broader community.

See appendix D for recently completed and ongoing planning and data collection efforts that address park issues.



Dance group, visitor center, AMME, Saipan

Planning Needs and Data Needs		
Planning or Data Needs	Priority (H, M, L)	Notes
Parkwide (operations, etc.)		
Plans		
General management plan update	H	For American Memorial Park
Land protection plan	H	For both parks Update 1998 plan for War in the Pacific National Historical Park
Asan and Agat Units management plan (underway)	H	For War in the Pacific National Historical Park
Data Needs		
Administrative history for American Memorial Park	M	Some initial work has been started
Boundary survey data	M	For both parks
Budget analysis	M	For both parks Include as part of workforce management plan (underway)
Data regarding neighboring land use plans, land ownership, development, use, and contaminants and potential external impacts	M	For both parks
Administrative history for War in the Pacific National Historical Park	L	Draft report needs review
Data on vandalism, car thefts, and other incidents	L	For both parks Information would inform law enforcement personnel for any necessary actions
Historical staffing patterns	L	For both parks
Cultural Resources		
Plans		
Cultural landscape report	H	For War in the Pacific National Historical Park – Asan, Agat, and Piti Guns Units
Asan Beach monuments conservation treatment plan	M	For War in the Pacific National Historical Park
Asan Bay Overlook and Memorial maintenance and treatment plan for landscape and memorial	M	For War in the Pacific National Historical Park
Museum management plan update	M	For both parks
Resource stewardship strategy	L	For both parks
Data Needs and Studies		
Cultural resources condition assessment	H	For War in the Pacific National Historical Park
Archeological features assessment	M	For War in the Pacific National Historical Park Pre-colonial Chamorro features throughout the park

Planning Needs and Data Needs		
Planning or Data Needs	Priority (H, M, L)	Notes
Cultural Resources		
Data Needs and Studies (continued)		
Condition assessments for specific resources (e.g., Piti Guns)	M	For War in the Pacific National Historical Park Standard asset management, normally every five years; need consistency and to bring existing assessments together
Data, including GIS data, on other Pacific war sites	M	For both parks Includes traditional place names
GIS location data for historic features	M	For both parks
Inventory of existing oral histories, maps, photographs, and other cultural data sources	M	For both parks Would identify primary resource materials. Missing Allied and Japanese stories
Modeling of projected sea inundation and resource management actions	M	For both parks Would include protecting, moving, replacing or recording, and losing specific cultural resources and natural resources Both parks have a climate change vulnerability assessment for cultural resources; also see appendix D for other climate change planning
Scope of collections update	M	For both parks Would identify criteria for what both parks will include in their collections; would identify gaps in resource needs
Define and further identify traditional uses	L	For War in the Pacific National Historical Park
Historic resource study (update)	L	For War in the Pacific National Historical Park Existing one is from 1980
Natural Resources		
Plans		
Marine resources plan	M	For War in the Pacific National Historical Park Plan would address management and conservation of the marine resources (more than half of the park's area), including <ul style="list-style-type: none"> • monitoring, managing, safely supporting, and controlling numerous visitor uses and their impacts • researching, inventorying and monitoring, resources • identifying management support needs (e.g., new diving program)
Integrated pest management plan	M	For both parks Would address invasive species
Guam – islandwide plans for marine resources, coral reefs, and marine invasive species management	M	For War in the Pacific National Historical Park Coordinated with other agencies on Guam that would lead the development of these plans
Pacific Islands strategic plan for coral reefs	M	For both parks Coordinated with other NPS Pacific Islands coral reef sites

Planning Needs and Data Needs		
Planning or Data Needs	Priority (H, M, L)	Notes
Natural Resources		
Plans (continued)		
Natural resource management plan	L	For both parks
Resource stewardship strategy	L	For both parks
Data Needs and Studies		
Coastal resource surveys and monitoring	M	For both parks Would address health, impacts, erosion, and current uses, including extraction and harvest data (recreational and commercial fishing)
Climate change monitoring and modeling	M	For both parks Continued understanding of observed and projected climate change through access to and monitoring and assessment of weather parameters (precipitation, temperature, storm events), sea level rise and associated impacts, and projected climate futures (models) for the region
Acoustic data	L	For both parks (land and marine areas)
Lightscape baseline inventory	L	For both parks (land and marine areas)
Night sky monitoring	L	For War in the Pacific National Historical Park
Terrestrial resource extraction/harvest data	L	For both parks
Visitor Experience and Use		
Plans		
Long-range interpretive plan	H	For both parks Comprehensive, include social media and new technologies
Scope of sales statement	M	For both parks Include general agreement for interpretation and education services
Wayside exhibit plan update	M	For both parks
Sign, theme, and graphic plan for related Pacific War sites	L	For both parks
Data Needs and Studies		
Visitor use study	H	For both parks Include information on demographics, uses, and preferences
Fishing impacts data and analysis	M	For both parks Fishing impacts data are the most urgent, data on other marine resources uses are also needed Data would help understand and address impacts from consumptive fishers, watersports use, and allowable traditional uses

Part 3: Contributors

War in the Pacific National Historical Park and American Memorial Park

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Partners

Cindy Rapadas, Pacific Historic Parks Branch Manager

Appendixes

Appendix A: Enabling Legislation and Legislative Acts for War in the Pacific National Historical Park and American Memorial Park

PUBLIC LAW 94-241—MAR. 24, 1976

90 STAT. 263

Public Law 94-241
94th Congress

Joint Resolution

To approve the "Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America", and for other purposes.

Mar. 24, 1976
[H.J. Res. 549]

Whereas the United States is the administering authority of the Trust Territory of the Pacific Islands under the terms of the trusteeship agreement for the former Japanese-mandated islands entered into by the United States with the Security Council of the United Nations on April 2, 1947, and approved by the United States on July 18, 1947; and

48 USC 1681
note.

Whereas the United States, in accordance with the trusteeship agreement and the Charter of the United Nations, has assumed the obligation to promote the development of the peoples of the trust territory toward self-government or independence as may be appropriate to the particular circumstances of the trust territory and its peoples and the freely expressed wishes of the peoples concerned; and

Whereas the United States, in response to the desires of the people of the Northern Mariana Islands clearly expressed over the past twenty years through public petition and referendum, and in response to its own obligations under the trusteeship agreement to promote self-determination, entered into political status negotiations with representatives of the people of the Northern Mariana Islands; and

Whereas, on February 15, 1975, a "Covenant to Establish A Commonwealth of the Northern Mariana Islands in Political Union with the United States of America" was signed by the Marianas Political Status Commission for the people of the Northern Mariana Islands and by the President's Personal Representative, Ambassador F. Haydn Williams for the United States of America, following which the covenant was approved by the unanimous vote of the Mariana Islands District Legislature on February 20, 1975 and by 78.8 per centum of the people of the Northern Mariana Islands voting in a plebiscite held on June 17, 1975: Now be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, the text of which is as follows, is hereby approved.

Covenant to
Establish a
Commonwealth
of the Northern
Mariana Islands
in Political Union
with the United
States of
America.
Congressional
approval.
48 USC 1681
note.

"COVENANT TO ESTABLISH A COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS IN POLITICAL UNION WITH THE UNITED STATES OF AMERICA

"Whereas, the Charter of the United Nations and the Trusteeship Agreement between the Security Council of the United Nations and the United States of America guarantee to the people of the Northern Mariana Islands the right freely to express their wishes for self-government or independence; and

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“Whereas, the United States supports the desire of the people of the Northern Mariana Islands to exercise their inalienable right of self-determination; and

“Whereas, the people of the Northern Mariana Islands and the people of the United States share the goals and values found in the American system of government based upon the principles of government by the consent of the governed, individual freedom and democracy; and

“Whereas, for over twenty years, the people of the Northern Mariana Islands, through public petition and referendum, have clearly expressed their desire for political union with the United States;

“Now, therefore, the Marianas Political Status Commission, being the duly appointed representative of the people of the Northern Mariana Islands, and the Personal Representative of the President of the United States have entered into this Covenant in order to establish a self-governing commonwealth for the Northern Mariana Islands within the American political system and to define the future relationship between the Northern Mariana Islands and the United States. This Covenant will be mutually binding when it is approved by the United States, by the Mariana Islands District Legislature and by the people of the Northern Mariana Islands in a plebiscite, constituting on their part a sovereign act of self-determination.

“ARTICLE I

“POLITICAL RELATIONSHIP

“SECTION 101. The Northern Mariana Islands upon termination of the Trusteeship Agreement will become a self-governing commonwealth to be known as the ‘Commonwealth of the Northern Mariana Islands’, in political union with and under the sovereignty of the United States of America.

“SECTION 102. The relations between the Northern Mariana Islands and the United States will be governed by this Covenant which, together with those provisions of the Constitution, treaties and laws of the United States applicable to the Northern Mariana Islands, will be the supreme law of the Northern Mariana Islands.

“SECTION 103. The people of the Northern Mariana Islands will have the right of local self-government and will govern themselves with respect to internal affairs in accordance with a Constitution of their own adoption.

“SECTION 104. The United States will have complete responsibility for and authority with respect to matters relating to foreign affairs and defense affecting the Northern Mariana Islands.

“SECTION 105. The United States may enact legislation in accordance with its constitutional processes which will be applicable to the Northern Mariana Islands, but if such legislation cannot also be made applicable to the several States the Northern Mariana Islands must be specifically named therein for it to become effective in the Northern Mariana Islands. In order to respect the right of self-government guaranteed by this Covenant the United States agrees to limit the exercise of that authority so that the fundamental provisions of this Covenant, namely Articles I, II and III and Sections 501 and 805, may be modified only with the consent of the Government of the United States and the Government of the Northern Mariana Islands.

“ARTICLE II

“CONSTITUTION OF THE NORTHERN MARIANA ISLANDS

“SECTION 201. The people of the Northern Mariana Islands will formulate and approve a Constitution and may amend their Constitution pursuant to the procedures provided therein.

“SECTION 202. The Constitution will be submitted to the Government of the United States for approval on the basis of its consistency with this Covenant and those provisions of the Constitution, treaties and laws of the United States to be applicable to the Northern Mariana Islands. The Constitution will be deemed to have been approved six months after its submission to the President on behalf of the Government of the United States unless earlier approved or disapproved. If disapproved the Constitution will be returned and will be resubmitted in accordance with this Section. Amendments to the Constitution may be made by the people of the Northern Mariana Islands without approval by the Government of the United States, but the courts established by the Constitution or laws of the United States will be competent to determine whether the Constitution and subsequent amendments thereto are consistent with this Covenant and with those provisions of the Constitution, treaties and laws of the United States applicable to the Northern Mariana Islands.

Submittal to U.S.
for approval.

“SECTION 203. (a) The Constitution will provide for a republican form of government with separate executive, legislative and judicial branches, and will contain a bill of rights.

“(b) The executive power of the Northern Mariana Islands will be vested in a popularly elected Governor and such other officials as the Constitution or laws of the Northern Mariana Islands may provide.

“(c) The legislative power of the Northern Mariana Islands will be vested in a popularly elected legislature and will extend to all rightful subjects of legislation. The Constitution of the Northern Mariana Islands will provide for equal representation for each of the chartered municipalities of the Northern Mariana Islands in one house of a bicameral legislature, notwithstanding other provisions of this Covenant or those provisions of the Constitution or laws of the United States applicable to the Northern Mariana Islands.

“(d) The judicial power of the Northern Mariana Islands will be vested in such courts as the Constitution or laws of the Northern Mariana Islands may provide. The Constitution or laws of the Northern Mariana Islands may vest in such courts jurisdiction over all causes in the Northern Mariana Islands over which any court established by the Constitution or laws of the United States does not have exclusive jurisdiction.

“SECTION 204. All members of the legislature of the Northern Mariana Islands and all officers and employees of the Government of the Northern Mariana Islands will take an oath or affirmation to support this Covenant, those provisions of the Constitution, treaties and laws of the United States applicable to the Northern Mariana Islands, and the Constitution and laws of the Northern Mariana Islands.

“ARTICLE III

“CITIZENSHIP AND NATIONALITY

“SECTION 301. The following persons and their children under the age of 18 years on the effective date of this Section, who are not citizens or nationals of the United States under any other provision of law, and who on that date do not owe allegiance to any foreign state, are

declared to be citizens of the United States, except as otherwise provided in Section 302:

“(a) all persons born in the Northern Mariana Islands who are citizens of the Trust Territory of the Pacific Islands on the day preceding the effective date of this Section, and who on that date are domiciled in the Northern Mariana Islands or in the United States or any territory or possession thereof;

“(b) all persons who are citizens of the Trust Territory of the Pacific Islands on the day preceding the effective date of this Section, who have been domiciled continuously in the Northern Mariana Islands for at least five years immediately prior to that date, and who, unless under age, registered to vote in elections for the Marianas Islands District Legislature or for any municipal election in the Northern Mariana Islands prior to January 1, 1975; and

“(c) all persons domiciled in the Northern Mariana Islands on the day preceding the effective date of this Section, who, although not citizens of the Trust Territory of the Pacific Islands, on that date have been domiciled continuously in the Northern Mariana Islands beginning prior to January 1, 1974.

“SECTION 302. Any person who becomes a citizen of the United States solely by virtue of the provisions of Section 301 may within six months after the effective date of that Section or within six months after reaching the age of 18 years, whichever date is the later, become a national but not a citizen of the United States by making a declaration under oath before any court established by the Constitution or laws of the United States or any court of record in the Commonwealth in the form as follows:

“‘I _____ being duly sworn, hereby declare my intention to be a national but not a citizen of the United States.’”

“SECTION 303. All persons born in the Commonwealth on or after the effective date of this Section and subject to the jurisdiction of the United States will be citizens of the United States at birth.

“SECTION 304. Citizens of the Northern Mariana Islands will be entitled to all privileges and immunities of citizens in the several States of the United States.

“ARTICLE IV

“JUDICIAL AUTHORITY

District Court for
the Northern
Mariana Islands.
Establishment

“SECTION 401. The United States will establish for and within the Northern Mariana Islands a court of record to be known as the ‘District Court for the Northern Mariana Islands’. The Northern Mariana Islands will constitute a part of the same judicial circuit of the United States as Guam.

“SECTION 402. (a) The District Court for the Northern Mariana Islands will have the jurisdiction of a district court of the United States, except that in all causes arising under the Constitution, treaties or laws of the United States it will have jurisdiction regardless of the sum or value of the matter in controversy.

“(b) The District Court will have original jurisdiction in all causes in the Northern Mariana Islands not described in Subsection (a) jurisdiction over which is not vested by the Constitution or laws of the Northern Mariana Islands in a court or courts of the Northern Mariana Islands. In causes brought in the District Court solely on

the basis of this subsection, the District Court will be considered a court of the Northern Mariana Islands for the purposes of determining the requirements of indictment by grand jury or trial by jury.

“(c) The District Court will have such appellate jurisdiction as the Constitution or laws of the Northern Mariana Islands may provide. When it sits as an appellate court, the District Court will consist of three judges, at least one of whom will be a judge of a court of record of the Northern Mariana Islands.

“SECTION 403. (a) The relations between the courts established by the Constitution or laws of the United States and the courts of the Northern Mariana Islands with respect to appeals, certiorari, removal of causes, the issuance of writs of habeas corpus and other matters or proceedings will be governed by the laws of the United States pertaining to the relations between the courts of the United States and the courts of the several States in such matters and proceedings, except as otherwise provided in this Article; provided that for the first fifteen years following the establishment of an appellate court of the Northern Mariana Islands the United States Court of Appeals for the judicial circuit which includes the Northern Mariana Islands will have jurisdiction of appeals from all final decisions of the highest court of the Northern Mariana Islands from which a decision could be had in all cases involving the Constitution, treaties or laws of the United States, or any authority exercised thereunder, unless those cases are reviewable in the District Court for the Northern Mariana Islands pursuant to Subsection 402(c).

“(b) Those portions of Title 28 of the United States Code which apply to Guam or the District Court of Guam will be applicable to the Northern Mariana Islands or the District Court for the Northern Mariana Islands, respectively, except as otherwise provided in this Article.

“ARTICLE V

“APPLICABILITY OF LAWS

“SECTION 501. (a) To the extent that they are not applicable of their own force, the following provisions of the Constitution of the United States will be applicable within the Northern Mariana Islands as if the Northern Mariana Islands were one of the several States: Article I, Section 9, Clauses 2, 3, and 8; Article I, Section 10, Clauses 1 and 3; Article IV, Section 1 and Section 2, Clauses 1 and 2; Amendments 1 through 9, inclusive; Amendment 13; Amendment 14, Section 1; Amendment 15; Amendment 19; and Amendment 26; provided, however, that neither trial by jury nor indictment by grand jury shall be required in any civil action or criminal prosecution based on local law, except where required by local law. Other provisions of or amendments to the Constitution of the United States, which do not apply of their own force within the Northern Mariana Islands, will be applicable within the Northern Mariana Islands only with approval of the Government of the Northern Mariana Islands and of the Government of the United States.

USC prec. title 1.

“(b) The applicability of certain provisions of the Constitution of the United States to the Northern Mariana Islands will be without prejudice to the validity of and the power of the Congress of the United States to consent to Sections 203, 506 and 805 and the proviso in Subsection (a) of this Section.

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"SECTION 502. (a) The following laws of the United States in existence on the effective date of this Section and subsequent amendments to such laws will apply to the Northern Mariana Islands, except as otherwise provided in this Covenant:

42 USC 428,
1381.
42 USC 201 note.
50 USC app.
2018.

"(1) those laws which provide federal services and financial assistance programs and the federal banking laws as they apply to Guam; Section 228 of Title II and Title XVI of the Social Security Act as it applies to the several States; the Public Health Service Act as it applies to the Virgin Islands; and the Micronesian Claims Act as it applies to the Trust Territory of the Pacific Islands;

"(2) those laws not described in paragraph (1) which are applicable to Guam and which are of general application to the several States as they are applicable to the several States; and

"(3) those laws not described in paragraph (1) or (2) which are applicable to the Trust Territory of the Pacific Islands, but not their subsequent amendments unless specifically made applicable to the Northern Mariana Islands, as they apply to the Trust Territory of the Pacific Islands until termination of the Trusteeship Agreement, and will thereafter be inapplicable.

"(b) The laws of the United States regarding coastal shipments and the conditions of employment, including the wages and hours of employees, will apply to the activities of the United States Government and its contractors in the Northern Mariana Islands.

"SECTION 503. The following laws of the United States, presently inapplicable to the Trust Territory of the Pacific Islands, will not apply to the Northern Mariana Islands except in the manner and to the extent made applicable to them by the Congress by law after termination of the Trusteeship Agreement:

"(a) except as otherwise provided in Section 506, the immigration and naturalization laws of the United States;

"(b) except as otherwise provided in Subsection (b) of Section 502, the coastwise laws of the United States and any prohibition in the laws of the United States against foreign vessels landing fish or unfinished fish products in the United States; and

"(c) the minimum wage provisions of Section 6, Act of June 25, 1938, 52 Stat. 1062, as amended.

29 USC 206.
Commission on
Federal Laws.

Membership.

Reports to
Congress.

"SECTION 504. The President will appoint a Commission on Federal Laws to survey the laws of the United States and to make recommendations to the United States Congress as to which laws of the United States not applicable to the Northern Mariana Islands should be made applicable and to what extent and in what manner, and which applicable laws should be made inapplicable and to what extent and in what manner. The Commission will consist of seven persons (at least four of whom will be citizens of the Trust Territory of the Pacific Islands who are and have been for at least five years domiciled continuously in the Northern Mariana Islands at the time of their appointments) who will be representative of the federal, local, private and public interests in the applicability of laws of the United States to the Northern Mariana Islands. The Commission will make its final report and recommendations to the Congress within one year after the termination of the Trusteeship Agreement, and before that time will make such interim reports and recommendations to the Congress as it considers appropriate to facilitate the transition of the Northern Mariana Islands to its new political status. In formulating its recommendations the Commission will take into consideration the potential effect of each law on local conditions within the Northern Mariana Islands,

the policies embodied in the law and the provisions and purposes of this Covenant. The United States will bear the cost of the work of the Commission.

“SECTION 505. The laws of the Trust Territory of the Pacific Islands, of the Mariana Islands District and its local municipalities, and all other Executive and District orders of a local nature applicable to the Northern Mariana Islands on the effective date of this Section and not inconsistent with this Covenant or with those provisions of the Constitution, treaties or laws of the United States applicable to the Northern Mariana Islands will remain in force and effect until and unless altered by the Government of the Northern Mariana Islands.

“SECTION 506. (a) Notwithstanding the provisions of Subsection 503(a), upon the effective date of this Section the Northern Mariana Islands will be deemed to be a part of the United States under the Immigration and Nationality Act, as amended for the following purposes only, and the said Act will apply to the Northern Mariana Islands to the extent indicated in each of the following Subsections of this Section.

8 USC 1101 note.

“(b) With respect to children born abroad to United States citizen or non-citizen national parents permanently residing in the Northern Mariana Islands the provisions of Sections 301 and 308 of the said Act will apply.

8 USC 1401,
1408.
“Immediate
relatives.”
8 USC 1151.

“(c) With respect to aliens who are ‘immediate relatives’ (as defined in Subsection 201(b) of the said Act) of United States citizens who are permanently residing in the Northern Mariana Islands all the provisions of the said Act will apply, commencing when a claim is made to entitlement to ‘immediate relative’ status. A person who is certified by the Government of the Northern Mariana Islands both to have been a lawful permanent resident of the Northern Mariana Islands and to have had the ‘immediate relative’ relationship denoted herein on the effective date of this Section will be presumed to have been admitted to the United States for lawful permanent residence as of that date without the requirement of any of the usual procedures set forth in the said Act. For the purpose of the requirements of judicial naturalization, the Northern Mariana Islands will be deemed to constitute a State as defined in Subsection 101(a) paragraph (36) of the said Act. The Courts of record of the Northern Mariana Islands and the District Court for the Northern Mariana Islands will be included among the courts specified in Subsection 310(a) of the said Act and will have jurisdiction to naturalize persons who become eligible under this Section and who reside within their respective jurisdictions.

8 USC 1101.

8 USC 1421.

“(d) With respect to persons who will become citizens or nationals of the United States under Article III of this Covenant or under this Section the loss of nationality provisions of the said Act will apply.

“ARTICLE VI

“REVENUE AND TAXATION

“SECTION 601. (a) The income tax laws in force in the United States will come into force in the Northern Mariana Islands as a local territorial income tax on the first day of January following the effective date of this Section, in the same manner as those laws are in force in Guam.

“(b) Any individual who is a citizen or a resident of the United States, of Guam, or of the Northern Mariana Islands (including a

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national of the United States who is not a citizen), will file only one income tax return with respect to his income, in a manner similar to the provisions of Section 935 of Title 26, United States Code.

“(c) References in the Internal Revenue Code to Guam will be deemed also to refer to the Northern Mariana Islands, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof or of this Covenant.

Additional taxes
levied by Island
government.

“SECTION 602. The Government of the Northern Mariana Islands may by local law impose such taxes, in addition to those imposed under Section 601, as it deems appropriate and provide for the rebate of any taxes received by it, except that the power of the Government of the Northern Mariana Islands to rebate collections of the local territorial income tax received by it will be limited to taxes on income derived from sources within the Northern Mariana Islands.

“SECTION 603. (a) The Northern Mariana Islands will not be included within the customs territory of the United States.

“(b) The Government of the Northern Mariana Islands may, in a manner consistent with the international obligations of the United States, levy duties on goods imported into its territory from any area outside the customs territory of the United States and impose duties on exports from its territory.

“(c) Imports from the Northern Mariana Islands into the customs territory of the United States will be subject to the same treatment as imports from Guam into the customs territory of the United States.

“(d) The Government of the United States will seek to obtain from foreign countries favorable treatment for exports from the Northern Mariana Islands and will encourage other countries to consider the Northern Mariana Islands a developing territory.

“SECTION 604. (a) The Government of the United States may levy excise taxes on goods manufactured, sold or used or services rendered in the Northern Mariana Islands in the same manner and to the same extent as such taxes are applicable within Guam.

“(b) The Government of the Northern Mariana Islands will have the authority to impose excise taxes upon goods manufactured, sold or used or services rendered within its territory or upon goods imported into its territory, provided that such excise taxes imposed on goods imported into its territory will be consistent with the international obligations of the United States.

U.S. property
exclusion from
customs duties.

“SECTION 605. Nothing in this Article will be deemed to authorize the Government of the Northern Mariana Islands to impose any customs duties on the property of the United States or on the personal property of military or civilian personnel of the United States Government or their dependents entering or leaving the Northern Mariana Islands pursuant to their contract of employment or orders assigning them to or from the Northern Mariana Islands or to impose any taxes on the property, activities or instrumentalities of the United States which one of the several States could not impose; nor will any provision of this Article be deemed to affect the operation of the Soldiers and Sailors Civil Relief Act of 1940, as amended, which will be applicable to the Northern Mariana Islands as it is applicable to Guam.

50 USC app. 501.

Northern
Mariana Islands
Social Security
Retirement Fund,
transfer to U.S.
Treasury.

“SECTION 606. (a) Not later than at the time this Covenant is approved, that portion of the Trust Territory Social Security Retirement Fund attributable to the Northern Mariana Islands will be transferred to the Treasury of the United States, to be held in trust as a

separate fund to be known as the 'Northern Mariana Islands Social Security Retirement Fund'. This fund will be administered by the United States in accordance with the social security laws of the Trust Territory of the Pacific Islands in effect at the time of such transfer, which may be modified by the Government of the Northern Mariana Islands only in a manner which does not create any additional differences between the social security laws of the Trust Territory of the Pacific Islands and the laws described in Subsection (b). The United States will supplement such fund if necessary to assure that persons receive benefits therefrom comparable to those they would have received from the Trust Territory Social Security Retirement Fund under the laws applicable thereto on the day preceding the establishment of the Northern Mariana Islands Social Security Retirement Fund, so long as the rate of contributions thereto also remains comparable.

Administration.

"(b) Those laws of the United States which impose excise and self-employment taxes to support or which provide benefits from the United States Social Security System will upon termination of the Trusteeship Agreement or such earlier date as may be agreed to by the Government of the Northern Mariana Islands and the Government of the United States become applicable to the Northern Mariana Islands as they apply to Guam.

"(c) At such time as the laws described in Subsection (b) become applicable to the Northern Mariana Islands:

"(1) the Northern Mariana Islands Social Security Retirement Fund will be transferred into the appropriate Federal Social Security Trust Funds;

"(2) prior contributions by or on behalf of persons domiciled in the Northern Mariana Islands to the Trust Territory Social Security Retirement Fund or the Northern Mariana Islands Social Security Retirement Fund will be considered to have been made to the appropriate Federal Social Security Trust Funds for the purpose of determining eligibility of those persons in the Northern Mariana Islands for benefits under those laws; and

"(3) persons domiciled in the Northern Mariana Islands who are eligible for or entitled to social security benefits under the laws of the Trust Territory of the Pacific Islands or of the Northern Mariana Islands will not lose their entitlement and will be eligible for or entitled to benefits under the laws described in Subsection (b).

"SECTION 607. (a) All bonds or other obligations issued by the Government of the Northern Mariana Islands or by its authority will be exempt, as to principal and interest, from taxation by the United States, or by any State, territory or possession of the United States, or any political subdivision of any of them.

Bonds and other obligations, exemption.

"(b) During the initial seven year period of financial assistance provided for in Section 702, and during such subsequent periods of financial assistance as may be agreed, the Government of the Northern Mariana Islands will authorize no public indebtedness (other than bonds or other obligations of the Government payable solely from revenues derived from any public improvement or undertaking) in excess of ten percentum of the aggregate assessed valuation of the property within the Northern Mariana Islands.

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“ARTICLE VII

“UNITED STATES FINANCIAL ASSISTANCE

“SECTION 701. The Government of the United States will assist the Government of the Northern Mariana Islands in its efforts to achieve a progressively higher standard of living for its people as part of the American economic community and to develop the economic resources needed to meet the financial responsibilities of local self-government. To this end, the United States will provide direct multi-year financial support to the Government of the Northern Mariana Islands for local government operations, for capital improvement programs and for economic development. The initial period of such support will be seven years, as provided in Section 702.

Seven year grant assistance, appropriation authorization.

“SECTION 702. Approval of this Covenant by the United States will constitute a commitment and pledge of the full faith and credit of the United States for the payment, as well as an authorization for the appropriation, of the following guaranteed annual levels of direct grant assistance to the Government of the Northern Mariana Islands for each of the seven fiscal years following the effective date of this Section:

“(a) \$8.25 million for budgetary support for government operations, of which \$250,000 each year will be reserved for a special education training fund connected with the change in the political status of the Northern Mariana Islands;

“(b) \$4 million for capital improvement projects, of which \$500,000 each year will be reserved for such projects on the Island of Tinian and \$500,000 each year will be reserved for such projects on the Island of Rota; and

“(c) \$1.75 million for an economic development loan fund, of which \$500,000 each year will be reserved for small loans to farmers and fishermen and to agricultural and marine cooperatives, and of which \$250,000 each year will be reserved for a special program of low interest housing loans for low income families.

Federal programs and services availability.

“SECTION 703. (a) The United States will make available to the Northern Mariana Islands the full range of federal programs and services available to the territories of the United States. Funds provided under Section 702 will be considered to be local revenues of the Government of the Northern Mariana Islands when used as the local share required to obtain federal programs and services.

“(b) There will be paid into the Treasury of the Government of the Northern Mariana Islands, to be expended to the benefit of the people thereof as that Government may by law prescribe, the proceeds of all customs duties and federal income taxes derived from the Northern Mariana Islands, the proceeds of all taxes collected under the internal revenue laws of the United States on articles produced in the Northern Mariana Islands and transported to the United States, its territories or possessions, or consumed in the Northern Mariana Islands, the proceeds of any other taxes which may be levied by the Congress on the inhabitants of the Northern Mariana Islands, and all quarantine, passport, immigration and naturalization fees collected in the Northern Mariana Islands, except that nothing in this Section shall be construed to apply to any tax imposed by Chapters 2 or 21 of Title 26, United States Code.

26 USC 1401, 3101.

“SECTION 704. (a) Funds provided under Section 702 not obligated or expended by the Government of the Northern Mariana Islands

during any fiscal year will remain available for obligation or expenditure by that Government in subsequent fiscal years for the purposes for which the funds were appropriated.

“(b) Approval of this Covenant by the United States will constitute an authorization for the appropriation of a pro-rata share of the funds provided under Section 702 for the period between the effective date of this Section and the beginning of the next succeeding fiscal year.

Pro-rata share,
appropriation
authorization.

“(c) The amounts stated in Section 702 will be adjusted for each fiscal year by a percentage which will be the same as the percentage change in the United States Department of Commerce composite price index using the beginning of Fiscal Year 1975 as the base.

“(d) Upon expiration of the seven year period of guaranteed annual direct grant assistance provided by Section 702, the annual level of payments in each category listed in Section 702 will continue until Congress appropriates a different amount or otherwise provides by law.

“ARTICLE VIII

“PROPERTY

“SECTION 801. All right, title and interest of the Government of the Trust Territory of the Pacific Islands in and to real property in the Northern Mariana Islands on the date of the signing of this Covenant or thereafter acquired in any manner whatsoever will, no later than upon the termination of the Trusteeship Agreement, be transferred to the Government of the Northern Mariana Islands. All right, title and interest of the Government of the Trust Territory of the Pacific Islands in and to all personal property on the date of the signing of this Covenant or thereafter acquired in any manner whatsoever will, no later than upon the termination of the Trusteeship Agreement, be distributed equitably in a manner to be determined by the Government of the Trust Territory of the Pacific Islands in consultation with those concerned, including the Government of the Northern Mariana Islands.

“SECTION 802. (a) The following property will be made available to the Government of the United States by lease to enable it to carry out its defense responsibilities:

Leased property,
U.S. defense
purposes.

“(1) on Tinian Island, approximately 17,799 acres (7,203 hectares) and the waters immediately adjacent thereto;

“(2) on Saipan Island, approximately 177 acres (72 hectares) at Tanapag Harbor; and

“(3) on Farallon de Medinilla Island, approximately 206 acres (83 hectares) encompassing the entire island, and the waters immediately adjacent thereto.

“(b) The United States affirms that it has no present need for or present intention to acquire any greater interest in property listed above than that which is granted to it under Subsection 803(a), or to acquire any property in addition to that listed in Subsection (a), above, in order to carry out its defense responsibilities.

“SECTION 803. (a) The Government of the Northern Mariana Islands will lease the property described in Subsection 802(a) to the Government of the United States for a term of fifty years, and the Government of the United States will have the option of renewing this lease for all or part of such property for an additional term of fifty years if it so desires at the end of the first term.

90 STAT. 274

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“(b) The Government of the United States will pay to the Government of the Northern Mariana Islands in full settlement of this lease, including the second fifty year term of the lease if extended under the renewal option, the total sum of \$19,520,600, determined as follows:

“(1) for that property on Tinian Island, \$17.5 million;

“(2) for that property at Tanapag Harbor on Saipan Island, \$2 million; and

“(3) for that property known as Farallon de Medinilla, \$20,600.

The sum stated in this Subsection will be adjusted by a percentage which will be the same as the percentage change in the United States Department of Commerce composite price index from the date of signing the Covenant.

Technical
Agreement
Regarding Use of
Land To Be
Leased by the
U.S.

“(c) A separate Technical Agreement Regarding Use of Land To Be Leased by the United States in the Northern Mariana Islands will be executed simultaneously with this Covenant. The terms of the lease to the United States will be in accordance with this Section and with the terms of the Technical Agreement. The Technical Agreement will also contain terms relating to the leaseback of property, to the joint use arrangements for San Jose Harbor and West Field on Tinian Island, and to the principles which will govern the social structure relations between the United States military and the Northern Mariana Islands civil authorities.

“(d) From the property to be leased to it in accordance with this Covenant the Government of the United States will lease back to the Government of the Northern Mariana Islands, in accordance with the Technical Agreement, for the sum of one dollar per acre per year, approximately 6,458 acres (2,614 hectares) on Tinian Island and approximately 44 acres (18 hectares) at Tanapag Harbor on Saipan Island, which will be used for purposes compatible with their intended military use.

“(e) From the property to be leased to it at Tanapag Harbor on Saipan Island the Government of the United States will make available to the Government of the Northern Mariana Islands 133 acres (54 hectares) at no cost. This property will be set aside for public use as an American memorial park to honor the American and Marianas dead in the World War II Marianas Campaign. The \$2 million received from the Government of the United States for the lease of this property will be placed into a trust fund, and used for the development and maintenance of the park in accordance with the Technical Agreement.

“SECTION 804. (a) The Government of the United States will cause all agreements between it and the Government of the Trust Territory of the Pacific Islands which grant to the Government of the United States use or other rights in real property in the Northern Mariana Islands to be terminated upon or before the effective date of the Section. All right, title and interest of the Government of the Trust Territory of the Pacific Islands in and to any real property with respect to which the Government of the United States enjoys such use or other rights will be transferred to the Government of the Northern Mariana Islands at the time of such termination. From the time such right, title and interest is so transferred the Government of the Northern Mariana Islands will assure the Government of the United States the continued use of the real property then actively used by the Government of the United States for civilian governmental purposes on terms comparable to those enjoyed by the Government of the United

States under its arrangements with the Government of the Trust Territory of the Pacific Islands on the date of the signature of this Covenant.

“(b) All facilities at Isely Field developed with federal aid and all facilities at that field usable for the landing and take-off of aircraft will be available to the United States for use by military and naval aircraft, in common with other aircraft, at all times without charge, except, if the use by military and naval aircraft shall be substantial, a reasonable share, proportional to such use, of the cost of operating and maintaining the facilities so used may be charged at a rate established by agreement between the Government of the Northern Mariana Islands and the Government of the United States.

Isely Field facilities, availability to U.S.

“SECTION 805. Except as otherwise provided in this Article, and notwithstanding the other provisions of this Covenant, or those provisions of the Constitution, treaties or laws of the United States applicable to the Northern Mariana Islands, the Government of the Northern Mariana Islands, in view of the importance of the ownership of land for the culture and traditions of the people of the Northern Mariana Islands, and in order to protect them against exploitation and to promote their economic advancement and self-sufficiency:

Landholding restrictions.

“(a) will until twenty-five years after the termination of the Trusteeship Agreement, and may thereafter, regulate the alienation of permanent and long-term interests in real property so as to restrict the acquisition of such interests to persons of Northern Mariana Islands descent; and

“(b) may regulate the extent to which a person may own or hold land which is now public land.

“SECTION 806. (a) The United States will continue to recognize and respect the scarcity and special importance of land in the Northern Mariana Islands. If the United States must acquire any interest in real property not transferred to it under this Covenant, it will follow the policy of seeking to acquire only the minimum area necessary to accomplish the public purpose for which the real property is required, of seeking only the minimum interest in real property necessary to support such public purpose, acquiring title only if the public purpose cannot be accomplished if a lesser interest is obtained, and of seeking first to satisfy its requirement by acquiring an interest in public rather than private real property.

“(b) The United States may, upon prior written notice to the Government of the Northern Mariana Islands, acquire for public purposes in accordance with federal laws and procedures any interest in real property in the Northern Mariana Islands by purchase, lease, exchange, gift or otherwise under such terms and conditions as may be negotiated by the parties. The United States will in all cases attempt to acquire any interest in real property for public purposes by voluntary means under this Subsection before exercising the power of eminent domain. No interest in real property will be acquired unless duly authorized by the Congress of the United States and appropriations are available therefor.

“(c) In the event it is not possible for the United States to obtain an interest in real property for public purposes by voluntary means, it may exercise within the Commonwealth the power of eminent domain to the same extent and in the same manner as it has and can exercise the power of eminent domain in a State of the Union. The power of eminent domain will be exercised within the Commonwealth only to the extent necessary and in compliance with applicable United States laws, and with full recognition of the due process required by the United States Constitution.

Power of eminent domain.

USC prec. title 1.

“ARTICLE IX

“NORTHERN MARIANA ISLANDS REPRESENTATIVE AND CONSULTATION

“SECTION 901. The Constitution or laws of the Northern Mariana Islands may provide for the appointment or election of a Resident Representative to the United States, whose term of office will be two years, unless otherwise determined by local law, and who will be entitled to receive official recognition as such Representative by all of the departments and agencies of the Government of the United States upon presentation through the Department of State of a certificate of selection from the Governor. The Representative must be a citizen and resident of the Northern Mariana Islands, at least twenty-five years of age, and, after termination of the Trusteeship Agreement, a citizen of the United States.

Special
representatives,
report.

“SECTION 902. The Government of the United States and the Government of the Northern Mariana Islands will consult regularly on all matters affecting the relationship between them. At the request of either Government, and not less frequently than every ten years, the President of the United States and the Governor of the Northern Mariana Islands will designate special representatives to meet and to consider in good faith such issues affecting the relationship between the Northern Mariana Islands and the United States as may be designated by either Government and to make a report and recommendations with respect thereto. Special representatives will be appointed in any event to consider and to make recommendations regarding future multi-year financial assistance to the Northern Mariana Islands pursuant to Section 701, to meet at least one year prior to the expiration of every period of such financial assistance.

“SECTION 903. Nothing herein shall prevent the presentation of cases or controversies arising under this Covenant to courts established by the Constitution or laws of the United States. It is intended that any such cases or controversies will be justiciable in such courts and that the undertakings by the Government of the United States and by the Government of the Northern Mariana Islands provided for in this Covenant will be enforceable in such courts.

“SECTION 904. (a) The Government of the United States will give sympathetic consideration to the views of the Government of the Northern Mariana Islands on international matters directly affecting the Northern Mariana Islands and will provide opportunities for the effective presentation of such views to no less extent than such opportunities are provided to any other territory or possession under comparable circumstances.

Promotion of
local tourism.

“(b) The United States will assist and facilitate the establishment by the Northern Mariana Islands of offices in the United States and abroad to promote local tourism and other economic or cultural interests of the Northern Mariana Islands.

“(c) On its request the Northern Mariana Islands may participate in regional and other international organizations concerned with social, economic, educational, scientific, technical and cultural matters when similar participation is authorized for any other territory or possession of the United States under comparable circumstances.

“ARTICLE X

“APPROVAL, EFFECTIVE DATES, AND DEFINITIONS

“SECTION 1001. (a) This Covenant will be submitted to the Mariana Islands District Legislature for its approval. After its approval by the Mariana Islands District Legislature, this Covenant will be submitted to the people of the Northern Mariana Islands for approval in a plebiscite to be called by the United States. Only persons who are domiciled exclusively in the Northern Mariana Islands and who meet such other qualifications, including timely registration, as are promulgated by the United States as administering authority will be eligible to vote in the plebiscite. Approval must be by a majority of at least 55% of the valid votes cast in the plebiscite. The results of the plebiscite will be certified to the President of the United States.

“(b) This Covenant will be approved by the United States in accordance with its constitutional processes and will thereupon become law.

Covenant
approval by U.S.

“SECTION 1002. The President of the United States will issue a proclamation announcing the termination of the Trusteeship Agreement, or the date on which the Trusteeship Agreement will terminate, and the establishment of the Commonwealth in accordance with this Covenant. Any determination by the President that the Trusteeship Agreement has been terminated or will be terminated on a day certain will be final and will not be subject to review by any authority, judicial or otherwise, of the Trust Territory of the Pacific Islands, the Northern Mariana Islands or the United States.

Trusteeship
Agreement
termination;
establishment of
Commonwealth,
proclamation.

“SECTION 1003. The provisions of this Covenant will become effective as follows, unless otherwise specifically provided:

Effective dates.

“(a) Sections 105, 201–203, 503, 504, 606, 801, 903 and Article X will become effective on approval of this Covenant;

“(b) Sections 102, 103, 204, 304, Article IV, Sections 501, 502, 505, 601–605, 607, Article VII, Sections 802–805, 901 and 902 will become effective on a date to be determined and proclaimed by the President of the United States which will be not more than 180 days after this Covenant and the Constitution of the Northern Mariana Islands have both been approved; and

“(c) The remainder of this Covenant will become effective upon the termination of the Trusteeship Agreement and the establishment of the Commonwealth of the Northern Mariana Islands.

“SECTION 1004. (a) The application of any provision of the Constitution or laws of the United States which would otherwise apply to the Northern Mariana Islands may be suspended until termination of the Trusteeship Agreement if the President finds and declares that the application of such provision prior to termination would be inconsistent with the Trusteeship Agreement.

“(b) The Constitution of the Northern Mariana Islands will become effective in accordance with its terms on the same day that the provisions of this Covenant specified in Subsection 1003(b) become effective, provided that if the President finds and declares that the effectiveness of any provision of the Constitution of the Northern Mariana Islands prior to termination of the Trusteeship Agreement would be inconsistent with the Trusteeship Agreement such provision will be ineffec-

Constitution of
the Northern
Mariana Islands,
effective date.

90 STAT. 278

PUBLIC LAW 94-241—MAR. 24, 1976

tive until termination of the Trusteeship Agreement. Upon the establishment of the Commonwealth of the Northern Mariana Islands the Constitution will become effective in its entirety in accordance with its terms as the Constitution of the Commonwealth of the Northern Mariana Islands.

Definitions.

“SECTION 1005. As used in this Covenant:

“(a) ‘Trusteeship Agreement’ means the Trusteeship Agreement for the former Japanese Mandated Islands concluded between the Security Council of the United Nations and the United States of America, which entered into force on July 18, 1947;

“(b) ‘Northern Mariana Islands’ means the area now known as the Mariana Islands District of the Trust Territory of the Pacific Islands, which lies within the area north of 14° north latitude, south of 21° north latitude, west of 150° east longitude and east of 144° east longitude;

“(c) ‘Government of the Northern Mariana Islands’ includes, as appropriate, the Government of the Mariana Islands District of the Trust Territory of the Pacific Islands at the time this Covenant is signed, its agencies and instrumentalities, and its successors, including the Government of the Commonwealth of the Northern Mariana Islands;

“(d) ‘Territory or possession’ with respect to the United States includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam and American Samoa;

“(e) ‘Domicile’ means that place where a person maintains a residence with the intention of continuing such residence for an unlimited or indefinite period, and to which such person has the intention of returning whenever he is absent, even for an extended period.

“Signed at Saipan, Mariana Islands on the fifteenth day of February, 1975.

“For the people of the Northern Mariana Islands:

EDWARD DLG. PANGELINAN,
Chairman, Marianas
Political Status Commission.
VICENTE N. SANTOS.
Vice Chairman, Marianas
Political Status Commission.

“For the United States of America:

Ambassador F. HAYDN WILLIAMS,
Personal Representative of the
President of the United States.

“Members of the Marianas Political Status Commission:

JUAN LG. CABRERA.
VICENTE T. CAMACHO.
JOSE R. CRUZ.
BERNARD V. HOFSCHEIDER.
BENJAMIN T. MANGLONA.
DANIEL T. MUNA.
DR. FRANCISCO T. PALACIOS.
JOAQUIN I. PANGELINAN.
MANUEL A. SABLAN.
JOANNES B. TAIMANAO.
PEDRO A. TENORIO.”

PUBLIC LAW 95-348—AUG. 18, 1978

92 STAT. 487

Public Law 95-348
95th Congress

An Act

To authorize appropriations for certain insular areas of the United States, and for other purposes.

Aug. 18, 1978
 [S. 2821]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

United States
 insular areas.
 Appropriation
 authorizations.

GUAM

SECTION 1. (a) (1) For grants to the government of Guam for the rehabilitation, upgrading, and construction of public facilities, there is hereby authorized to be appropriated to the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") \$13,868,000 for fiscal year 1979, and \$20,000,000 thereafter, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs from October 1978 price levels as indicated by engineering cost indexes applicable to the types of construction involved.

(2) The Secretary may place such stipulations as he deems appropriate on the use of funds appropriated pursuant to subsection (a) (1) hereof.

(3) Grants provided pursuant to this Act and not obligated or expended by the government of Guam during any fiscal year will remain available for obligation or expenditure by such government in subsequent fiscal years for the purposes for which the funds were appropriated.

(4) Funds provided under paragraph (a) (1) may be used by Guam as the matching share for Federal programs and services.

(5) Authorizations of moneys to be appropriated under this subsection shall be effective on October 1, 1978.

Effective date.

(6) The Secretary is directed to prepare and transmit to the Congress no later than July 1, 1979, an analysis of the capital infrastructure needs of Guam for the 1985-1990 timeframe. The analysis shall detail the nature and type of infrastructure needed, the adequacy of the existing infrastructure, the estimated costs of improvement, extension, rehabilitation, or replacement of the existing infrastructure to meet the projected demands, the capability of local government to fund such costs and the options available, and shall provide a series of alternatives for Federal support for that portion of the infrastructure which cannot be financed by local government.

Report to
 Congress.
 48 USC 1421
 note.

(b) The government of Guam in carrying out the purposes of this Act or Public Law 95-134, may utilize, to the extent practicable, the available services and facilities of agencies and instrumentalities of the Federal Government on a reimbursable basis. Such amounts may be credited to the appropriation or fund which provided the services and facilities. Agencies and instrumentalities of the Federal Government may, when practicable, make available to the government of Guam upon request of the Secretary such services and facilities as they are equipped to render or furnish, and they may do so without reimbursement if otherwise authorized by law.

91 Stat. 1159.

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Duties and taxes.
48 USC 1421h.

(c) Section 30 of the Organic Act of Guam (64 Stat. 384), as amended, is further amended by adding at the end thereof the following: "Beginning as soon as the government of Guam enacts legislation establishing a fiscal year commencing on October 1 and ending on September 30, the Secretary of the Treasury, prior to the commencement of any fiscal year, shall remit to the government of Guam the amount of duties, taxes, and fees which the governor of Guam, with the concurrence of the government comptroller of Guam, has estimated will be collected in or derived from Guam under this section during the next fiscal year, except for those sums covered directly upon collection into the treasury of Guam. The Secretary of the Treasury shall deduct from or add to the amounts so remitted the difference between the amount of duties, taxes, and fees actually collected during the prior fiscal year and the amount of such duties, taxes, and fees as estimated and remitted at the beginning of that prior fiscal year, including any deductions which may be required as a result of the operation of Public Law 94-395 (90 Stat. 1199) or Public Law 88-170, as amended (82 Stat. 863)."

91 Stat. 1162.

(d) Section 205 of the Act entitled "An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes" (Public Law 95-134) is amended by striking out "\$25,000,000: *Provided*" and inserting in lieu thereof "\$35,000,000: *Provided*, That \$10,000,000 of such sums is not authorized to be appropriated prior to October 1, 1978. Health care needs shall include goods and services provided to maintain and operate the Medical Center of the Marianas: *Provided further*".

TRUST TERRITORY OF THE PACIFIC ISLANDS

SEC. 2. (a) There is hereby authorized to be appropriated \$15,000,000 for the Bikini people evacuated from Bikini Atoll, Trust Territory of the Pacific Islands, as a result of United States nuclear tests commencing in 1946, and their descendants. Of this \$15,000,000:

(1) \$12,000,000 is authorized for the relocation and resettlement of the Bikini people within the Marshall Islands; and

(2) to compensate the Bikini people for any radiological damage to their atoll an additional \$3,000,000 shall be held in trust pursuant to the trust agreement established by Public Law 94-34, with the proceeds to be distributed in accordance with the provisions thereof.

89 Stat. 212.

(b) None of the funds authorized pursuant to subsection (a) (2) above shall be available for payment of any attorneys fees or associated expenses.

Report to
Congress.
48 USC 1681
note.

(c) The Secretary of the Interior shall prepare and submit to Congress by July 1, 1979, a progress report on his efforts to establish a permanent location for the displaced people of Bikini Island. Such report shall review: alternative actions taken to provide the people of Bikini with temporary homes; political and social consequences of the relocation of these people on Kili Island; and the Secretary's attempt to locate, acquire, and develop a permanent location for the settlement of these people. Such report shall also suggest probable economic, social, political, and cultural consequences which may result from the permanent settlement of these people in various alternative locations and inform the Congress of additional plans adopted by the

Secretary, together with any recommendations he may have for legislation necessary to implement those plans, to provide further assistance to the people of Bikini.

NORTHERN MARIANA ISLANDS

SEC. 3. (a) There is hereby authorized to be appropriated for expenditure after October 1, 1978, not more than \$12,000,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs from October 1978 price levels as indicated by engineering cost indexes applicable to the types of construction involved, to assist in the acquisition and construction of a powerplant for the Northern Mariana Islands together with upgrading, rehabilitation, or replacement of distribution facilities.

(b) (1) The government of the Northern Marianas in carrying out the purposes of this Act, Public Law 95-134, or Public Law 94-241, may utilize, to the extent practicable, the available services and facilities of agencies and instrumentalities of the Federal Government on a reimbursable basis. Such amounts may be credited to the appropriation or fund which provided the services and facilities. Agencies and instrumentalities of the Federal Government may, when practicable, make available to the government of the Northern Marianas, upon request of the Secretary, such services and facilities as they are equipped to render or furnish, and they may do so without reimbursement if otherwise authorized by law.

91 Stat. 1159.
90 Stat. 263.

(2) Any funds made available to the Northern Mariana Islands under grant-in-aid programs by section 502 of the Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America (Public Law 94-241), or pursuant to any other Act of Congress enacted after March 24, 1976, are hereby authorized to remain available until expended.

Funds,
availability.

90 Stat. 268.

(3) Any amount authorized by the Covenant described in paragraph (2) or by any other Act of Congress enacted after March 24, 1976, which authorizes appropriations for the Northern Mariana Islands, but not appropriated for a fiscal year is authorized to be available for appropriation in succeeding fiscal years.

(c) Notwithstanding the provisions of the Food Stamp Act of 1977, the Secretary of Agriculture is authorized, upon the request of the Governor of the Northern Mariana Islands, acting pursuant to legislation enacted in accordance with sections 5 and 7 of article II of the Constitution of the Northern Mariana Islands, and for the period during which such legislation is effective, (1) to implement a food stamp program in part or all of the Northern Mariana Islands with such income and household standards of eligibility, deductions, and allotment values as the Secretary determines, after consultation with the Governor, to be suited to the economic and social circumstances of such islands: *Provided*, That in no event shall such income standards of eligibility exceed those in the forty-eight contiguous States, and (2) to distribute or permit a distribution of federally donated foods in any part of the Northern Mariana Islands for which the Governor has not requested that the food stamp program be implemented. This authority shall remain in effect through September 30, 1981, and shall not apply to section 403 of Public Law 95-135.

Food stamp
program.
48 USC 1681
note.
7 USC 2011
note.

(d) The Secretary of the Treasury is authorized and directed, upon the request of the Governor of the Northern Mariana Islands,

91 Stat. 1166.
48 USC 1681
note.

92 STAT. 490

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acting pursuant to legislation enacted in accordance with sections 5 and 7 of article II of the Constitution of the Northern Mariana Islands, without reimbursement or other cost to the government of the Northern Mariana Islands, to administer and enforce the provisions of section 601, 603, or 604 of the Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America (Public Law 94-241; 90 Stat. 263, 269) and in order to administer and enforce the collection of any payroll tax or other tax measured by income which may be in force in the Northern Mariana Islands pursuant to section 602 of such Covenant. This authority shall continue until such time as the Governor of the Northern Mariana Islands, acting pursuant to legislation enacted in accordance with sections 5 and 7 of article II of the Constitution of the Northern Mariana Islands, requests the Secretary of the Treasury to discontinue the administration and enforcement of such taxes. The administration and enforcement of such taxes by the government of the Northern Mariana Islands shall begin on January 1 of the year following the year in which such Northern Mariana Islands law is enacted.

VIRGIN ISLANDS

SEC. 4. (a) There is hereby authorized to be appropriated to the Secretary not to exceed \$5,000,000 of which not more than \$1,000,000 may be appropriated for fiscal year 1979 to be paid to the government of the Virgin Islands for the purpose of promoting economic development in the Virgin Islands. The Secretary shall prescribe the types of programs for which such sums may be used.

(b) (1) There is authorized to be appropriated for construction of hospital facilities in the Virgin Islands not more than \$52,000,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs from October 1978 price levels as indicated by engineering cost indexes applicable to the types of construction involved.

(2) Grants provided pursuant to this section and not obligated or expended by the government of the Virgin Islands during any fiscal year will remain available for obligation or expenditure by such government in subsequent fiscal years for the purposes for which the funds were appropriated.

(3) Funds provided under paragraph (b) (1) may be used by the Virgin Islands as the matching share for Federal programs and services.

Effective date. (4) Authorizations of moneys to be appropriated under this subsection shall be effective on October 1, 1978.

48 USC 1575. (c) (1) Section 9(c) of the Revised Organic Act of the Virgin Islands (68 Stat. 497) is amended by deleting the period at the end thereof and inserting "or such other date as the Legislature of the Virgin Islands may determine."

Duties and taxes. 48 USC 1645. (2) Beginning as soon as the government of the Virgin Islands enacts legislation establishing a fiscal year commencing on October 1 and ending on September 30, the Secretary of the Treasury, prior to the commencement of any fiscal year, shall remit to the government of the Virgin Islands the amount of duties, taxes, and fees which the Governor of the Virgin Islands, with the concurrence of the government comptroller of the Virgin Islands, has estimated will be collected

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in or derived from the Virgin Islands under the Revised Organic Act of the Virgin Islands during the next fiscal year, except for those sums covered directly upon collection into the treasury of the Virgin Islands. There shall be deducted from or added to the amounts so remitted, as may be appropriate, at the beginning of the fiscal year, the difference between the amount of duties, taxes, and fees actually collected during the prior fiscal year and the amount of such duties, taxes, and fees as estimated and remitted at the beginning of that prior fiscal year, including any deductions which may be required as a result of the operation of Public Law 94-392 (90 Stat. 1195).

48 USC 1541
note.

(3) Subsection 28(a) of the Revised Organic Act of the Virgin Islands is amended by deleting the phrase "less the cost of collecting all of said duties, taxes, and fees,".

48 USC 1642.

(d) There are hereby authorized to be appropriated to the Secretary such sums as may be necessary, but not to exceed \$20,000,000 per annum, for fiscal years 1979, 1980, and 1981 for grants to the government of the Virgin Islands to offset any anticipated deficit during such fiscal years. The Secretary is authorized and directed, after consultation with the Governor of the Virgin Islands, to impose such conditions and requirements, on these grants as he deems advisable. Not later than July 1, 1979, the Secretary shall submit to the Congress a report on the financial condition of the Virgin Islands. The report shall:

48 USC 1641
note.Report to
Congress.

(1) identify, the specific sources of revenues, both Federal and local, available to the government of the Virgin Islands;

(2) chart the revenues derived from each source and what, if any, increases could be occasioned in the amount of such revenues by actions of the Virgin Islands Government;

(3) describe the extent to which changes in actual revenues were occasioned by actions of the Federal Government or by circumstances beyond the control of the Virgin Islands Government;

(4) analyze expenditures to determine what economies, if any, could be obtained and identify the actions which could be taken by the Virgin Islands Government to obtain such economies;

(5) review the long term debt structure of the Virgin Islands Government, including, but not limited to, whether such debt was incurred for purposes authorized by law, the total amount of such debt, the relation of the total debt ceiling, and the impact retirement of the debt will have on the future economic situation of the Virgin Islands;

(6) detail and discuss various alternatives available to the government of the Virgin Islands and the Federal Government to revise and improve the process of supporting the necessary expenditures of the Virgin Islands Government; and

(7) include his recommendations for any changes he deems advisable in the present Federal-territorial economic relationship.

AMERICAN MEMORIAL PARK

SEC. 5. (a) The Secretary, acting through the Director of the National Park Service, is authorized and directed to develop, maintain, and administer the existing American Memorial Park (hereinafter in this section referred to as the "park"), located at Tanapag Harbor Reservation, Saipan. The park shall be administered for the

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primary purpose of honoring the dead in the World War II Mariana Islands campaign.

(b) The Secretary is authorized and directed to the maximum extent feasible to employ and train residents of the Mariana Islands to develop, maintain, and administer the park.

(c) Other points in the Northern Mariana Islands relevant to the park may be identified, established, and marked by the Secretary in agreement with the Governor of the Northern Marianas.

(d) The Secretary shall provide for interpretative activities at the park, for which he is authorized to seek the assistance of appropriate historians to interpret the historical aspects of the park. To the greatest extent possible, interpretative activities shall be conducted in the following four languages: English, Chamorro, Carolinian, and Japanese.

(e) Notwithstanding any provision of law to the contrary, no fee or charge may be imposed for entrance or admission into the American Memorial Park.

(f) The Secretary shall transfer administration of the park to the government of the Northern Mariana Islands at such time as the Governor, acting pursuant to legislation enacted in accordance with sections 5 and 7 or article II of the Constitution of the Northern Mariana Islands, requests such a transfer. All improvements, including real and personal property, shall thereupon be transferred without cost to the government of the Northern Mariana Islands and thereafter the full cost of development, administration, and maintenance for the park shall be borne by the government of the Northern Mariana Islands, except as provided in subsection (g) of this section.

(g) For the development, maintenance, and operation of the park (but not for any acquisition of land or interests in lands), there is hereby authorized to be appropriated not to exceed \$3,000,000 effective October 1, 1978. Amounts appropriated pursuant to this subsection shall remain available until expended.

(h) Nothing contained in this Act is intended to alter or diminish the authority to exercise the five year option contained in article VIII of Public Law 94-241.

90 Stat. 273.

WAR IN THE PACIFIC NATIONAL HISTORICAL PARK

16 USC 410dd.

SEC. 6. (a) In order to commemorate the bravery and sacrifice of those participating in the campaigns of the Pacific theater of World War II and to conserve and interpret outstanding natural, scenic, and historic values and objects on the island of Guam for the benefit and enjoyment of present and future generations, the War in the Pacific National Historical Park (hereinafter in this section referred to as the "park") is hereby established.

(b) The boundaries of the park shall be as generally depicted on the drawing entitled "Boundary Map, War in the Pacific National Historical Park, Guam" numbered P-24-80,000-B and dated March 1978, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior. Following ninety days notice to the Committee on Interior and Insular Affairs of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate, the Secretary may make minor revisions of the boundary of the park by publication of a revised map in the Federal Register.

Publication in
Federal Register.

(c) Within the boundaries of the park, the Secretary may acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer. **Land acquisition.**

(d) Other points on the island of Guam relevant to the park may be identified, established, and marked by the Secretary in agreement with the Governor of Guam.

(e) The Secretary shall administer property acquired in accordance with the laws generally applicable to the management of units of the National Park System.

(f) The Secretary is authorized to seek the assistance of appropriate historians to interpret the historical aspects of the park. To the greatest extent possible, interpretative activities will be conducted in the following three languages: English, Chamorro, and Japanese.

(g) The Secretary is authorized to enter into negotiations with the Secretary of Defense for the berthing and interpretation of a naval vessel of World War II vintage which shall be accessible to the public on the island of Guam.

(h) Within two years from the date of enactment of this Act, the Secretary shall develop and transmit to the committees named in subsection (b) a general management plan for the national historical park consistent with the purposes of this section. Within five years from the date of enactment, the Secretary, through the Director of the National Park Service, shall conduct and transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives a study of additional areas and sites associated with the Pacific campaign of World War II. The study shall contain a description and evaluation of each area or site, and an estimated cost of acquisition, development, and maintenance of the area or site, if appropriate, together with such additional authority as may be needed to enable him to implement his recommendations. The Secretary shall concentrate his study within Guam and the Northern Mariana Islands, but shall also investigate additional areas and sites within the Trust Territory of the Pacific Islands to the extent possible, and may include other areas and sites in the Pacific area if practicable. **Report to congressional committees. Study.**

(i) The Secretary is authorized and directed, to the maximum extent feasible, to employ and train residents of Guam or of the Northern Mariana Islands to develop, maintain, and administer the park.

(j) Notwithstanding any provision of law to the contrary, no fee or charge shall be imposed for entrance or admission into the War in the Pacific National Historical Park.

(k) For the purposes of the park established under this section, effective October 1, 1978, there are authorized to be appropriated such sums as may be necessary, but not to exceed \$16,000,000 for the acquisition of lands or interests in lands and \$500,000 for development.

VIRGIN ISLANDS NATIONAL PARK

SEC. 7. (a) (1) The first paragraph of section 1 of the Act of October 5, 1962 (76 Stat. 746; 16 U.S.C. 398c), is amended by adding a comma after the words "adjoining lands, submerged lands, and waters" and inserting "and Hassel Island located in Saint Thomas Harbor and adjoining lands, submerged lands, and waters,".

(2) Such section 1 is further amended by inserting immediately before the last paragraph, the following: **Land acquisition.**

92 STAT. 494

PUBLIC LAW 95-348—AUG. 18, 1978

“HASSEL ISLAND

“The area known as Hassel Island in Saint Thomas Harbor consisting of approximately 135 acres, together with such adjoining lands, submerged lands, and waters as the Secretary of the Interior deems appropriate, but the boundaries shall not, in any event, extend beyond 100 yards from the mean high water mark of the island.”.

16 USC 398d.

(b) Section 2 of such Act is amended by—

(1) inserting “(a)” after “SEC. 2.”;

(2) adding at the end of the first sentence the following: “In acquiring such lands, up to 6.6 acres, the Secretary may, when agreed upon by the landowner involved, defer payment or schedule payments over a period of ten years and pay interest on the unpaid balance at a rate not exceeding the current prevailing commercial rate.”, and

(3) adding the following at the end thereof:

“(b) The Secretary is authorized and directed to the maximum extent feasible to employ and train residents of the Virgin Islands to develop, maintain, and administer the Virgin Islands National Park.

“(c) Subject to continued protection and use of Hassel Island for park and recreation purposes, and such other conditions as the Secretary may deem appropriate, the Territory of the Virgin Islands may, within, but not after, five years after the date of the enactment of this subsection, by duly enacted legislation acquire all interests of the United States in Hassel Island by reimbursing the United States in an amount equal to the amount actually expended by the United States for the acquisition of lands and interests in lands and for the costs of construction of permanent improvements, if any.

“(d) (1) Except for property deemed necessary by the Secretary of the Interior for visitor facilities or administration of the park, any owner or owners of improved property on Hassel Island on the date of its acquisition, may retain for themselves a right of use and occupancy of the property for noncommercial residential purposes for twenty-five years or, in lieu thereof, for a term ending at the death of the owner or the owner’s spouse, whichever is later. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the right retained by the owner. The authority of the Secretary to acquire the property commonly known as the Royal Mail (hotel) by condemnation shall be suspended for ten years from the date of enactment if such owner or owners agree, in writing, within ninety days after the enactment of this subsection to grant to the United States the right to purchase such property at a purchase price, mutually agreed upon by the Secretary and the landowner, which does not exceed the fixed value of said property on July 1, 1978.

“Improved property.”

“(2) As used in subsection (d) (1), ‘improved property’ means a single-family dwelling, the construction of which began before January 1, 1977, together with such lands as are in the same ownership and appurtenant buildings located thereon.

“(3) The Secretary may terminate a right of use and occupancy retained pursuant to subsection (d) (1) upon his determination that such use and occupancy is being, or may be, exercised in a manner inconsistent with the purposes for which they were included within

the park and upon tender to the holder of such right of the amount equal to the value of that portion of the right which remains unexpired on the date of termination.”.

(4) Section 3 is amended by inserting “(a)” immediately after “Sec. 3.” and by adding the following new subsection at the end thereof: 16 USC 398e.

“(b) Notwithstanding any provision of law to the contrary, no fee or charge shall be imposed for entrance or admission into the Virgin Islands National Park.”.

(5) Section 4 is amended to read as follows:

“SEC. 4. Effective October 1, 1978, there are authorized to be appropriated such sums as may be necessary for the acquisition of lands and interests in lands within the Virgin Islands National Park. For purposes of this section, acquisitions of land on Hassel Island shall be deemed to be acquisitions qualifying for payment under the provisions of paragraph (2) of the Act of June 10, 1977 (Public Law 95-42; 91 Stat. 210). In addition to such sums as may have heretofore been appropriated for development of public facilities within the Virgin Islands National Park, effective October 1, 1978, there are authorized to be appropriated not more than \$1,000,000 for restoration and rehabilitation of historic structures and for development of public facilities on Hassel Island, and not more than \$500,000 as a grant to the Territory of the Virgin Islands for its use in furthering projects undertaken pursuant to the Land and Water Conservation Fund Act, the Historic Preservation Act, or other comparable programs upon the transfer of title to the United States of all properties held by the territory on Hassel Island.”. Land acquisition. 16 USC 398f.

(6) Section 2(c) of the Act entitled “An Act to authorize the establishment of the Virgin Islands National Park, and for other purposes” (70 Stat. 940; 16 U.S.C. 398) is amended by adding the following sentence at the end thereof: “Notwithstanding the acreage limitations and boundary designations contained in this section, the Secretary is authorized to accept through donation, or purchase from a willing seller, the real and personal property located on Lots 251-252 Estate Contant Enighed, Parcels 86B and 86AA Cruz Bay Quarter.”. 16 USC 398a.

AUTHORIZATIONS TO REMAIN AVAILABLE

SEC. 8. Any amount authorized by this Act or by the Act entitled “An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes” (Public Law 95-134; 91 Stat. 1159) but not appropriated for a fiscal year is authorized to be available for appropriation in succeeding fiscal years.

TECHNICAL AMENDMENTS

SEC. 9. Section 501 of the Act entitled “An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes” (Public Law 95-134; 91 Stat. 1159) is amended—

(1) by inserting “, notwithstanding any provision of law to the contrary,” after “it is hereby declared to be the policy of the Congress”; and

(2) in subsection (a) by striking out “Notwithstanding any provision of law to the contrary, any” and inserting in lieu thereof “Any”. 48 USC 1469a.

EFFECTIVE DATE

SEC. 10. Authorizations of moneys to be appropriated under this Act shall be effective on October 1, 1978.

Approved August 18, 1978.

PUBLIC LAW 103-197—DEC. 17, 1993

107 STAT. 2301

Public Law 103-197
103d Congress

An Act

To provide for additional development at War in the Pacific National Historical
Park, and for other purposes.Dec. 17, 1993
[H.R. 1944]*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,***SECTION 1. FINDINGS.**

Congress finds that—

(1) June 15 through August 10, 1994, marks the 50th anniversary of the Mariana campaign of World War II in which American forces captured the islands of Saipan and Tinian in the Northern Marianas and liberated the United States Territory of Guam from Japanese occupation;

(2) an attack during this campaign by the Japanese Imperial fleet, aimed at countering the American forces that had landed on Saipan, led to the battle of the Philippine Sea, which resulted in a crushing defeat for the Japanese by United States naval forces and the destruction of the effectiveness of the Japanese carrier-based airpower;

(3) the recapture of Guam liberated one of the few pieces of United States territory that was occupied for two and one-half years by the enemy during World War II and restored freedom to the indigenous Chamorros on Guam who suffered as a result of the Japanese occupation;

(4) Army, Navy, Marine Corps, and Coast Guard units distinguished themselves with their heroic bravery and sacrifice;

(5) the Guam Insular Force Guard, the Guam militia, and the people of Guam earned the highest respect for their defense of the island during the Japanese invasion and their resistance during the occupation; their assistance to the American forces as scouts for the American invasion was invaluable; and their role, as members of the Guam Combat Patrol, was instrumental in seeking out the remaining Japanese forces and restoring peace to the island;

(6) during the occupation, the people of Guam—

(A) were forcibly removed from their homes;

(B) were relocated to remote sections of the island;

(C) were required to perform forced labor and faced other harsh treatment, injustices, and death; and

(D) were placed in concentration camps when the American invasion became imminent and were brutalized by their occupiers when the liberation of Guam became apparent to the Japanese;

Guam.
Northern
Mariana Islands.
16 USC 410dd
note.

107 STAT. 2302

PUBLIC LAW 103-197—DEC. 17, 1993

(7) the liberation of the Mariana Islands marked a pivotal point in the Pacific war and led to the American victories at Iwo Jima, Okinawa, the Philippines, Taiwan, and the south China coast, and ultimately against the Japanese home islands;

(8) the Mariana Islands of Guam, Saipan, and Tinian provided, for the first time during the war, air bases which allowed land-based American bombers to reach strategic targets in Japan; and

(9) the air offensive conducted from the Marianas against the Japanese war-making capability helped shorten the war and ultimately reduced the toll of lives to secure peace in the Pacific.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) an appropriate commemoration of the 50th anniversary of the Mariana campaign should be planned by the United States in conjunction with the Government of Guam and the Government of the Commonwealth of the Northern Mariana Islands;

(2) the Secretary of the Interior should take all necessary steps to ensure that appropriate visitor facilities at War in the Pacific National Historical Park on Guam are expeditiously developed and constructed; and

(3) the Secretary of the Interior should take all necessary steps to ensure that the monument referenced in section 3(b) is completed before July 21, 1994, for the 50th anniversary commemoration, to provide adequate historical interpretation of the events described in section 1.

SEC. 3. WAR IN THE PACIFIC NATIONAL HISTORICAL PARK.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Subsection (k) of section 6 of the Act entitled “An Act to authorize appropriations for certain insular areas of the United States, and for other purposes”, approved August 18, 1978 (92 Stat. 493; 16 U.S.C. 410dd) is amended by striking “\$500,000” and inserting “\$8,000,000”.

(b) **DEVELOPMENT.**—Section 6 is further amended by adding at the end the following subsections:

Monuments.

“(l) Within the boundaries of the park, the Secretary is authorized to construct a monument which shall commemorate the loyalty of the people of Guam and the heroism of the American forces that liberated Guam.

“(m) Within the boundaries of the park, the Secretary is authorized to implement programs to interpret experiences of the people of Guam during World War II, including, but not limited to, oral histories of those people of Guam who experienced the occupation.

Reports.

“(n) Within six months after the date of enactment of this subsection, the Secretary, through the Director of the National Park Service, shall develop and transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report containing updated cost estimates for the development of the park. Further, this report shall contain a general plan to implement subsections (l) and (m), including, at a minimum, cost estimates for the design and construction of the monument authorized in section (l).

“(o) The Secretary may take such steps as may be necessary to preserve and protect various World War II vintage weapons and fortifications which exist within the boundaries of the park.”.

Approved December 17, 1993.

108 STAT. 3116

PUBLIC LAW 103-339—OCT. 6, 1994

Public Law 103-339
103d Congress

An Act

Oct. 6, 1994

[H.R. 2144]

To provide for the transfer of excess land to the Government of Guam, and for other purposes.

Guam Excess
Lands Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Guam Excess Lands Act”.

SEC. 2. TRANSFER.

(a) **IN GENERAL.**—The Administrator of General Services shall, subject to section 3, transfer all right, title, and interest of the United States in and to the parcels of land described in subsection (b) (together with any improvements thereon) to the Government of Guam for public benefit use, by quitclaim deed and without reimbursement. Such transfers shall take place after a determination by the head of the Federal agency controlling a parcel that the parcel is excess to the needs of such agency.

(b) **DESCRIPTION OF PARCELS TO BE TRANSFERRED.**—Unless a parcel of land described in this subsection has been disposed of under other authority on or before the date of the enactment of this Act or is transferred for further Federal utilization as a result of the screening required by section 3(a), the parcels of land required to be transferred under subsection (a) shall consist of the following:

Navy Parcels

South Finegayan	445 acres
Nimitz Hill Parcels and 1 and 2B	208 acres
NAVMAG Parcel 1	144 acres
Apra Harbor Parcel 7	73 acres
Apra Harbor Parcel 8	6 acres
Apra Harbor Parcel 6	47 acres
Apra Harbor Parcel 9	41 acres
Apra Harbor Parcel 2	30 acres
Apra Harbor Parcel 1	6 acres
Asan Annex	17 acres
NAVCAMS Beach	14 acres
ACEORP Msui Tunnel	4 acres
Agat Parcel 3	5 acres

Air Force Parcels

Andersen South (portion of Andersen Admin. Annex)	395 acres
Camp Edusa (Family Housing Annex 1)	103 acres
Harmon Communication Annex No. 1	862 acres
Harmon Housing Annex No. 4	396 acres
Harmon POL Storage Annex No. 2	35 acres
Harmon VOR Annex	308 acres
Harmon POL Storage Annex No. 1	14 acres
Andersen Radio Beacon Annex	23 acres

Federal Aviation Administration Parcel

Talofofo “HH” Homer Facility	37 acres
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(c) **LEGAL DESCRIPTIONS.**—The exact acreages and legal descriptions of all parcels of land to be transferred under this Act shall be determined by surveys which are satisfactory to the head of the controlling Federal agency referred to in subsection (a). The cost of such surveys, together with all direct and indirect costs related to any conveyance under this section, shall be borne by such controlling Federal agency.

SEC. 3. TERMS AND CONDITIONS.

(a) **FURTHER FEDERAL UTILIZATION SCREENING.**—Parcels of land determined to be excess property pursuant to section 2 shall be screened for further Federal utilization in accordance with the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) and such screening will be completed within 45 days after the date on which they are determined to be excess.

(b) **APPRAISALS.**—The Administrator shall promptly appraise those parcels that are not needed for further Federal utilization to determine their estimated fair market value. The head of the Federal agency which controls such parcels shall cooperate with the Administrator in carrying out appraisals under this section. The Administrator shall submit a copy of the appraisals to the committees of the Congress specified in subsection (d). The cost of such appraisals shall be paid for under section 204(b) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 485(b)).

(c) **LAND USE PLAN.**—The parcels of land to be transferred under this Act shall be eligible for transfer after the Government of Guam enacts legislation which establishes a detailed plan for the public benefit use (including, but not limited to, housing, schools, hospitals, libraries, child care centers, parks and recreation, conservation, economic development, public health, and public safety) of such parcels and the Governor of Guam submits such plan to the committees of the Congress specified in subsection (d).

(d) **SUBMISSIONS.**—The appraisals and land use plan required to be submitted to the committees of the Congress under subsections (b) and (c) shall be submitted to the Committee on Natural Resources, the Committee on Armed Services, the Committee on Government Operations and the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Energy and Natural Resources, the Committee on Armed Services, and the Committee on Governmental Affairs of the Senate.

(e) **REVIEW BY COMMITTEES.**—Parcels of land may not be transferred under this Act until 180 days after the submission to the committees of the Congress specified in subsection (d) of—

- (1) the appraisals provided for in subsection (b), and
- (2) the land use plan provided for in subsection (c).

(f) **GOVERNMENT OF GUAM LANDS WITHIN THE WAR IN THE PACIFIC NATIONAL HISTORICAL PARK.**—Parcels of land may not be transferred under this Act until after the Government of Guam enters into a cooperative agreement with the Secretary of the Interior, acting through the Director of the National Park Service, which grants to the Secretary, at no cost, the administrative jurisdiction over all undeveloped lands within the boundary of the War in the Pacific National Historical Park, except those lands at Adelup Point, which are owned by the Government of Guam. The lands covered by such cooperative agreement shall be managed in accordance with the general management plan of the park and

108 STAT. 3118

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in the same manner as lands within the park that are owned by the United States.

SEC. 4. OBJECTS AFFECTING NAVIGABLE AIRSPACE.

The conveyance document for any land transferred under this Act located within 6 nautical miles of an airport shall contain a provision that requires a determination of no hazard to air navigation to be obtained from the Federal Aviation Administration in accordance with applicable regulations governing objects affecting navigable airspace or under the authority of the Federal Aviation Act of 1958 (Public Law 85-726, as amended) in order for construction or alteration on the property to be permitted.

SEC. 5. SEVERE CONTAMINATION.

Notwithstanding any other provision of this Act, the Administrator of General Services, in his discretion, may choose not to transfer any parcel under this Act on which there is severe contamination, the remedy of which would require the United States to incur extraordinary costs.

SEC. 6. APPLICATION OF FEDERAL AND TERRITORIAL LAWS.

All Federal and territorial environmental laws and regulations shall apply to the parcels transferred pursuant to this Act during and after the transfer of such parcels.

Approved October 6, 1994.

Appendix B: Analysis of Fundamental Resources and Values and Other Important Resources and Values

Analysis of Fundamental Resources and Values for War in the Pacific National Historical Park

Fundamental Resource or Value	The Power of Place (Historic Landscapes)
Related Significance Statements	Significance statements 1, 3, and 4
Current Conditions and Trends	<p>Conditions</p> <ul style="list-style-type: none"> • There are intrusions to, and development in, the cultural landscape and historic scene. • The sewage facility at Ga'an Point is adjacent to the park and is now a sewage pumping facility. • Although not polluting the waters, abandoned outfalls at Asan and Ga'an intrude visually. The outfalls serve to help demarcate the boundary of the Marine Protected Area at Asan and diver and snorkeler access to reefs at Agat. • The 2013 cultural landscape inventory identified the cultural landscape condition as poor. • The park does not have park boundary signs or boundary survey data. • Both the Asan Beach and Ga'an Point Units are popular sites most visited by local and international visitors. • There are severe adverse impacts from invasive species. <p>Trends</p> <ul style="list-style-type: none"> • Historic fortifications and structures are deteriorating. • Climate change has resulted in increases to average annual air temperature, global sea level, and the temperature and acidity of ocean water.
Threats and Opportunities	<p>Threats</p> <ul style="list-style-type: none"> • Beaches are threatened by erosion, climate change, and invasive species. The northern part of Agat Beach is most vulnerable to the impacts of sea level rise. • Invasive species, such as the rhinoceros beetle and brown tree snake, have caused severe damage to vegetation and wildlife. • Deterioration is occurring from weathering. Fortifications were constructed more than 70 years ago with no consideration for preservation. • Further development of private property in and surrounding the park could compromise the historic scene. • People want to use the park's lands for incompatible uses such as competitive sports and off-roading. • Wildland fires. • Historic structures (pillboxes, gun emplacements), World War II caves (both man-made for WWII storage by the Japanese and natural caves), tunnels, and trenches continue to be threatened by climate change impacts with more frequent storms causing more erosion. • Dumping, vandalism, and resource damage due to inappropriate uses continue to occur and the park has no law enforcement personnel. • Lack of funding and staffing creates challenges for the protection of historic resources in the park. <p>Opportunities</p> <ul style="list-style-type: none"> • There is potential for special Volunteers In Parks projects and to increase public education. • Partner with nearby planners or developers to help increase awareness about the importance of preserving the park's historic scene.

Fundamental Resource or Value	The Power of Place (Historic Landscapes)
Existing Data and Plans Related to the FRV	<ul style="list-style-type: none"> • Cultural landscape inventory. • National register nominations. • Historic resource study (1983).
Data and/or GIS Needs	<ul style="list-style-type: none"> • Cultural resources condition assessment. • Boundary survey data. • GIS location data for historic features. • Continued tracking of vandalism, car thefts, and other incidents to justify law enforcement personnel.
Planning Needs	<ul style="list-style-type: none"> • Cultural landscape report for all units, in particular Asan Beach to inland areas. • Historic resource study (update). • Land protection plan. • Long-range interpretive plan (to address issues, identify appropriate education methods, and capitalize on interpretation opportunities). • Resource stewardship strategy. • Wayside exhibit plan revision and update.
Laws, Executive Orders, and Regulations That Apply to the FRV, and NPS Policy-level Guidance	<p>Laws, Executive Orders, and Regulations That Apply to the FRV</p> <ul style="list-style-type: none"> • Antiquities Act of 1906 • Historic Sites Act of 1935 • National Historic Preservation Act of 1966, as amended (54 USC 300101) • Archeological and Historic Preservation Act of 1974 • Archaeological Resources Protection Act of 1979 • Museum Properties Management Act of 1955, as amended • Executive Order 11593, "Protection and Enhancement of the Cultural Environment" • Executive Order 13007, "Indian Sacred Sites" • "Curation of Federally-Owned and Administered Archaeological Collections" (36 CFR 79) • "Protection of Historic Properties" (36 CFR 800) • Paleontological Resources Preservation Act of 2009 <p>NPS Policy-level Guidance (NPS Management Policies 2006 and Director's Orders)</p> <ul style="list-style-type: none"> • NPS <i>Management Policies 2006</i> (chapter 5) "Cultural Resource Management" • NPS <i>Management Policies 2006</i> (chapter 4) "Natural Resource Management" • Director's Order 28: <i>Cultural Resource Management</i> • Director's Order 28A: <i>Archeology</i> • Director's Order 47: <i>Soundscape Preservation and Noise Management</i> • <i>The Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation</i>

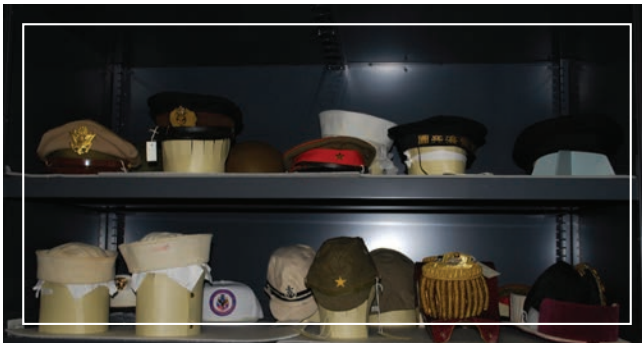


Shoreline pillbox, Ga'an Point, Agat, WAPA, Guam



Sunken Amtrac at Agat, WAPA, Guam

Fundamental Resource or Value	The Asan Bay Overlook and Memorial
Related Significance Statements	Significance statements 5 and 6
Current Conditions and Trends	<p>Conditions</p> <ul style="list-style-type: none"> • The memorial is in fair condition. The granite panels are in good condition. • The memorial needs cyclic maintenance. The five overlook relief panels need cyclic maintenance. • The memorial needs minimal redesign. • Stakeholders highly value this memorial; for some this is the only place where family can pay tribute to the deceased, as there are no named tombstones. <p>Trends</p> <ul style="list-style-type: none"> • The site has been heavily used in the past for annual commemoration events.
Threats and Opportunities	<p>Threats</p> <ul style="list-style-type: none"> • Erosion. • The paved walkway is poorly designed and weeds are growing in it. • Vandalism and car thefts occur at this site, and the park has no law enforcement personnel. <p>Opportunities</p> <ul style="list-style-type: none"> • Provide walkways leading to the high ground that are safe and meet visitor access needs. • Develop cooperative agreements with the Navy for area patrols. • Develop special Volunteers In Parks projects for the care of the site.
Existing Data and Plans Related to the FRV	<ul style="list-style-type: none"> • Electronic Technical Information Center document design drawings, including landscape planting plan. • Survey data. • War in the Pacific National Historical Park Rehabilitate Asan Bay Overlook Memorial Wall Park/PMIS Final Design Package (February 2013). • Value Analysis Report/War in the Pacific NHP/Guam/Rehabilitate Asan Bay Overlook Memorial Wall to Improve Visitor Experience (PMIS#171960). • War in the Pacific National Historical Park/American Memorial Park Condition Assessment and Preservation – Reliefs and Metal Artifacts (Harpers Ferry Center Conservator Alan Levitan, January 2013). • The park maintains the certified list of names inscribed on the Memorial Wall; the list is also available on the park's website.
Data and/or GIS Needs	<ul style="list-style-type: none"> • Continued tracking of vandalism, car thefts, and other incidents to justify law enforcement personnel.
Planning Needs	<ul style="list-style-type: none"> • Maintenance and treatment plan for landscape and memorial (including the five bas-relief panels). • Asan and Agat Units management plan (including construction drawings for landscape). • Long-range interpretive plan. • Wayside exhibit plan revision and update.
Laws, Executive Orders, and Regulations That Apply to the FRV, and NPS Policy-level Guidance	<p>Laws, Executive Orders, and Regulations That Apply to the FRV</p> <ul style="list-style-type: none"> • HR 1944 signed by President Clinton on December 17, 1993, as Public Law 103-197 for the 50th anniversary (to provide for additional development at War in the Pacific National Historical Park) <p>NPS Policy-level Guidance (NPS Management Policies 2006 and Director's Orders)</p> <ul style="list-style-type: none"> • NPS Management Policies 2006 (§9.6) "Commemorative Works and Plaques"



Museum items in curation storage, visitor center, Sumay, Guam



Museum items in curation storage, visitor center, Sumay, Guam

Fundamental Resource or Value	Museum Collection
Related Significance Statements	Significance statements 3 and 5
Current Conditions and Trends	<p>Conditions</p> <ul style="list-style-type: none"> • The collection is stable and has proper storage. • The facility is in good condition and the heating, ventilation, and air conditioning unit was replaced in 2014. • The War in the Pacific National Historical Park visitor center had its fire protection and alarm systems certified in 2014. • The War in the Pacific National Historical Park museum collection includes American Memorial Park artifacts/materials storage and care. • The park has the best museum storage collection on the island and serves as a model for what collection management should look like. • The park's scope of collections does not include items from other islands. War in the Pacific National Historical Park has the only curation facility in the Mariana Islands that meets federal standards. • The National Park Service has an agreement with the Navy to store their artifacts. This will continue until a new separate curation facility is created. <p>Trends</p> <ul style="list-style-type: none"> • There is a steady stream of inquiries about donating collection items.
Threats and Opportunities	<p>Threats</p> <ul style="list-style-type: none"> • The current location is threatened by tsunamis but is probably secure from big typhoons. • An independent modern facility outside of the tsunami zone will be needed eventually. • There are many objects that are relative to the park mission but will be lost over time because of a lack of curation. A larger facility with an expanded scope of collections would be a benefit to the public. • Lack of staffing continuity leads to a loss of institutional knowledge. <p>Opportunities</p> <ul style="list-style-type: none"> • There is some additional physical space available for expanding collections. • There are ongoing offers of donations to park collections; staff members follow the scope of collections and take in only those donations that fit the park purpose. • Continue educating the public about the importance of preserving artifacts/materials in the collection for present and future generations. • Continue to assist partners in the care of other museum collections. • Acquisition of a World War II naval vessel such as a Landing Vehicle Tracked would be desirable. The park's enabling legislation (PL 95-348 Section 6 (g)) provides guidance for this opportunity.

Fundamental Resource or Value	Museum Collection
Existing Data and Plans Related to the FRV	<ul style="list-style-type: none"> • Museum management plan (realistic and implementable). • Structural fire management plan.
Data and/or GIS Needs	<ul style="list-style-type: none"> • Scope of collections update. • Inventory of existing oral histories, maps, photographs, and other cultural data sources. • Continue to digitize collections. • Inventory of what collections other islands have.
Planning Needs	<ul style="list-style-type: none"> • Plan for identifying how best to share the park's digitized collections. • Museum management plan (update).
Laws, Executive Orders, and Regulations That Apply to the FRV, and NPS Policy-level Guidance	<p>Laws, Executive Orders, and Regulations That Apply to the FRV</p> <ul style="list-style-type: none"> • Antiquities Act of 1906 • Historic Sites Act of 1935 • Museum Properties Management Act of 1955, as amended • National Historic Preservation Act of 1966, as amended (54 USC 300101) • Archeological and Historic Preservation Act of 1974 • Archaeological Resources Protection Act of 1979 • National Parks Omnibus Management Act of 1998 (16 USC 5937 Sec. 5937) • Executive Order 11593, "Protection and Enhancement of the Cultural Environment" • "Preservation of American Antiquities" (43 CFR 3) • Paleontological Resources Preservation Act of 2009 • "Curation of Federally-Owned and Administered Archaeological Collections" (36 CFR 79) • 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property (implemented in the United States by PL 97-446 in 1983) <p>NPS Policy-level Guidance (NPS Management Policies 2006 and Director's Orders)</p> <ul style="list-style-type: none"> • NPS <i>Management Policies 2006</i> (chapter 5) "Cultural Resource Management" • Director's Order 24: <i>NPS Museum Collections Management</i> • Director's Order 28: <i>Cultural Resource Management</i> • NPS <i>Museum Handbook</i>, parts I, II, and III



Museum items in curation storage, visitor center, Sumay, Guam



Museum items in curation storage, visitor center, Sumay, Guam



Clownfish and sea anemone, Agat, WAPA, Guam, © Dave Burdick.

Fundamental Resource or Value	Marine Resources
Related Significance Statements	Significance statement 4
Current Conditions and Trends	<p>Conditions</p> <ul style="list-style-type: none"> • Marine resources are relatively healthy and there is some limited monitoring taking place (though current, monitoring is not capturing the important changes such as the coral bleaching in shallow waters). • Invasive species are not currently a problem, but threats exist. • Biodiversity is intact. • There are federal and state threatened/endangered species, including green and hawksbill sea turtles, hammerhead sharks, and certain coral species. • There are state regulated species, including giant clams. • Marine mammals are constantly present and support daily visitors' viewing cruises (e.g., spinner dolphins). • Current programming supports youth (educated through Reef Rangers summer camps). • The park's staff and its partner, Pacific Historic Parks, provide educational opportunities for resource preservation to promote personal stewardship of public lands. • There is a legally protected marine managed area: Piti Bomb Holes Marine Protected Area. • Unexploded ordnance is widespread and a large unexploded ordnance dump is in shallow park waters. • Poaching occurs in the marine protected area; enforcement is needed. • The park is a popular place for fishing, boating, and diving. <p>Trends</p> <ul style="list-style-type: none"> • Water temperature and ocean acidity are both increasing, affecting corals and other marine species. • There is concern about over-fishing and increasing marine recreational uses.

Fundamental Resource or Value	Marine Resources
Threats and Opportunities	<p>Threats</p> <ul style="list-style-type: none"> • Climate change. • Coral bleaching due to increasing sea temperatures. • Sea level rise, climate change. • Ocean acidification. • Impacts from military activities, including construction of new facilities. • Future military use of Apra Harbor will probably impact resources; area military presence and activity will increase. • Land uses impact marine resources (e.g., off-roading, vegetation clearing, wildfires, etc.). • Reefs at Agat and Asan Units and Piti Bomb Holes Marine Protected Area are very accessible and heavily used by divers, snorkelers, fishermen, and water sports enthusiasts resulting in resource damage and overharvesting of marine resources. There are issues with enforcement and regulatory control. • Dumping, vandalism, and resource damage due to inappropriate uses continue to occur and the park has no law enforcement personnel. • Staffing and budget restrictions limit ability to manage natural resources. <p>Opportunities</p> <ul style="list-style-type: none"> • Resume the park's dive program. • Marine ecologist position is needed. • The National Park Service can serve as the lead agency in resource protection and education. • Resources may be managed through the superintendent's compendium based on assessments, monitoring, and studies.
Existing Data and Plans Related to the FRV	<ul style="list-style-type: none"> • The government of Guam has islandwide laws and regulations on fishing and coastal uses, and develops plans for marine resource monitoring, invasives control, coral bleaching adaptation, marine protected areas, and watershed management. • Integrated natural resources management plan with the U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration. • Inventory and monitoring: standard NPS monitoring and survey protocols. • Natural resource condition assessments underway and should be completed in 2016. • National Oceanic and Atmospheric Administration provides essential fish habitat consultations. • Guam Coastal Management Program conducts federal consistency reviews.
Data and/or GIS Needs	<ul style="list-style-type: none"> • A data system, including more data (baseline and routine surveys) on visitor use and the condition of marine resources. • Data needed from multiple water depths, especially heavily used shallow reef areas; a broader area needs to be monitored than what is included in current monitoring.
Planning Needs	<ul style="list-style-type: none"> • Resource stewardship strategy. • Natural resources management plan. • Marine resources plan. • Wayside exhibit plan revision and update. • Long-range interpretive plan. • Pacific Island Network Inventory and Monitoring updated strategic plan for NPS coral reefs. • Guam islandwide plans for marine resources / coral reefs / marine invasive species management.

Fundamental Resource or Value	Marine Resources
<p>Laws, Executive Orders, and Regulations That Apply to the FRV, and NPS Policy-level Guidance</p>	<p>Laws, Executive Orders, and Regulations That Apply to the FRV</p> <ul style="list-style-type: none"> • Endangered Species Act of 1973, as amended • National Invasive Species Act • National Environmental Policy Act • Marine Mammal Protection Act • Lacey Act, as amended • Federal Noxious Weed Act of 1974, as amended • Clean Water Act • Clean Air Act (42 USC 7401 et seq.) • Executive Order 13112, "Invasive Species" • Secretarial Order 3289, "Addressing the Impacts of Climate Change on America's Water, Land, and Other Natural and Cultural Resources" • Paleontological Resources Preservation Act of 2009 • Bridges and Harbors Act • Guam Seashore Protection Act of 1974 (PL12-108, Guam Code Title 21) • Guam Marine Protected Areas Act of 1997 (PL 24-21, Bill No. 49) • Ocean Shores: Territory Beach Areas of 1974 (PL 12-19, Guam Code Title 21) • Public Access to the Ocean Shore of 1987 (PL 19-5, Guam Code Title 21) • Indigenous Fishing Rights of 2008 (PL 29-127, Guam Code Title 21) • Guam Environmental Protection Agency Act and Water Pollution Control Act (Guam Code Title 10) • National Park Service and Related Programs (54 USC Ch. 1007) <p>NPS Policy-level Guidance (NPS Management Policies 2006 and Director's Orders)</p> <ul style="list-style-type: none"> • NPS Management Policies 2006 (§1.6) "Cooperative Conservation Beyond Park Boundaries" • NPS Management Policies 2006 (§4.1) "General Management Concepts" • NPS Management Policies 2006 (§4.1.4) "Partnerships" • NPS Management Policies 2006 (§4.4.1) "General Principles for Managing Biological Resources" • NPS Management Policies 2006 (§4.7.2) "Weather and Climate" • NPS Natural Resource Management Reference Manual 77



Hawksbill turtle, Agat, WAPA, Guam, © Dave Burdick.



School of Green chromis damselfish with Porites cylindrica coral, Agat, WAPA, Guam, © Dave Burdick.

Fundamental Resource or Value	Terrestrial Resources
Related Significance Statements	Significance statement 4
Current Conditions and Trends	<p>Conditions</p> <ul style="list-style-type: none"> • Original native populations of many species (particularly bird species) are gone. • There are threatened/endangered plant species that are very vulnerable to extinction. • The park is protecting suitable habitat for many species. • People are harvesting a number of natural resources (breadfruit, ocean fish, coconuts, traditional medicinal plants, and freshwater shrimp and fish). • Unexploded ordnance is widespread. <p>Trends</p> <ul style="list-style-type: none"> • Resources are degrading from impacts of invasive species, climate change, increased visitor use, and decreased capacities for NPS maintenance, monitoring, research, response, and enforcement. • Invasive species are increasing.
Threats and Opportunities	<p>Threats</p> <ul style="list-style-type: none"> • Invasive species – <ul style="list-style-type: none"> • Coconut rhinoceros beetle is killing coconut and other trees. • Little fire ant kills other insects, geckos, and endangered tree snails. • Brown tree snakes have eliminated native bird and fruit bat populations. • Invasive vines and trees are replacing native species. • The park is being encroached on by residential and agricultural development. • Wildfires: Hunters start grass fires that burn hundreds of acres and kill adjacent native forests, resulting in erosion, limestone degradation (from the fire's heat), and a replacement of native plant species by more aggressive invasive species. • Climate change, storm surge, coastal erosion, upland erosion. • Shift in vegetation upslope due to climate change may create disturbances and increase invasive species. • The impacts of fishing and shell collecting by locals and increased use from other community groups in the park are unknown. <p>Opportunities</p> <ul style="list-style-type: none"> • The National Park Service can serve as the lead agency in resource protection and education. • Restore historic scene from early 1944 – prior to World War II bombing. • Resources may be managed through the superintendent's compendium based on assessments, monitoring, and studies.
Existing Data and Plans Related to the FRV	<ul style="list-style-type: none"> • Vegetation habitat maps linked to associated species (inventory and monitoring). • Abundant GIS data – geology, hydrology, soils. • Plant surveys. • Fire management plan (current). • Natural and cultural resource management plan (January 1984). • Land and Lagoon Use in Prewar Guam: Agat, Piti, and Asan (by Jane Jennison-Nolan, University of Guam, 1979).

Fundamental Resource or Value	Terrestrial Resources
Data and/or GIS Needs	<ul style="list-style-type: none"> • Data gaps will be identified by the results of the (anticipated) War in the Pacific National Historical Park natural resources condition assessment report. • Visitor use survey data (extent, intensity) and related impacts/trends on park resources. • Resource extraction/harvest data. • Data connecting management actions with outcomes. • Data regarding neighboring landownership, uses, development, contaminants, and other potential external impacts; park staff is unaware of new land use proposals and permits. • Continuation of inventory and monitoring efforts.
Planning Needs	<ul style="list-style-type: none"> • Resource stewardship strategy. • Natural resource management plan. • Integrated pest management plan. • Climate change modeling. • Long-range interpretive plan. • Wayside exhibit plan revision and update.
Laws, Executive Orders, and Regulations That Apply to the FRV, and NPS Policy-level Guidance	<p>Laws, Executive Orders, and Regulations That Apply to the FRV</p> <ul style="list-style-type: none"> • Endangered Species Act of 1973, as amended • National Invasive Species Act • Lacey Act, as amended • National Environmental Policy Act of 1969 (42 USC 4321) • Federal Noxious Weed Act of 1974, as amended • Clean Water Act • Clean Air Act (42 USC 7401 et seq.) • Executive Order 12088, "Federal Compliance with Pollution Control Standards" • Executive Order 13112, "Invasive Species" • Secretarial Order 3289, "Addressing the Impacts of Climate Change on America's Water, Land, and Other Natural and Cultural Resources" • Resource Management (54 USC 1007) <p>NPS Policy-level Guidance (NPS Management Policies 2006 and Director's Orders)</p> <ul style="list-style-type: none"> • Director's Order 18: <i>Wildland Fire Management</i> • NPS <i>Management Policies 2006</i> (§4.4.1) "General Principles for Managing Biological Resources" • NPS <i>Management Policies 2006</i> (§4.6.1) "Protection of Surface Waters and Groundwaters" • NPS <i>Management Policies 2006</i> (§4.6.2) "Water Rights" • NPS <i>Management Policies 2006</i> (§4.7.2) "Weather and Climate" • NPS <i>Management Policies 2006</i> (§4.9) "Soundscape Management" • NPS <i>Management Policies 2006</i> (§4.10) "Lightscape Management" • NPS <i>Natural Resource Management Reference Manual 77</i> • NPS <i>Reference Manual 18: Wildland Fire Management</i>



American Memorial Park Visitor Center, Saipan



Ranger Rufus leads interpretive walk, third Piti Gun, Piti Guns unit, WAPA, Guam

Fundamental Resource or Value	Education, Telling the Story (Note: This analysis also includes relevant American Memorial Park information)
Related Significance Statements	Significance statement 3 (American Memorial Park) Significance statement 6 (War in the Pacific National Historical Park)
Current Conditions and Trends	<p>Conditions</p> <ul style="list-style-type: none"> • Outreach occurs to area schools, including curriculum sharing. • New technologies (apps, etc.) are being used. • Both parks provide educational publications and video presentations that illustrate and educate on local actions, individual biographies, and broader events that led to the battles in the Marianas and influenced subsequent events. • The War in the Pacific National Historical Park visitor center showcases engaging multilingual interactive exhibits that help visitors learn about the Pacific War events through the voices of those who fought and locals who endured war on their home islands. • War in the Pacific National Historical Park and its nonprofit partner, Pacific Historic Parks, provide a “continuum of educational youth programs” throughout the year targeting students between the ages of 8 and 18. • The relationship between the National Park Service and Pacific Historic Parks serves as a model partnership for the creation of high-quality educational youth programming. • The park and its partners have hosted two teacher workshops (Teaching with Historic Places). • The educational programs and teacher trainings would not be possible without the direct support of the association, grant funding, and the expertise of the Pacific Historic Parks education specialist. • Youth education programs are available to participants at no cost due to grant funding and Pacific Historic Parks aid funds. • The American Memorial Park visitor center and its 120-seat theater provide a high-quality venue for visitors and the community to learn about life on Saipan before the war, and the events surrounding the Marianas Campaign that helped end the Pacific War. <p>Trends</p> <ul style="list-style-type: none"> • Visitation to the visitor center facilities continues to increase.

Fundamental Resource or Value	Education, Telling the Story (Note: This analysis also includes relevant American Memorial Park information)
Threats and Opportunities	<p>Threats</p> <ul style="list-style-type: none"> • Staffing restrictions and limited funds inhibit the park's ability to provide educational and interpretive opportunities. • It is a struggle to maintain current programming levels and manage the seven-day visitor center operations at both War in the Pacific National Historical Park and American Memorial Park. • Lack of staffing continuity leads to a loss of institutional knowledge. • Vandalism and car thefts occur and the park has no law enforcement personnel. • The majority of funds required to implement youth programs are provided through approved grants and cooperating association funds; if these funds are not available in the future park education and outreach efforts would be limited. <p>Opportunities</p> <ul style="list-style-type: none"> • Unlimited opportunities to reach out to other Pacific islands, and to understand and tell their stories. • Continue the Pacific Historic Parks / War in the Pacific National Historical Park "continuum of educational youth programs." • Pacific Historic Parks / War in the Pacific National Historical Park formal plans for education programs for all ages and teachers. • Expand interpretation of the sea and air war. • Develop a comprehensive tour book and additional waysides of World War II history on Guam. • Continue outreach to schools and curriculum sharing. • Continue to seek new and alternative technologies for interpretation and education. • Improve park sustainability and environmental leadership through the Climate Friendly Park certification and Environmental Management System (Director's Order 13A).
Existing Data and Plans Related to the FRV	<p>War in the Pacific National Historical Park</p> <ul style="list-style-type: none"> • Data from formal education programs. • Visitor use data for the visitor center. • Hiking safety policy for educational activities (2013). • Snorkeling safety policy (2012). • Interim Volunteers In Parks policy (2011). • Social media policy (2011). • Final Interpretive Exhibit Concept Plan for T. Stell Newman Visitor Center (Revised November 16, 2007). • Interim interpretive plan (Western Regional Office in San Francisco, 1993). • Wayside exhibit plan (1993). • Statement for interpretation (1992). • Historic resource study (Erwin Thompson, July 1985). • Guam: Two Invasions and Three Military Occupations (NPS Historian Russel Apple, 1980). • Visitor center exhibit concept plan. • Visitor count data for Asan Beach only. <p>American Memorial Park</p> <ul style="list-style-type: none"> • Social media policy (2015). • Snorkeling safety policy (Draft, July 2014). • American Memorial Park & CNMI Wayside exhibits final concept plan (March 2004). • Oral history collection (2004).

Fundamental Resource or Value	Education, Telling the Story (Note: This analysis also includes relevant American Memorial Park information)
Existing Data and Plans Related to the FRV (continued)	<p>American Memorial Park (continued)</p> <ul style="list-style-type: none"> American Memorial Park / Commonwealth of the Northern Mariana Islands (CNMI) Exhibit concept design (October 2002). Interpretive concept plan – American Memorial Park Visitor Center, Saipan (December 2000). <p>Both Parks</p> <ul style="list-style-type: none"> Annual visitor satisfaction survey data (visitor survey card program – English only). Data from website / social media and audio tour use (cell phone tour for War in the Pacific National Historical Park only).
Data and/or GIS Needs	<ul style="list-style-type: none"> Visitor use data for all park sites. Visitor use surveys (provided in multiple languages) to determine current demographics and visitor needs by audience type. Historical and other information from other islands of the Pacific.
Planning Needs	<ul style="list-style-type: none"> Long-range interpretive plan. Wayside exhibit plan revision and update. General agreement for interpretation and education services with Pacific Historic Parks. Scope of sales statement.
Laws, Executive Orders, and Regulations That Apply to the FRV, and NPS Policy-level Guidance	<p>Laws, Executive Orders, and Regulations That Apply to the FRV</p> <ul style="list-style-type: none"> Americans with Disabilities Act of 1990 Architectural Barriers Act of 1968 Architectural Barriers Act Accessibility Standards 2006 Rehabilitation Act of 1973 NPS Concessions Management Improvement Act of 1998 <p>NPS Policy-level Guidance (NPS Management Policies 2006 and Director's Orders)</p> <ul style="list-style-type: none"> NPS Management Policies 2006 (chapter 7) "Interpretation and Education" NPS Management Policies 2006 (chapter 8) "Use of the Parks" NPS Management Policies 2006 (chapter 9) "Park Facilities" NPS Management Policies 2006 (chapter 10) "Commercial Visitor Services" Director's Order 6: <i>Interpretation and Education</i> Director's Order 7: <i>Volunteers in Parks</i> Director's Order 42: <i>Accessibility for Visitors with Disabilities in National Park Service Programs and Services</i>



WWII Veterans return for the 70th Anniversary Liberation of Guam, Asan Beach, Guam

Analysis of Other Important Resources and Values for War in the Pacific National Historical Park

Other Important Resource or Value	Other Monuments at Asan Beach
Related Significance Statements	Significance statements 5 and 6
Current Conditions and Trends	<p>Conditions</p> <ul style="list-style-type: none"> Monuments in the park were donated by various veteran groups and organizations. Monument installations have not followed NPS management policies. Liberator's Monument at Asan Point is in poor condition. Other monuments are in fair condition. The Mabini Monument is maintained by a special interest group. <p>Trends</p> <ul style="list-style-type: none"> It is common for the public to want to acknowledge or honor individuals or organizations through the building of large monuments.
Threats and Opportunities	<p>Threats</p> <ul style="list-style-type: none"> Poor construction quality and the location of the monuments pose challenges for management. Monuments continue to be threatened by impacts of climate change, including more frequent storms, more erosion, and damage caused by the intensity of the tropical environment. Vandalism to monuments and historic structures continues to occur and the park has no law enforcement personnel. The park has received requests to add more monuments in this unit. There will continue to be a future challenge to keep out additional monuments until the park has more detailed plans for this area. <p>Opportunities</p> <ul style="list-style-type: none"> The relocation of monuments may provide opportunities to correct errors and deficiencies in construction materials and result in structures that are better suited to the intense tropical environment. There is potential for special Volunteers In Parks projects for the care of monuments.
Existing Data and Plans Related to the OIRV	<ul style="list-style-type: none"> Historic resource study. War in the Pacific National Historical Park/American Memorial Park Condition Assessment and Preservation – Reliefs and Metal Artifacts (HFC Conservator Alan Levitan, January 2013).
Data and/or GIS Needs	<ul style="list-style-type: none"> Archeological features assessments.
Planning Needs	<ul style="list-style-type: none"> Asan Beach monuments conservation treatment plan. Asan and Agat Units management plan that would include these elements: <ul style="list-style-type: none"> Treatment plan for monuments. Relocation and redesign of Asan Point Memorial. Revisit monuments' locations and designs for improvements. Long-range interpretive plan.
Laws, Executive Orders, and Regulations That Apply to the OIRV, and NPS Policy-level Guidance	<p>Laws, Executive Orders, and Regulations That Apply to the OIRV</p> <ul style="list-style-type: none"> None identified <p>NPS Policy-level Guidance (NPS Management Policies 2006 and Director's Orders)</p> <ul style="list-style-type: none"> NPS Management Policies 2006 (§9.6) "Commemorative Works and Plaques"

Other Important Resource or Value	Public Use
Related Significance Statements	Significance statement 6
Current Conditions and Trends	<p>Conditions</p> <ul style="list-style-type: none"> Public use is heavy. Medium to large group picnics and family gatherings every weekend (30–200 people). Numerous commercial uses – wedding photographers, bus tours, commercial organization picnics, commercial boating operations, etc. <p>Trends</p> <ul style="list-style-type: none"> New uses are emerging—windsurfing, kitesurfing, and stand up paddleboards—increasing the potential for user conflicts and safety issues. Public visitation and site use continue to increase due to good management and restroom availability. There is an increasing awareness of protected cultural and historic sites.
Threats and Opportunities	<p>Threats</p> <ul style="list-style-type: none"> Insufficient number of maintenance staff to clean up after heavy use. Sea level rise. Invasive species (some areas are closed to public use because of invasive species). Increasing park regulations that limit public use (e.g., spearfishing and drones) being added to existing use limitations (e.g., organized sports are incompatible with the park's mission) are leading to a growing opinion that War in the Pacific National Historical Park is “not a friendly park” because of these rules. Issues with restrooms: <ul style="list-style-type: none"> Asan Beach Park has plumbing problems. Apaca Point restroom is eroding into the ocean, has inadequate shower facilities/hardware, and there is a potential safety issue with standing water from visitors using the restroom sinks to rinse off. Deferred maintenance issues at existing facilities (e.g., picnic tables). No NPS law enforcement staff on Guam. People are squatting on park land – tents, caves, trash, vandalism. <p>Opportunities</p> <ul style="list-style-type: none"> The 2016 Festival of Pacific Arts was held on Guam, and provided an opportunity to reach out to a larger audience, explain why the park exists, and discuss the differences between a recreational park and a memorial park. Encourage passive recreation (walking, hiking, jogging, and photography) and traditional uses of the park (family gatherings/picnics, fishing, and food harvesting). Improve maps for special use permits.
Existing Data and Plans Related to the OIRV	<ul style="list-style-type: none"> Visitor use numbers for the visitor center (but not the rest of the park).
Data and/or GIS Needs	<ul style="list-style-type: none"> Parkwide visitation numbers. Visitor use, information by location and activity, including boating, diving, and fishing in marine areas of War in the Pacific National Historical Park.

Other Important Resource or Value	Public Use
Planning Needs	<ul style="list-style-type: none"> • Asan and Agat Units management plan. • Cultural landscape report. • Long-range interpretive plan. • Wayside exhibit plan revision and update, including topics such as appropriate uses, invasive species, and climate change issues.
Laws, Executive Orders, and Regulations That Apply to the OIRV, and NPS Policy-level Guidance	<p>Laws, Executive Orders, and Regulations That Apply to the OIRV</p> <ul style="list-style-type: none"> • Americans with Disabilities Act of 1990 • Architectural Barriers Act of 1968 • Architectural Barriers Act Accessibility Standards 2006 • Guam Marine Preserve, Fisheries and Coastal Management laws and regulations • Rehabilitation Act of 1973 <p>NPS Policy-level Guidance (<i>NPS Management Policies 2006</i> and <i>Director's Orders</i>)</p> <ul style="list-style-type: none"> • <i>NPS Management Policies 2006</i> (chapter 7) "Interpretation and Education" • <i>NPS Management Policies 2006</i> (chapter 8) "Use of the Parks" • <i>NPS Management Policies 2006</i> (chapter 9) "Park Facilities" • <i>NPS Management Policies 2006</i> (chapter 10) "Commercial Visitor Services" • Director's Order 6: <i>Interpretation and Education</i> • Director's Order 42: <i>Accessibility for Visitors with Disabilities in National Park Service Programs and Services</i> • <i>NPS Transportation Planning Guidebook</i>



Memorial Day flag display, Asan Beach, WAPA, Guam

Other Important Resource or Value	Traditional Uses
Related Significance Statements	Significance statements 4 and 5
Current Conditions and Trends	<p>Conditions</p> <ul style="list-style-type: none"> Traditional uses currently include fishing, navigation, weaving, throwing talaya (nets), chanting, ceremonial dances, swimming, snorkeling, family and tribal gatherings, medicinal plant collecting, and food gathering. The Festival of the Pacific Arts will be on Guam in 2016. Pacific Historic Parks programs promote traditional uses and Reef Ranger programs. Park staff and the Pacific Historic Parks education team encourage traditional uses of the park through the continuum of educational youth programs and teacher workshops. The park serves as a community venue for traditional uses (family gatherings/picnics, food harvesting, and fishing). <p>Trends</p> <ul style="list-style-type: none"> Resurgence of interest in traditional uses.
Threats and Opportunities	<p>Threats</p> <ul style="list-style-type: none"> Shoreline erosion and sea level rise. Access to park is sometimes limited due to invasive species (little fire ant, coconut rhinoceros beetle). The effects of food harvesting, fishing, and shell collecting in the park by the Chamorros and other community groups are unknown. <p>Opportunities</p> <ul style="list-style-type: none"> The Festival of the Pacific Arts will be on Guam in 2016 and will provide opportunities for education and outreach, including the broader mission of the National Park Service. Educate the public about appropriate uses of this historic park, including traditional uses. Increase outreach efforts with indigenous groups to promote educational opportunities for cultural activities in the park.
Existing Data and Plans Related to the OIRV	<ul style="list-style-type: none"> General management plan. Superintendent's Compendium.
Data and/or GIS Needs	<ul style="list-style-type: none"> Visitor use surveys to determine current demographics and increased visitor needs by specific groups. Visitor traditional use, by location and activity, including in marine areas of War in the Pacific National Historical Park.
Planning Needs	<ul style="list-style-type: none"> Cultural landscape report. Long-range interpretive plan. Wayside exhibit plan revision and update.
Laws, Executive Orders, and Regulations That Apply to the OIRV, and NPS Policy-level Guidance	<p>Laws, Executive Orders, and Regulations That Apply to the OIRV</p> <ul style="list-style-type: none"> National Historic Preservation Act of 1966, as amended (54 USC 300101) Archaeological Resources Protection Act of 1979 Executive Order 11593, "Protection and Enhancement of the Cultural Environment" Executive Order 13007, "Indian Sacred Sites" "Protection of Historic Properties" (36 CFR 800) Proposed Guam regulation to access Chamorros to fish in restricted marine protected areas <p>NPS Policy-level Guidance (NPS Management Policies 2006 and Director's Orders)</p> <ul style="list-style-type: none"> NPS Management Policies 2006 (chapter 5) "Cultural Resource Management" Director's Order 28: <i>Cultural Resource Management</i>

Other Important Resource or Value	Connection to Other Relevant Sites
Related Significance Statements	Significance statements 3, 4, 6, and 7
Current Conditions and Trends	<p>Conditions</p> <ul style="list-style-type: none"> American Memorial Park is better able to connect with other Pacific War sites due to NPS funding and/or Historic Preservation Office-installed waysides in 8–10 sites around the island, including the Landing Beaches, As Lito/Isely Field, and Marpi Point National Historic Landmark District. Both parks have legislative direction to identify, establish, and mark other points in the Northern Mariana Islands relevant to the parks in coordination with the local government. Guam, Saipan, and Tinian have memorialized numerous sites of significance around the islands, including the Landing Beaches, As Lito/Isely Field, Marpi Point National Historic Landmark District on Saipan, Tinian Landing Beaches, Ushi Point and North Field National Historic Landmark District on Tinian, massacre sites on Guam, etc. There are more than 500 related sites (memorials, remnants, and other features) in the Mariana Islands. War in the Pacific National Historical Park interprets other significant sites through its visitor center media station exhibits (massacre sites) and the timeline interactive exhibit. The American Memorial Park visitor center exhibits interpret World War II events on Tinian and Rota. The islands commemorate World War II events annually (Liberation of Guam, Liberation from Refugee Camps on Saipan, and other massacre sites). War in the Pacific National Historical Park provides interpretation and education about these significant events daily through various media and educational and interpretive activities. <p>Trends</p> <ul style="list-style-type: none"> None identified.
Threats and Opportunities	<p>Threats</p> <ul style="list-style-type: none"> Seventy-one years of artifact deterioration. Inconsistent uses between sites. Military buildup could impact natural and cultural resources of nearby related sites on the islands and the viewshed from within the parks to nearby related sites. Advancing age (and loss) of first-person accounts of the Pacific War. <p>Opportunities</p> <ul style="list-style-type: none"> Develop a guidebook or brochure that connects the NPS sites and other related sites. Develop additional partnerships for resource sharing. Both parks have legislative direction to identify, establish, and mark other points in the Northern Mariana Islands relevant to the parks in coordination with the local government. There are opportunities to further collaborate and share resources and stories with the other NPS World War II park units, including World War II Valor in the Pacific National Monument, Rosie the Riveter / World War II Home Front National Historical Park, Port Chicago Naval Magazine National Memorial, and Manhattan Project National Historical Park.
Related Resources and Values	<ul style="list-style-type: none"> World War II sites and resources throughout the Marianas beyond the park boundaries, including shipwrecks. Concentration camps on Guam are outside the park boundary and are subject to a variety of threats although all sites have local active groups that provide management and protection.

Other Important Resource or Value	Connection to Other Relevant Sites
Existing Data and Plans Related to the OIRV	<ul style="list-style-type: none"> • Many existing plans and documents are available and coordinated with the park staff. • Cultural resources partners include: Guam Museum, Guam Historic Preservation Office, Guam Preservation Trust, Guam War Survivors Memorial Foundation, and the Joint Region Marianas cultural resource managers. • Natural resource partners include <ul style="list-style-type: none"> • U.S. Fish and Wildlife Service • U.S. Geological Survey • U.S. Department of Agriculture – Natural Resources Conservation Service • National Oceanic and Atmospheric Association • University of Guam: College of Natural and Applied Sciences, Marine Lab, Sea Grant, Micronesian Area Research Center, Land Grant, Guam Plant Extinction Prevention Program • Government of Guam: Department of Agriculture (Division of Aquatic and Wildlife Resources, Division of Forest and Soil Resources), Guam Environmental Protection Agency, Bureau of Statistics and Plans, Department of Fish and Game, Department of Land Management, Department of Public Works, and others
Data and/or GIS Needs	<ul style="list-style-type: none"> • Define and further identify traditional uses. • GIS data for all other Pacific War sites, including traditional place names.
Planning Needs	<ul style="list-style-type: none"> • A park atlas that ties into the visitor guide and connects to the numerous outlying sites. • Sign, theme, and graphic plan. • Long-range interpretive plan (to address issues, identify appropriate education methods, and capitalize on interpretation opportunities). • Wayside exhibit plan revision and update.
Laws, Executive Orders, and Regulations That Apply to the OIRV, and NPS Policy-level Guidance	<p>Laws, Executive Orders, and Regulations That Apply to the OIRV</p> <ul style="list-style-type: none"> • Public Law 95-348, authorization via enabling legislation (relevant to Guam and to the entire Commonwealth of the Northern Mariana Islands) <p>NPS Policy-level Guidance (<i>NPS Management Policies 2006</i> and <i>Director's Orders</i>)</p> <ul style="list-style-type: none"> • None identified



The Last Command Post, Marpi, Saipan



Suicide Cliff from Banzai Cliff, Marpi, Saipan

Appendix C: Inventory of Administrative Commitments

Name	Agreement Type	Start Date – Expiration Date	Stakeholders	Purpose	Notes
War in the Pacific National Historical Park					
Memorandum of understanding between Commander, Joint Region Marianas and National Park Service	Lease	July 19, 2012 – July 19, 2017	Department of Defense, National Park Service	Five-year lease for NPS visitor center; it is revocable within 90 days in time of war	
Government of Guam and Department of the Interior memorandum of understanding on park lands	Memorandum of understanding	2000	Government of Guam, National Park Service	Directs the National Park Service to administer/ maintain Government of Guam lands within park boundaries as if they are National Park Service lands	The 2000 memorandum of understanding is a requirement of Public Law 103-339
Guam Nature Alliance	Guam executive order	March 28, 2014		The National Park Service is a participant in the Governor of Guam directed cooperative group	
Sister Park agreement with Peleliu-Palau				Consultation with periodic action items	Through the agreement the National Park Service could explore ways to help fund the national historic landmark with NPS grants
Agreement with Navy for temporary curation of their artifacts	Interservice support agreement	May 20, 2013 – May 20, 2018	Joint Region Marianas Commander, National Park Service	National Park Service will provide temporary curation of the Joint Region Marianas archeological collections	
Cooperative agreement with Pacific Historic Parks	Cooperative agreement	April 7, 2011 – April 7, 2016	Pacific Historic Parks, National Park Service	Day to day function	This national and standard agreement will change slightly in March 2016
Department of Defense various proposals			Department of Defense, Government of Guam, National Park Service	There are several environmental impact statement undertakings and related section 106 consultations where the National Park Service is specifically invited to consult	National Environmental Policy Act and section 106 reviews

Name	Agreement Type	Start Date – Expiration Date	Stakeholders	Purpose	Notes
American Memorial Park					
Interagency agreement with the U.S. Fish and Wildlife Service for office space at American Memorial Park	DOI interagency agreement	September 1, 2014 – October 30, 2015, renewed annually	U.S. Fish and Wildlife Service Office of Law Enforcement, National Park Service	Satellite office for U.S. Fish and Wildlife Service special agents and inspectors	Original interagency agreement – 2001; renewed annually; 200-square-foot office space including utilities; \$3,600.00 annual cost
Commonwealth Utilities Corporation easement for utilities	Easement	Preexisting – Life of lease	U.S. Army Reserve Command, Commonwealth Utilities Corporation, CNMI Department of Public Safety, CNMI Fish and Wildlife Service, Garapan Community, National Park Service	Easement for power and electricity	Power poles and overhead power lines; preexisting to the park
Sewage line down Micro Beach	Easement	Preexisting – Life of lease	Commonwealth Utilities Corporation, CNMI Department of Public Safety, CNMI Fish and Wildlife Service, Garapan Community, National Park Service	Municipal sewage	CNMI Commonwealth Utilities Corporation sewage line; municipal sewage mainline servicing the park, Garapan, and CNMI Department of Public Safety / CNMI Department of Fish and Wildlife building; preexisting to the park
Hyatt – park gets potable water; have agreement	Contract	2003 – TBD	Hyatt, National Park Service	To provide reliable, potable water service to the park	Agreement/contract initiated due to inability of Commonwealth Utilities Corporation to provide continuous and reliable water service throughout the island; water cost through Hyatt is a fraction of the Commonwealth Utilities Corporation cost

Name	Agreement Type	Start Date – Expiration Date	Stakeholders	Purpose	Notes
American Memorial Park					
American Memorial Park and CNMI Department of Public Safety and CNMI Department of Land and Natural Resources	Memorandum of understanding	2005 – TBD	CNMI Department of Public Safety, CNMI Division of Fish and Wildlife, National Park Service	CNMI Department of Lands and Natural Resources – Division of Fish and Wildlife administrative offices and CNMI Department of Public Safety operations building	Administrative offices for Smiling Cove Marina, CNMI Department of Land and Natural Resources, operations building for CNMI Department of Public Safety, Boating Safety Division; memorandum of understanding to be updated
Management and administration of Outer Cove Docks		November 3, 1988 – NA January 27, 2005 – NA	CNMI Department of Lands and Natural Resources, National Park Service	CNMI commercial use of docks	Docks at Outer Cover are not managed by NPS, but are managed by the CNMI DLNR; docks are used for commercial purposes; commercial conveyances use the park road; fees associated with the docs are paid to the CNMI; no fees or monies are paid to NPS; access to the docks is gained through the park leased lands; CNMI PL 6-13 CNMI Administrative Code Title 85-30.3
Management and administration of Smiling Cove Marina		November 3, 1988 – NA January 27, 2005 – NA	CNMI Department of Lands and Natural Resources, National Park Service	CNMI use of piers	Piers and docks are managed by CNMI DLNR and funded through a USFWS sport fishing grant; fees associated with the docs are paid to the CNMI; no fees or monies are paid to NPS; access to the docks is gained through the park leased lands ; CNMI PL 6-13 CNMI administrative Code Title 85-30.2

Name	Agreement Type	Start Date – Expiration Date	Stakeholders	Purpose	Notes
American Memorial Park					
Marianas Public Land Trust		1983 – Life of lease	CNMI, National Park Service	Maintenance and upkeep of the park	Funds received from the \$2,000,000 Tanapag Harbor lease shall be set aside and the income derived from this amount can only be used for the maintenance and development of the American Memorial Park; directed by PL 94-241 and covenant
Concurrent jurisdiction	Memorandum of understanding	TBD – TBD	CNMI Department of Public Safety, National Park Service	Establishes jurisdictional authority and law enforcement working relations	No completed jurisdictional inventory found within the American Memorial Park administrative records; jurisdictional inventory to be completed; memorandum of understanding to be established
Lease with military and CNMI, can renew the lease	Lease agreement	January 6, 1983 – January 5, 2033	U.S. Navy, CNMI, National Park Service	Lease to military pursuant to the Covenant	Can be renewed for 55 additional years; leasing is the only option due to Article XII of CNMI Constitution
Leased land use	Technical agreement	February 1975 – Life of lease	U.S. Navy, CNMI, National Park Service	Establishment of acceptable uses	Required by Article VIII of the Covenant
NPS and Pacific Historic Parks	Cooperating association agreement	April 7, 2011 – April 6, 2016	Pacific Historic Parks, National Park Service	Establishment of NPS and PHP roles and responsibilities	Includes parameters for the following: sales activities, interpretive activities, facilities and equipment, donations, fundraising, and aid

*In addition, utility easements (power, sewer, water, roads) exist in the parks, some of which are undocumented.

Appendix D: Past and Ongoing Park Planning and Data Collection Efforts

Through the foundation process, War in the Pacific National Historical Park and American Memorial Park identified the following recent park management plans and guidance documents that will help address issues and challenges facing the parks.

- **Asan and Agat Units management plan (underway fiscal year 2017).**
- **Landscape vegetation plan for recovery from typhoon damage (underway – American Memorial Park).** Super Typhoon Soudelor blew down up to 90% of the trees in the park in 2015. To replace vegetation, a landscape design and implementation plan is needed. This plan would be developed in-house to direct the replacement of vegetation (primarily trees) in the formal landscaped areas of the park. Appropriate environmental and cultural compliance with public engagement would be undertaken.
- **Workforce management (staffing) plan/position management plan (underway – both parks).**
- **Natural resources condition assessments (ongoing – both parks). Products expected to be available in 2017.**
- **Invasive species monitoring (ongoing – both parks).**
- **Strategic plan (2015 – both parks).**
- **Park asset management plan (2014 – both parks).**
- **Cultural resources inventory (2013 – War in the Pacific National Historical Park).**
- **Climate change scenario planning (ongoing – both parks).** This a living process that organizes available information (e.g., resource inventories and condition assessments, climate change vulnerability assessments, historic and projected climate trends) into a new way of strategically planning and managing within the context of uncertain climate futures. As new information and observations are made available and when warranted, adjustments are incorporated into the process. Outcomes from this planning effort have application to fundamental natural and cultural resources, park facilities and operations, interpretation/education, and visitor needs.



NPS diver surveying coral bleaching from climate change impacts, Agat, WAPA, Guam



Agat landing beaches and Orote Peninsula from Mt. Alifan unit, WAPA, Guam

- **Climate change action plan (ongoing – both parks).** Rather than developing one stand-alone climate change action plan, the outcomes from climate change scenario planning (e.g., a range of plausible climate futures, management implications associated with these climate futures, etc.) are integrated into a range of park planning and management documents (e.g., resource stewardship strategy, fire management plan, cultural landscape report). The park has been integrating the most up-to-date climate change data into park plans and will continue to do this for future plans.
- **Geologic resources inventory report for War in the Pacific National Historical Park, Thornberry-Ehrlich, T. L. 2012.** Natural Resource Report NPS/NRSS/GRD/NRR—2012/573. National Park Service, Fort Collins, Colorado. http://www.nature.nps.gov/geology/inventory/publications/reports/wapa_gri_rpt_view.pdf
- **Unpublished Digital Geologic Map of American Memorial Park and Vicinity, Saipan, Commonwealth of Northern Mariana Islands, NPS Geologic Resources Inventory (GRI) program. 2013.** (NPS, GRD, GRI, AMME, AMME digital map) adapted from a U.S. Geologic Survey Open-File Report map by Weary and Burton. 2011. National Park Service (NPS) Geologic Resources Inventory (GRI) program. Geospatial Dataset-2181573. <https://irma.nps.gov/App/Reference/Profile/2181573>
- **Unpublished Digital Geologic Map of War in the Pacific National Historical Park and Vicinity, Guam, NPS Geologic Resources Inventory Program, 2009.** (NPS, GRD, GRI, WAPA, WAPA digital map) adapted from a U.S. Geological Survey Professional Paper map by Tracey, Schlanger, Stark, Doan, and May. 1964. NPS Geologic Resources Inventory Program. Lakewood, CO. Geospatial Dataset-1048324. <https://irma.nps.gov/App/Reference/Profile/1048324>
- **Paleontological Resource Inventory and Monitoring for the Pacific Island Network (both parks).** Hunt, R. K., V. L. Santucci, and J. P. Kenworthy. 2007. National Park Service TIC# D-24. 57 pages.

**Pacific West Region Foundation Document Recommendation
War in the Pacific National Historical Park | American Memorial Park**

January 2017

This Foundation Document has been prepared as a collaborative effort between park and regional staff and is recommended for approval by the Pacific West Regional Director.

Jim Richardson

1/24/17

RECOMMENDED

James Richardson, Superintendent,

War in the Pacific National Historical Park | American Memorial Park

Date

for *Narrag*

2/17/17

APPROVED

Laura E. Joss, Regional Director, Pacific West Region

Date



As the nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering sound use of our land and water resources; protecting our fish, wildlife, and biological diversity; preserving the environmental and cultural values of our national parks and historic places; and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people by encouraging stewardship and citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

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