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GUAM AND VIRGIN ISLANDS DELEGATE TO HOUSE OF REPRESENTATIVES

GOVERNMENT

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HEARING

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SUBCOMMITTEE ON
TERRITORIES AND INSULAR AFFAIRS

OF THE

COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
UNITED STATES SENATE

NINETY-SECOND CONGRESS

SECOND SESSION

ON

S. 1400 and H.R. 8787

BILLS TO PROVIDE THAT THE UNINCORPORATED TERRITORIES OF GUAM AND THE VIRGIN ISLANDS SHALL EACH BE REPRESENTED IN CONGRESS BY A DELEGATE TO THE HOUSE OF REPRESENTATIVES

MARCH 16, 1972



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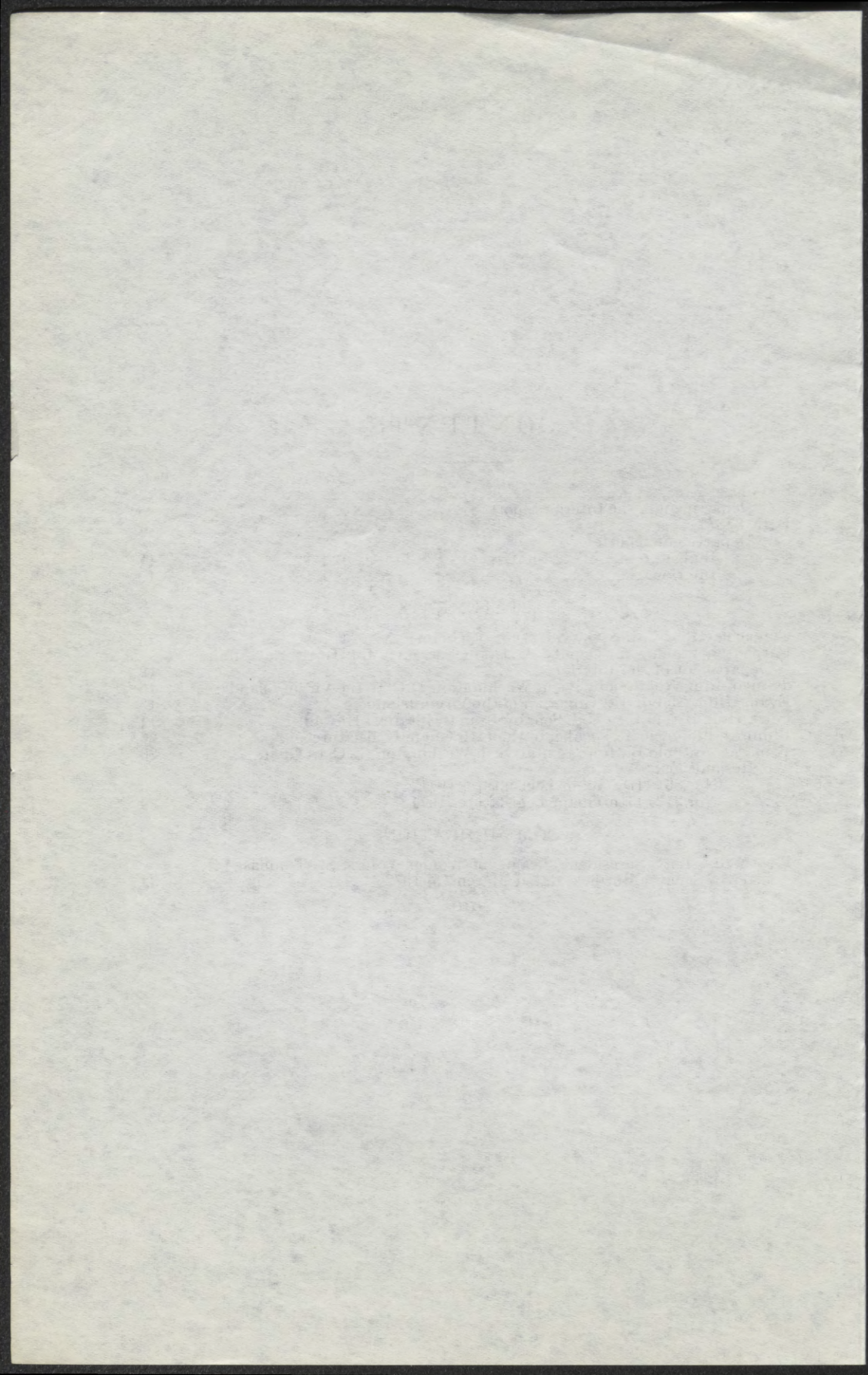
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GUAM AND VIRGIN ISLANDS DELEGATE TO HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 16, 1972

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
SUBCOMMITTEE ON TERRITORIES AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to notice at 10 a.m., in room 3110, New Senate Office Building, Hon. Quentin N. Burdick, presiding.

Present: Senators Burdick and Bellmon.

Also present: James H. Gamble, professional staff member; and Thomas Nelson, assistant minority counsel.

Senator BURDICK. The hearing will come to order.

The purpose of our hearing this morning is to take testimony on S. 1400 and H.R. 8787, to provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives.

The executive communication requesting the introduction of S. 1400, together with the reports requested by this committee on H.R. 8787, will be made a part of the hearing record following my remarks.

Our leadoff witness this morning will be Mr. Stanley S. Carpenter, Deputy Assistant Secretary for Territorial Affairs, Department of the Interior. Then we will hear from the representatives of the Virgin Islands.

I might also say that a statement from Hon. Hiram L. Fong will be made a part of the record at this time.

(The statement and documents referred to follow:)

(1)

92D CONGRESS
1ST SESSION

S. 1400

IN THE SENATE OF THE UNITED STATES

MARCH 29, 1971

Mr. JACKSON (for himself and Mr. ALLOTT) (by request) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the territory of Guam and the territory of the Virgin
4 Islands each shall be represented in the United States Con-
5 gress by a nonvoting Delegate to the House of Representa-
6 tives, elected as hereinafter provided.

7 SEC. 2. (a) The Delegate shall be elected by the people
8 qualified to vote for the members of the legislature of the
9 territory he is to represent at the general election of 1972,
10 and thereafter at such general election every second year

1 therefore. The Delegates shall be elected at large, by separate
2 rate ballot and by a majority of the votes cast for the office
3 of Delegate. If no candidate receives such majority, on the
4 tenth day following such election a runoff election shall be
5 held between the candidates receiving the highest and second-
6 highest number of votes cast for the office of Delegate.

7 (b) A candidate for Delegate who is the nominee of
8 a political party shall be so designated and a candidate who
9 is not the nominee of a political party shall be designated
10 an "Independent." No political party shall nominate more
11 than one candidate for the office of Delegate. An "Independent"
12 candidate shall have been nominated by petition of at
13 least two hundred registered voters, such petition to be filed
14 not less than thirty days before the date of the election.

15 (c) The term of the Delegate shall commence on the
16 third day of January following the date of the election.

17 SEC. 3. No person shall be eligible for the office of
18 Delegate who, on the date of the election, is a candidate for
19 any other office or is not:

20 (a) At least twenty-five years of age; and

21 (b) A qualified voter and otherwise eligible for elec-
22 tion as a member of the legislature of the territory he is to
23 represent.

24 SEC. 4. The legislature of each territory may determine
25 the order of names on the ballot for election of Delegate,

1 the method by which a vacancy in the office of Delegate
2 shall be filled, the method by which ties between candidates
3 for the office of Delegate shall be resolved, and all other
4 matters of local application pertaining to the election and
5 the office of Delegate not otherwise expressly provided for
6 herein.

7 SEC. 5. The Delegate from Guam and from the Virgin
8 Islands shall have such privileges in the House of Represent-
9 atives as may be afforded him under the Rules of the House
10 of Representatives. The Delegate from each territory shall
11 receive the same compensation, allowances, and benefits as a
12 Member of the House of Representatives, and shall be en-
13 titled to whatever privileges and immunities are, or here-
14 inafter may be granted to the Resident Commissioner for
15 Puerto Rico.

DEPARTMENT OF THE INTERIOR,
Washington, D.C., March 23, 1971.

HON. SPIRO T. AGNEW,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is enclosed a draft bill "To provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives."

We recommend that the enclosed draft bill be referred to the appropriate committee for consideration and that it be enacted.

This proposal is identical to H.R. 19413, a bill which was favorably reported out by the Committee on Interior and Insular Affairs of the House of Representatives during the 91st Congress. This is a proposal that is acknowledged to be peculiarly within the province of the Congress since it concerns the membership in the House of Representatives.

We have included both territories in the same bill since apart from their acquisition, Guam having been acquired from Spain in 1898 and the Virgin Islands having been purchased from Denmark in 1917, their status and development parallel one another. Both Guam and the Virgin Islands are organized, but unincorporated, territories of the United States; i.e., the Congress has provided for each of them a formal structure of government through passage of an organic act. The residents of both territories are American citizens.

The territories are governed by locally elected legislatures, and recently inaugurated their first elected Governors on January 4, 1971. In each area, the judiciary is separate from the executive and legislative branches of government. Federal District Courts have been established in Guam and the Virgin Islands.

In the Virgin Islands, the elected legislature has shown an increasingly mature grasp of its responsibilities, and, politically, the people have developed a meaningful party system. The territorial government has greatly expanded the scope of its services, and the private economy has likewise prospered, largely because of the increase of tourism and of manufacturing enterprises of various sizes.

Similar political maturity has been evidenced by the legislature and the people of Guam. Guam is an area of full employment and is actively engaged in diversifying its economy in order to be less dependent upon the defense establishments located there.

Normally, neither territory approaches the Congress for direct appropriations to support its governmental activities. The present exception is Guam's requests for loans and grants authorized in connection with the rehabilitation program authorized by Public Law 88-170, as amended by Public Law 90-511. This is not to say that either territory is entirely self-supporting, but only that each of the two territories is able to finance its affairs through revenues generated locally, either directly or indirectly, and retained and expended pursuant to Congressional authorization.

We believe each of the territories of Guam and the Virgin Islands should have representation in the House of Representatives in the form of a non-voting delegate. Each Congress considers and acts upon a variety of proposals which, if enacted, affect the territories and their people in varying degrees, sometimes only remotely, but often in a direct and substantial way. We submit the citizen residents of these territories are as entitled as the citizens of the several States to express their views respecting the actions of the Congress through a duly accredited and accepted member of the House of Representatives, albeit one with limited powers.

The enclosed draft bill, if enacted, would provide for the representation we suggest. It provides for the popular election of a non-voting delegate to the House of Representatives from each of the named territories, whose term would be two years, and who would receive the same compensation, allowances and benefits as a Member of Congress, and such privileges as might be afforded him by the Rules of the House of Representatives. The draft bill sets forth certain criteria and procedures for candidates and the manner of election, but leaves the majority of the details of election in the hands of the local legislatures.

The Office of Management and Budget has advised us that there is no objection to the presentation of this draft bill from the standpoint of the Administration's program.

Sincerely yours,

HOLLIS M. DOLE,
Assistant Secretary of the Interior.

92^D CONGRESS
2^D SESSION

H. R. 8787

IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1972

Read twice and referred to the Committee on Interior and Insular Affairs

AN ACT

To provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the territory of Guam and the territory of the Virgin
4 Islands each shall be represented in the United States Con-
5 gress by a nonvoting Delegate to the House of Representa-
6 tives, elected as hereinafter provided.

7 SEC. 2. (a) The Delegate shall be elected by the people
8 qualified to vote for the members of the legislature of the
9 territory he is to represent at the general election of 1972,
10 and thereafter at such general election every second year

1 thereafter. The Delegate shall be elected at large, by sepa-
2 rate ballot and by a majority of the votes cast for the office
3 of Delegate. If no candidate receives such majority, on
4 the fourteenth day following such election a runoff election
5 shall be held between the candidates receiving the highest
6 and the second highest number of votes cast for the office of
7 Delegate. In case of a permanent vacancy in the office of
8 Delegate, by reason of death, resignation, or permanent dis-
9 ability, the office of Delegate shall remain vacant until a
10 successor shall have been elected and qualified.

11 (b) The term of the Delegate shall commence on the
12 third day of January following the date of the election.

13 SEC. 3. To be eligible for the office of Delegate a can-
14 didate must—

15 (a) be at least twenty-five years of age on the date
16 of the election,

17 (b) have been a citizen of the United States for at
18 least seven years prior to the date of the election,

19 (c) be an inhabitant of the territory from which
20 he is elected, and

21 (d) not be, on the date of the election, a candidate
22 for any other office.

23 SEC. 4. The legislature of each territory may determine

1 the order of names on the ballot for election of Delegate, the
2 method by which a special election to fill a vacancy in the
3 office of Delegate shall be conducted, the method by which
4 ties between candidates for the office of Delegate shall be
5 resolved, and all other matters of local application pertain-
6 ing to the election and the office of Delegate not otherwise
7 expressly provided for herein.

8 SEC. 5. The Delegate from Guam and the Delegate from
9 the Virgin Islands shall have such privileges in the House
10 of Representatives as may be afforded him under the Rules
11 of the House of Representatives. Until the Rules of the House
12 of Representatives are amended to provide otherwise, the
13 Delegate from each territory shall receive the same com-
14 pensation, allowances, and benefits as a Member of the
15 House of Representatives, and shall be entitled to whatever
16 privileges and immunities are, or hereinafter may be, granted
17 to the Resident Commissioner for Puerto Rico: *Provided*,
18 That the right to vote in committee shall be as provided by
19 the Rules of the House of Representatives: *Provided further*,
20 That the clerk hire allowance of each Delegate shall be a
21 single per annum gross rate that is 60 per centum of the
22 clerk hire allowance of a Member: *Provided further*, That
23 the transportation expenses of each Delegate that are subject

- 1 to reimbursement under section 1 of the Act of September 17,
- 2 1967 (81 Stat. 226, 2 U.S.C. 43b), shall not exceed the
- 3 cost of four round trips each year.

Passed the House of Representatives January 18, 1972.

Attest:

W. PAT JENNINGS,

Clerk.

DEPARTMENT OF THE INTERIOR,
Washington, D.C., March 14, 1972.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: At your request, we are supplementing our report on H.R. 8787, a bill "To provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives", in the Senate of the United States.

Although our report of April 16, 1971, on H.R. 3237, which was subsequently incorporated into H.R. 8787, recommended that the Department's proposed bill be enacted in lieu of H.R. 3237, in its present form, H.R. 8787 differs from that proposal only in minor details. Accordingly, we recommend that H.R. 8787 be enacted.

H.R. 8787 provides representation for Guam and the Virgin Islands in the U.S. House of Representatives in the form of a non-voting delegate for each territory. The Delegate shall be elected by the people of the respective territories at the general election of 1972, and every two years thereafter. In case of a permanent vacancy in the Office of Delegate by reason of death, resignation, or permanent disability, the Office of Delegate shall remain vacant until a successor is elected and qualified. To be qualified as a delegate, a candidate must be at least 25 years old on the day of election, have been a U.S. citizen for 7 years, be an inhabitant of the territory electing him, and not be a candidate for any other office. The legislature of each territory may determine such local matters as the method by which a special election to fill a vacancy in the Office of Delegate shall be conducted. Both delegates will have such privileges in the House of Representatives as that body may afford under its rules.

Our attention, however, has been directed to certain possible constitutional problems with section 4 of the bill. This section provides that the legislature of each territory "may" determine several matters of local application pertaining to the election of a Delegate—*i.e.*, the order of names on the ballot, the method by which a special election to fill a vacancy in the Office of Delegate shall be conducted, the method by which ties between candidates shall be resolved, and "all other matters of local application . . . not otherwise expressly provided for herein".

Article I, section 2 of the United States Constitution provides in pertinent part: "When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such vacancies."

The questions that have arisen pertain to the use in H.R. 8787 of the permissive "may" rather than the obligatory "shall" and leaving the determination of election matters up to the legislature.

We believe that the term "Representation" as used in this clause of the Constitution refers to full members of the House of Representatives, not delegates from the Territories. Moreover, the term "State" as used in this clause is a technical term that does not encompass Territories. The distinction between the two terms is made in Article IV, Section 3, of the Constitution, which addresses itself both to admission of "New States" and to Congressional authority with respect to "the Territory or other Property belonging to the United States."

The Congress has in the past considered Representatives from States and Delegates from Territories to be different officials. For example, 2 U.S.C. 8 as it was worded in the 1958 edition of the Code, while Hawaii and Alaska were still territories with Delegates to the Congress, provided:

"§ 8. Vacancies. The time for holding elections in any state, District, or Territory for any Representative or Delegate to fill a vacancy, whether such vacancy is caused by a failure to elect at the time prescribed by law, or by the death, resignation, or incapacity of a person elected, may be prescribed by the laws of the several States and Territories respectively." [*Emphasis added.*]

Accordingly, we do not believe that the "vacancies" clause of the Constitution, quoted above, applies to the Delegates created by H.R. 8787.

It should also be noted that the present version of 2 U.S.C. 8, like the superseded version quoted above, is permissive with respect to the holding of special elections to fill vacancies—the time "may" be prescribed by the local legislature.

Finally, we believe that an analogy can be drawn between the District of Columbia Delegate Act (P.L. 91-405) and H.R. 8787. For this purpose, the District of Columbia Election Board corresponds closely to a State or Territorial Legislature. The method of conducting a special election is a permissive matter for the Election Board to resolve (Paragraph (5) of Subsection (a) of Section 10 of

the D.C. Delegate Act, as stated in P.L. 91-405). Thus, there is ample precedent for maintaining the permissive language in H.R. 8787 as it now stands. Indeed, we are confident that the respective territorial legislatures will take all necessary steps for the proper implementation of the bill if it is enacted.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

HARRISON LOESCH,
Assistant Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., March 14, 1972.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request of January 24, 1972 for the views of the Office of Management and Budget on H.R. 8787, a bill "To provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives."

The Office of Management and Budget concurs in the views of the Department of the Interior in its report on H.R. 8787, and accordingly recommends enactment of the bill.

Sincerely,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

STATEMENT OF HON. HIRAM L. FONG, A U.S. SENATOR FROM THE STATE OF HAWAII

I heartily endorse H.R. 8787, to provide that the unincorporated Territories of Guam and the Virgin Islands shall be represented in Congress by a nonvoting Delegate to the House of Representatives.

This bill would extend to our fellow Americans of these two territories a direct voice in national legislation which they now lack. At present both Guam and the Virgin Islands elect representatives to serve in Washington but these spokesmen do not have official status in the Congress. H.R. 8787 would enable the two territories to elect Delegates to the House of Representatives who can more effectively represent the interests of their people.

The need for such direct and official representation has become increasingly more urgent. Congress in recent years has enacted a growing amount of general legislation affecting the economic, political and social well-being of both territories. The legislation covers such vital concerns as education, welfare assistance, agricultural assistance, public works, minimum wage, and veterans benefits. The territories would normally be excluded from general legislation unless specifically mentioned in the legislation or the legislation is made applicable to them.

The enactment of H.R. 8787 would place upon the elected Delegates from Guam and the Virgin Islands the responsibility for looking after the interests of their people in all legislation in Congress affecting those territories. The Delegates would be expected to deal with the many Congressional Committees with jurisdiction involving the diverse legislative interests of Guam and the Virgin Islands.

In addition, the Delegates would be in contact with the various Federal agencies administering programs for the Territories.

Guam and the Virgin Islands have demonstrated their political development in an orderly and constructive manner. Both now elect their own legislatures, and, in 1970, they elected their own Governor and Lieutenant Governor for the first time. Their inhabitants are U.S. citizens whose loyalty and devotion to the democratic principles of government have been more than amply proven.

The people of Hawaii, having themselves lived under a territorial form of government at one time, fully appreciate the need of a territory to have the direct representation of a Delegate to Congress. The time has come for Congress to grant this recognition to Guam and the Virgin Islands.

H.R. 8787 was the first bill passed by the House of Representatives in this Session of Congress. It is my understanding that this is the first time the House has taken this step and also that this is the first time a Senate hearing has been held on this subject. I commend this Subcommittee on moving so expeditiously to hold this hearing now that the House has passed the bill. These are good omens.

I earnestly request this Committee to act favorably on H.R. 8787 and to report the bill to the Senate floor for approval in sufficient time so that the people of the two territories can elect their first Delegates in November this year, as provided in H.R. 8787.

Senator BURDICK. Mr. Carpenter, I believe this is the first time we have had the opportunity to welcome you to this committee. We are pleased to hear your testimony at this time.

STATEMENT OF STANLEY S. CARPENTER, DEPUTY ASSISTANT SECRETARY FOR TERRITORIAL AFFAIRS, DEPARTMENT OF THE INTERIOR, ON H.R. 8787

Mr. CARPENTER. Mr. Chairman and members of the committee, I appreciate the opportunity to appear before this subcommittee to express the support of the Department of the Interior for H.R. 8787. This legislation proposes that the territories of Guam and the Virgin Islands should be represented in the House of Representatives by a nonvoting delegate.

The Department forwarded on March 23, 1971, an administration proposal to accomplish the same purpose as H.R. 8787. Although the departmental report and witnesses for the Department subsequently supported our proposal, it differs from H.R. 8787 only in minor detail. Accordingly, we recommend that the measure now before the subcommittee, H.R. 8787, be enacted.

The history of the Delegate proposal is worthy of note. In some form, it has been before every Congress except the 89th, going back at least to the 84th. In the interim, however, since the introduction of H.R. 11041 on May 7, 1956, much has happened. The territories of Guam and the Virgin Islands have experienced rapid social, economic, and political development, as well as population growth.

Consistent with this continuing growth and development recognized by this Congress in its enactment of elected Governor legislation several years ago, we believe legislation providing for a nonvoting Delegate to the House of Representatives from such of these territories is a logical and desirable next step.

The people of Guam and the Virgin Islands long ago recognized that representation in Washington is not only desirable but necessary, and they have acted to the extent of their capability by electing and sending to Washington their representatives. But, just as a nonvoting Delegate does not equal full representation, the popularly elected representatives, in the absence of any Federal status, are not the equivalent of a nonvoting Delegate, despite the assistance they provide to their territorial constituencies.

The Department supports representation in the Congress of the U.S. citizens resident in Guam and the Virgin Islands by the creation of the offices of Delegate and their election in 1972, as provided in the bill before you.

Mr. Chairman, this completes my formal statement.

Senator BURDICK. Thank you very much. In other words, it is your testimony this morning that we should take H.R. 8787 as it is?

Mr. CARPENTER. That is right, sir.

Senator BURDICK. And I think we all know the reasons why the bill should pass, to give more representation to our "islanders," and I think this committee agrees with you 100 percent.

Mr. CARPENTER. Fine.

Senator BURDICK. Thank you.

Our next witness is the Honorable Melvin H. Evans, Governor of the Virgin Islands. I am very pleased to see you back again, Governor Evans.

STATEMENT OF GOV. MELVIN H. EVANS ON S. 1400 BEFORE THE SENATE SUBCOMMITTEE ON TERRITORIES AND INSULAR AFFAIRS

Governor EVANS. I am pleased to be here, Mr. Chairman. I have a very brief statement. I shall read it very carefully and I shall be happy, if you have any questions to ask, to answer them.

It is always a great pleasure for me to appear before this committee, mindful as I am of the genuine and abiding interest and concern that this committee has always shown in regard to the development and promotion of the welfare of the inhabitants and people of the Virgin Islands of the United States.

Today I appear in full support of S. 1400, a bill to provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives.

Let me not burden you unduly with my presentation, except perhaps to reiterate certain facts which cannot too often be repeated.

The House of Representatives has had a long history of official, nonvoting Delegates from the various territories. The practice started under the ordinance of 1787 and has continued to the present time. That ordinance provided for a Delegate from the territory south of the River Ohio, but the Delegate did not actually take office until 1795. Relating this fact to the Caribbean area in which the Virgin Islands of the United States and Puerto Rico are located, I wish to bring to your attention the fact that the Commonwealth of Puerto Rico has had a nonvoting Delegate in the House of Representatives since 1904, a period of 68 years; so that it can be said historically that this is a practice of very long standing and, in the case of Puerto Rico, has not led to statehood. Here it should be noted that the House of Representatives in its wisdom recently has permitted the Delegate from the Commonwealth of Puerto Rico to vote in the committees to which he has been assigned. This evidence underscores two points—a long-standing practice, and the fact that there is no predetermined second step implicit in the first step, which we are advocating.

It is of the utmost importance to make the point that the nonvoting Delegate is not a Member of the House of Representatives, so that, in fact, the total membership of the House will not be increased, but will remain at its present number—435. Neither is the provision for a nonvoting Delegate a first step in the admission of these territories into the Union as a State.

Proof of this can easily be seen by reference to the cases of the Philippines, which had a delegate and which became independent; to Puerto Rico, which has a special status of Commonwealth; and the District of Columbia, which also has a special status. Then, there is the question of the difference between incorporated and unincorporated territories. No purpose would be served here to analyze the differences,

except to state that as to the need for a nonvoting Delegate in the territories, incorporation or nonincorporation has no relevance.

I know that you are interested in factual support for any conclusions you are asked to draw, as well as for the general representations made by witnesses who appear before you. With this introductory remark, I proudly join those who state that the people of the Virgin Islands are sophisticated and politically mature and, therefore, deserve the opportunity to have a nonvoting Delegate in the House. As evidence of this, we point to the fact that over 80 percent of the electorate voted in the last election, and I might add it was very bad weather with torrential rains and everything, and there was not a single charge of fraud or irregularity. I am personally proud of this because in that election I had the high honor of participating, and emerged as the first elected Governor of the Virgin Islands.

There was a time when the affairs of the Virgin Islands in relation to the Government of the United States were such that attendance at and appearances before a single committee of the Congress would suffice. However, the fact is that today the changed and still changing economic and social conditions are so broad in scope that the national interest and general welfare of the inhabitants of the territory require consideration by and attention from many of the congressional committees. The legislative objectives range, among other things, from education and welfare assistance, to housing, agricultural assistance, food stamps, unemployment compensation, prevailing wage rates, immigration amendments, airport construction assistance, Federal highway and harbor assistance, air routes, water and electric power, oil and watch quotas, veterans' benefits, voting rights, and so on.

The nonvoting Delegate will be charged with the responsibility of representing the desires, aspirations, and the hopes of his constituents in this broad range of legislative proposals, and the creation of this office would do much to dispel the lingering impressions of American colonialism still held in some areas in the Caribbean. Representation in Congress for the U.S. Virgin Islands is an urgent and necessary step in our American democratic process.

Always worthy of note is the genuine dedication and loyalty of the Virgin Islands to the United States. There is no greater sacrifice that one can make than to give his life for his country. This is why we continue to point with pardonable pride to the fact that although the Congress of the United States had excluded the Virgin Islands from the applicability of the draft law of the Armed Forces in World War II, the people of the Virgin Islands, through their duly elected representatives in the legislature, petitioned the Congress for inclusion in the draft law. This was done, with the result that Virgin Islanders have fought and died in the service of their country, the United States of America. Specific reference may be made to their military service in Vietnam where, in terms of the number of lives sacrificed there, it can be stated without fear of contradiction that percentage-wise in relation to its indigenous population, the Virgin Islands have made one of the largest contributions of lives on the battlefield in Vietnam. Certainly, for this sacrifice which cannot be compensated for in monetary considerations, we can lay claim to the right of representation in the Halls of the Congress and before the various executive departments where the mantle of officialdom carries such tremendous weight. All of these considerations will, I am sure, Mr. Chairman,

persuade you to the view that the provision for a nonvoting Delegate from the Virgin Islands to the House of Representatives is a necessary and deserved right of the people of the Virgin Islands.

The Congress has watched the steady economic and social progress and the development of political maturity by the people of the Virgin Islands, and in its considered judgment arrived at the conclusion in 1968 that the time had arrived to confer on the people of the Virgin Islands the right to elect their own Governor. Accordingly, by Public Law 90-496, approved August 23, 1968, the Revised Organic Act of 1954 was amended to authorize the election of the Governor of the Virgin Islands by the duly qualified electorate in the elections of November 1970. This constituted another step forward on the road to complete local autonomy and broadened the scope of events related to the recognition by the Congress of the entitlement of the people of the Virgin Islands to all of the elements of representation within the framework of full self-government, as we know it in America.

I am sure that all of you gentlemen genuinely believe in furthering that democratic process, and that it will be furthered if we obtain for the U.S. Virgin Islands a nonvoting Delegate to the Congress; for, in fact, we are not colonists, we are Americans.

Senator BURDICK. Thank you very much. That is a very good statement and I think that it supports the objectives of the bill very eloquently.

I notice on your first page of testimony you appear in full support of S. 1400. As you know, the hearing today is on House bill H.R. 8787. There are minor differences between the two. Do you have any particular preference between the two?

Governor EVANS. I think the major difference occurs in the 60-percent limitation in H.R. 8787. I would be in support of that if the Senate, in its wisdom, decided to accept that. I think it would be easier for the conferees to agree on that, and we support that particular provision in H.R. 8787.

Senator BURDICK. In other words, you support either one?

Governor EVANS. That is right, and I would want to take the position that we would not want to support anything that runs the risk of creating insoluble differences and postpones or delays the implementation of this.

Senator BURDICK. Shall we put it this way: you would like to have this legislation passed?

Governor EVANS. I would, sir.

Senator BURDICK. Thank you very much.

Governor EVANS. Thank you, Mr. Chairman.

Senator BURDICK. Our next witness is the Honorable Ron deLugo, Virgin Islands representative in Washington, D.C.

It is always good to see you, Mr. deLugo. You have been very helpful to the committee in the past. It is good to see you again.

STATEMENT OF RON deLUGO, ELECTED REPRESENTATIVE OF THE VIRGIN ISLANDS TO WASHINGTON, D.C., ON H.R. 8787 AND S. 1400

Mr. deLUGO. Thank you very much, Mr. Chairman. It is always a pleasure to appear before your committee, in particular because of the fact that you are a good friend of the Virgin Islands. We don't see enough of you down there in the Virgin Islands, but whenever

we have a problem you always listen sympathetically and give tremendous help.

As the elected representative of the Virgin Islands to Washington, D.C., I urge you today to favorably consider H.R. 8787, which would provide for a nonvoting Delegate in the House of Representatives for the people of the Virgin Islands.

The proposal to grant the Virgin Islands a nonvoting Delegate has been before the House of Representatives, in one form or another, since the 84th Congress. As you know, the support for the proposal has been bipartisan. For example, such distinguished Members of the House as the Honorable Rogers Morton, now Secretary of the Interior, and Mr. Albert, Mr. Ford and Mr. Aspinall coauthored a bill similar to H.R. 8787 in the 91st Congress. However, House Interior Committee action came too late in the session and the bills never came to the floor.

This bipartisan spirit of support continued during the 92d Congress through the principal sponsors of H.R. 8787—Mr. Aspinall, Mr. Burton, Mr. Saylor, and Mr. Clausen. When the bill was finally reported out of the House Interior Committee, the vote was 26 ayes, with one Congressman voting no. The measure was adopted in the House of Representatives on January 18, 1972, by an overwhelming vote of 232 yeas as against 104 nays—more than a 2-to-1 margin.

Not only in the Congress, but also in the Federal Executive there has been bipartisan support for a nonvoting Delegate in Congress from the Virgin Islands. The administration of Dwight D. Eisenhower called for such legislation. The administrations of John F. Kennedy, Lyndon B. Johnson, and now Richard M. Nixon have all supported such legislation.

There are many reasons for such broad bipartisan support for nonvoting representation for the Virgin Islands in the Congress; and, in my judgment, these reasons are very persuasive.

American history is full of examples where areas under the American flag were permitted nonvoting representation in Congress—and territorial size and population were not barriers to such representation.

A nonvoting Delegate served in the Congress as early as 1794, from an area that is now the State of Tennessee. The Congress granted Hawaii a nonvoting Delegate throughout her status as a territory; the same privilege was afforded Alaska. A nonvoting Resident Commissioner for Puerto Rico has been sitting in the House since 1904, and in 1971, the District of Columbia elected its own nonvoting Delegate. And in the cases of Puerto Rico and the Philippines, another area which had nonvoting representation, congressional representation was granted when the residents of these two territories were not U.S. citizens.

For those who may oppose this legislation on grounds of population, it is interesting to note that the territory of Alaska, when granted its delegation in 1906, had a population of less than 65,000. Other U.S. territories with earlier representation in Congress had even smaller populations. The Virgin Islands population is estimated to be between 70,000 and 80,000 persons.

Second, the viability of the institutional political party system in the Virgin Islands is a strong indication that we understand the democratic process and are now ready for representation at the Federal level. We have three vigorous and effective political parties—the

Democratic Party, the Republican Party, and the Independent Citizens Movement. Our people are politically alert, well informed and intelligent, and are fully conscious of their civil and political responsibilities.

I submit that the Congress itself has recognized the growing political maturity of the American Virgin Islands. It has passed laws granting us greater self-determination and responsibility, including the power of our local legislature to fix its own salaries and to reapportion itself. And in 1970, Congress laid to rest any doubts of our political sophistication when it provided us with the tools to popularly elect our own Governor.

That Virgin Islanders can handle this trust was adequately expressed in the 1970 November elections for Governor when 81 percent of the registered voters indicated their gubernatorial choice—a figure that surpasses that of many States in the Union.

The third reason calling for the adoption of H.R. 8787 is the changing relationship between the Virgin Islands and the Federal Government as the territory develops politically and economically. A few years ago, most legislation for the Virgin Islands passed through the Interior Committee, and a trip taken now and then by the members could keep them informed of our problems. As our economy grows, our demands for adequate housing, police protection, immigration reform, highway and airport assistance, Federal education benefits, et cetera, also increase.

Consequently, every committee of Congress now legislates for the territory. The members of all these committees do not have the time nor the opportunity to see our problems firsthand. And given the wide array of problems plaguing America—rising crime, increasing use of narcotics, welfare reform, pollution control, et cetera, how can all these committees know or stay on top of problems peculiar to the Virgin Islands?

I submit that establishment of the position of nonvoting Delegate would provide the Congress and all its committees with clearer insight and understanding of the problems of the people of the Virgin Islands. An official Delegate would have access to the House floor. This would enable him to move effectively to influence legislation which meets the needs of the territory. In addition, he would have the right to sit in on any committee meeting in the House, thus gaining and giving firsthand information on any important piece of legislation affecting the welfare of the Virgin Islands.

No longer does only one administrative department, the Department of Interior, have control over Federal programs for the territory. The installation of our first elected Governor in January 1971, terminated the authority and responsibility of the Secretary of the Interior to exercise general supervision over the Government of the Virgin Islands. Consequently each agency of the Federal Government now administers its own programs in the Virgin Islands. An official Delegate, recognized by the legislative branch of the federal system, can help to cut redtape while these programs are being implemented in the territory. The Delegate would have use of the congressional liaison services to help Virgin Islanders with personal problems when dealing with the Federal agencies, for example: an aged individual with a social security problem, a serviceman needing help, or the thousand and one other problems referred to simply as casework. Nobody

knows more than you, the Members of Congress, how important the congressional liaison services are to your constituents.

I find the next argument very persuasive because it demonstrates the forthrightness with which our loyalties to the United States are held. The Virgin Islander is a fiercely loyal U.S. citizen, ever eager and willing to serve his country in peace and war. Our men have died in the First World War, the Second World War, the Korean war, and more recently the Vietnam conflict. And our casualties in Vietnam have been out of proportion to our size and population. Passage of this bill as a memorial to their sacrifice would be, in my judgment, a very fitting gesture.

Finally, Mr. Chairman, a new sense of urgency is emerging among our people especially when they look at the great political strides which their neighbors in the Caribbean are making. While we have a stronger economic base than most of our neighbors, politically we are behind them.

Martinique and Guadeloupe are a part of Metropolitan France and have local self-government and direct representation in the French Parliament. The same holds true for our Dutch West Indian friends, who have from among their midst representatives who participate in the deliberations of the Dutch Parliament. Trinidad, Barbados, and Jamaica are now independent nations.

Let me make it perfectly clear that we in the Virgin Islands do not seek independence, nor do we by urging passage of H.R. 8787 seek statehood. We seek only, in a limited way, a voice to articulate the needs of the people of the Virgin Islands within the framework of the national legislature.

Mr. Chairman, the evidence is strong that the people of the Virgin Islands do not want independence or statehood. In a resolution unanimously adopted by the 1965 Virgin Islands Constitutional Convention, the people made it clear and emphatic that they rejected both independence and statehood. On the other hand, at the same convention, the representatives to the convention agreed that the status of the Virgin Islands should remain an unincorporated territory, with a greater degree of internal self-government and in the closest association with the United States of America.

Again, just last month, in the constitutional convention now in progress, which would establish a new Virgin Islands Constitution and Federal Relations Act, the concepts of either independence or statehood for the Virgin Islands were categorically rejected. Instead the members of the constitutional convention present voted unanimously to designate the territory as the territory of the Virgin Islands of the United States, with full internal self-government and in the closest association with the United States of America.

In conclusion, Mr. Chairman, in an effort to help ourselves, and in order to keep in close touch with the issues in the Nation's Capitol that affect us as Virgin Islanders, our local legislature in 1968 enacted a bill, giving the islands a popularly elected representative in Washington—the office I am presently holding. Because I serve as a lobbyist for the people of the Virgin Islands, many of the legislative tools necessary to do the most effective job are denied me. Passage of H.R. 8787, which does not entail any abdication of power by the Congress, would give a duly elected delegate the necessary tools. It is a limited and appropriate way to recognize the reasonable desires of the Ameri-

can citizens of the Virgin Islands, and I am confident you will act favorably on it.

Senator BURDICK. Thank you very much, Mr. deLugo. Would you outline to this committee what tools you would have if this bill passed, compared to tools you have now in the present status?

Mr. deLUGO. We would have access to all of the services that are available to a legislator from the Library of Congress, the research tools that are available. We would have the help that is provided by the administration through its legislative liaison people in helping to solve the problems of our servicemen, of the aged who have social security problems, handling casework, which you know, Senator, in your own office is a tremendous task in itself.

We would have the opportunity of actually introducing legislation and have access to the House floor. I point this out, because I think it is most important, because it gives you the opportunity to establish with the members a comradeship. They serve with you on committees and they are able to judge your mettle as to whether you are worth anything or not, and they can put your testimony or your requests on your constituents' behalf in the proper light. These are just some of the things that would be available.

Senator BURDICK. In other words, it would give you far more stature, open far more doors?

Mr. deLUGO. Absolutely.

Senator BURDICK. And you suggest that we pass H.R. 8787 as is?

Mr. deLUGO. Yes, Mr. Chairman. I would urge the passage of H.R. 8787 as is. This piece of legislation has gone through extensive hearings on the House side and the amendments that have been made are amendments that we accept, we can live with, and I feel that whoever serves in this position can serve his constituents ably with the tools that are provided in this legislation. I feel that it is good legislation, and I think the fact that it passed the House on January 18, by the walloping vote that it did, 2 to 1, represents a good argument for the quality of the legislation.

Senator BURDICK. Senator Bellmon?

Senator BELLMON. Mr. deLugo, I just this moment walked in and I did not get to hear your statement. The arrangement, as I understand it, would be similar to the one which the District of Columbia now has?

Mr. deLUGO. That is correct, Senator Bellmon, and also the Commonwealth of Puerto Rico, which has a Resident Commissioner dating back to the early 1900's. A very able gentleman, Congressman Cordova Diaz, very able, and he did a very good job. It would be a nonvoting Delegate, and this would be similar to the Delegates I cite in my testimony—the various Delegates that have served dating back to the first Delegate that came to Congress from the then territory of Tennessee and even the Philippines had a Delegate in Congress at one time. And Alaska, as you know, Hawaii, and other areas, all had Delegates.

Senator BELLMON. Does the legislation provide a method for selecting the Delegate?

Mr. deLUGO. Yes; he would be elected at large by the electorate of the Virgin Islands and it provides the same identical language that is in the organic act for the election of the Governor and that is he would have to receive a majority of the votes.

Senator BURDICK. Thank you, Mr. deLugo. You have been very helpful this morning.

Are there any witnesses in the hearing room that would like to testify from the Virgin Islands or on behalf of the Virgin Islands position? If not, I think the committee will be in recess to the sound of the gavel, because the people from Guam are testifying in the House and are on their way over and haven't arrived yet. We will be in recess for a short period of time.

(Recess.)

Senator BURDICK. The hearing will resume. We will call Hon. Antonio B. Won Pat, Guam's Washington representative. We are always pleased to see you, Mr. Won Pat.

STATEMENT OF ANTONIO B. WON PAT, GUAM'S WASHINGTON REPRESENTATIVE

Mr. WON PAT. Thank you, Mr. Chairman. Shall I read my statement?

Senator BURDICK. Any way you wish to proceed. You can give us a summary or read it, as you wish.

Mr. WON PAT. I would like to read it for the purpose of emphasizing the essence of my statement.

Mr. Chairman and members of the committee—particularly, of course, Senator Bellmon.

I am Antonio B. Won Pat, Guam's representative in Washington and appearing before you in my capacity on behalf of the nearly 100,000 American citizens of Guam to urge prompt and favorable action on H.R. 8787, or S. 1400 providing for the election of a non-voting Delegate to Congress. Thus, if either of these measures is enacted for the first time in Guam's 400-year plus association with western civilization, culture, and government, the people of Guam will be officially represented at the seat of their central government and have a voice, of sorts, in the making of decisions that greatly affect their lives and those of their children. We feel, however, that in the interest of political expediency, H.R. 8787, rather than S. 1400, should be given preference by this committee. Acceptance of H.R. 8787 by the Senate would eliminate the necessity of House concurrence in this matter and would also assure that the people of Guam and the Virgin Islands will have the opportunity to vote for their respective congressional candidates in the general elections this November.

Although measures for an elective delegate have been before successive Congresses for some 15 years, today's hearing is the first that has been held in the Senate on a measure for such a purpose. That is not in any way a reflection on the Senate's lack of interest in furthering the cause of democracy and self-government for Guam. Rather, it is the result of the fact that the Delegate in the historic tradition will sit in the House, not the Senate, and hence the Senate has very properly deferred to the House in taking first action. As you of course know, H.R. 8787 passed the House by an overwhelming vote on January 18, 1972. The vote on that day was the first time a Guam elective Delegate bill had ever come before the full House. Always before, it had been bottled up in committee, in one form or another.

Today's hearing is a particularly significant one for me, personally. For it was just about 22 years ago in 1950, that I appeared before a special ad hoc subcommittee of this committee in which the late

Senator Joseph C. O'Mahoney, then chairman, did not believe in standing subcommittees on the theory that proliferation and division of power was contrary to the spirit and intent of the Legislative Reorganization Act of 1946—to urge enactment of H.R. 7273, the measure that became Public Law 630 of the 81st Congress, the Organic Act of Guam. This ad hoc subcommittee was chaired by the distinguished senior Senator from New Mexico, Senator Clinton P. Anderson, who subsequently became chairman of the full Senate Interior Committee.

The organic act which Senator Anderson was so instrumental in working out became the cornerstone of much of Guam's great social, economic and political progress. Ever since the territory of Guam came under the American flag in 1898, our people have learned and yearned for closer political and social ties with this great country. Despite our distance from the mainland, we have enthusiastically embraced the American way of life and political principles in our efforts to become thoroughly Americanized.

It is a record of which every American everywhere can be proud. Now in view of our attainments and my own status here today as the elected representative of the people—the American citizens of Guam—you may well ask: Why do you need, why do you want this bill? The answer is: Our people have and are ready and willing to serve this country in its time of need without question or hesitation. In return, we ask the right of serving and to be heard in the Hall of Congress where our destinies are determined. It is this lack of an official voice in Congress which has often left us unable to speak out for ourselves when we most need assistance.

I am here by virtue of an act of the Legislature of Guam. I have no status in Federal law. I do not sit in the House as does the Resident Commissioner of Puerto Rico. I cannot introduce bills, I am not a member of any committee of the Congress. I cannot participate in discussions of proposed legislation affecting my 100,000 constituents except as a witness, an outsider, a guest, if you will. I have no official standing in the executive branch except such as the separate agencies see fit to accord me as a matter of comity. Thus, in effect, I am an outsider, or a guest, if you will, of the very establishment I am supposed to call upon for assistance on behalf of my constituents.

Senator BURDICK. Mr. Won Pat, you do very well for an outsider. Proceed.

MR. WON PAT. We believe that this is not the American way as we have learned it. It is not the way it has been or is with Puerto Rico or other areas under the American flag whose citizens have been accorded citizenship and who have shown themselves worthy of that citizenship, as have the people of Guam. Guam is American, and the people are as American as the Alaskans, the Puerto Ricans or the Californians. Nor is it the democratic ideal that Aristotle foresaw over 2,000 years ago when he said, "If liberty and equality, as it is thought by some, are chiefly to be found in democracy, they will be best attained when all persons alike share in government to the utmost." People the world over mark their political progress by the standards of liberty and democracy set so long ago by our American forefathers.

Your fellow Americans on Guam need H.R. 8787; they deserve representation in Congress. Without it, these loyal, progressive American citizens do not have the status and cannot achieve the

development to which they are entitled by virtue of their attainments and their services and loyalty in peace and in war to our country.

Also, our country as a whole will benefit from having a representative of Guam present officially in Washington. Guam is the westernmost bastion of our democracy. We are the showcase, so to speak, of America on the edge of the Asiatic world. To have such an area officially represented in Washington, a representative who will be chosen by the people who knows their problems and needs and with a living knowledge of this critical area could and will be of inestimable value to all of us.

Gentlemen of the committee, I urge prompt, favorable action on H.R. 8787.

Thank you.

I am now ready to answer any questions you may wish to propound.

Senator BURDICK. You say you support H.R. 8787 rather than S. 1440, and you gave as one of your reasons that by adopting H.R. 8787 we would avoid a conference with the House and could send this almost directly to the President.

Mr. WON PAT. Yes, sir; I am sure you recognize that yourself.

Senator BURDICK. Are there any major differences between H.R. 8787 and S. 1400?

Mr. WON PAT. Just minor differences. But, of course, the Representative would have to sit in the House.

Senator BURDICK. That is a pretty good argument. He is not going to sit in the Senate, but he is going to be over here telling us what he wants, isn't he?

Mr. WON PAT. That is true, but as such his status would be different and carry more weight.

Senator BURDICK. In other words, there is no substantial difference between the two bills, and H.R. 8787 could go directly to the President, and you would like to have this provide for elections this year.

Mr. WON PAT. Yes, sir.

Senator BURDICK. I am sure that is the view of the people from the Virgin Islands too. They would like to have it by this year.

Senator Bellmon, do you have some questions?

Senator BELLMON. Thank you, Mr. Chairman.

Mr. Won Pat, you said you would answer any questions. Are you going to be a candidate? I will withdraw the question.

Mr. WON PAT. No; that is all right.

Senator BELLMON. I was only trying to give you a chance, if you wanted to. You mentioned some of the things this delegate could do, such as serve as a member of the House Interior Committee.

Mr. WON PAT. That will be determined by the rules of the House.

Senator BELLMON. What is the case with the delegate from the District of Columbia?

Mr. WON PAT. He is a member of the Committee on the District.

Senator BELLMON. And it would be expected then that the delegate from Guam—

Mr. WON PAT. He would be a member of the territory subcommittee.

Senator BELLMON. Would he perhaps testify before Senate committees?

Mr. WON PAT. Indeed, sir.

Senator BELLMON. What are some of the other functions you see this person performing?

Mr. WON PAT. As such, he would not only sit on the committee, but he would have the intimate contact and the knowledge, not only of the particular committee he is a member of, but also the other members. It has to be based on status to appear before a committee. There are, of course, other more important witnesses. Sometimes you write to members they don't acknowledge your communication.

Senator BELLMON. You see the delegate limiting his or her interest strictly to the matters that affect the territory?

Mr. WON PAT. No, sir. I think the delegate will be in a position to contribute, of course, to the deliberations of the Congress, the House he is serving because of his knowledge of the area he represents. Of course, Guam is a part of America and is no longer an isolated island out in the Pacific.

Senator BELLMON. I notice the bill, H.R. 8787, provides that the delegate needs to be a citizen of the United States for at least 7 years. Do you have a considerable number of residents who are not citizens?

Mr. WON PAT. We do have naturalized citizens, aliens who have been naturalized. They will be permanent residents, eventually they will be naturalized. Today a lot of mainland U.S. citizens are making their homes there.

Senator BELLMON. If a mainland American came to Guam, established a business, chose to run for a delegate spot, he could run immediately even though he had not lived in Guam for any period of time?

Mr. WON PAT. He has to live in Guam for at least 5 years.

Senator BELLMON. In addition to being a citizen of the United States, he has to be a resident of Guam for 5 years?

Mr. WON PAT. He could vote after 1 year.

Senator BELLMON. But he couldn't hold a position?

Mr. WON PAT. He couldn't hold a position.

Senator BELLMON. It would seem to be a mistake for a citizen of the United States who had only been in Guam for a short time to hold this position, but you say he could not. There is no need to add that in our bill.

Senator BURDICK. In other words, he could vote after 1 year, but he could not hold a public office until after 5 years?

Mr. WON PAT. Yes.

Senator BELLMON. I have no further questions.

Senator BURDICK. I don't have any either. Thank you, Mr. Won Pat.

Mr. WON PAT. Thank you, Senator Burdick and Senator Bellmon.

STATEMENT OF HON. CARLOS G. CAMACHO, GOVERNOR OF GUAM

Senator BURDICK. Governor Camacho.

Governor CAMACHO. Mr. Chairman, my name is Carlos G. Camacho, Governor of the territory of Guam.

Thank you for giving me this opportunity to present to you my views on Senate bill 1400 and House bill 8787, to provide the unincorporated territories of Guam and the Virgin Islands with representation in Congress by a Delegate to the House of Representatives.

In May of 1970 and in April of last year, it was my privilege to appear before the House subcommittee in support of similar legislation. My testimony on House bills 3237 and 7913 and now 8787, and Senate bill 1400 are outlined in formal statements which are recorded

in the hearings. Rather than repeating in toto the reasons why I support the bills, I wish to summarize those reasons and ask that the expanded version of my statements of May 19, 1970, and April 11, 1971, be incorporated by reference for the purpose of the bill now before the subcommittee.

Senator BURDICK. Without objection it is so ordered.

(The documents referred to were retained in the committee files.)

Governor CAMACHO. The essential elements of my presentation last year were:

First, historical precedent, Puerto Rico, Hawaii, the Philippine Islands, and Alaska, while territories or possessions of the United States, were authorized representatives in Congress from 65 to 71 years ago.

Second, civil government was very slow in coming to Guam. Limited self-rule, in the form of locally elected legislators, was allowed in 1950, after 52 years of military control. It was only in 1970 that for the first time in the island's history the people of Guam were allowed to elect their own Governor and Lieutenant Governor.

Third, a Delegate to Congress is the next logical step in the political evolution of the island.

Fourth, the election of a delegate will benefit the United States by providing Congress with a Member who can offer keen insight into the problems of the outlying, insular territories; and it will silence the unfounded criticism which regularly issues forth from certain members of the United Nations about the United States maintaining a colonial empire.

Fifth, the election of a delegate will benefit Guam by establishing for the territory an official representative of the people within the Federal Government. With the full implementation of the Elected Governor Act there is no official to bridge the gap between the territorial and the Federal Governments, unless it be the Government Comptroller as provided for by section 9-A of the Organic Act of Guam. But with all due respect for the excellent work being performed by the incumbent of that position, he is not a representative of the people. He is a representative of the Federal Government.

Sixth, finally, the election of a delegate will reduce, I trust, the frequency of the trips that I must make to Washington. Certainly I welcome the opportunities I have to visit you here, but each trip, which invariably consumes not less than 5 days and frequently many more, must detract from the effort I should be giving to matters at home.

Gentlemen, I respectfully urge you to act favorably on the legislation now pending before you. I very much appreciate your giving me this opportunity to testify in support of the bills, and I would like, on behalf of the people of Guam, to thank you for your consideration and to renew their invitation to you to return to our island soon.

Thank you.

Senator BURDICK. Do you have a preference between the two bills?

Governor CAMACHO. They are very similar in nature. It is a matter that H.R. 8787 is before you now.

Senator BURDICK. And you would like to have this passed as soon as possible?

Governor CAMACHO. Yes.

Senator BURDICK. Thank you, Governor. I have no questions to ask. You have been very definite and very clear. I think you have covered the ground adequately.

Senator BELLMON?

Senator BELLMON. You were the first elected Governor of Guam?

Governor CAMACHO. Yes.

Senator BELLMON. Do you feel your position is improved or better than it would have been if you had been appointed Governor?

Governor CAMACHO. Very definitely. At the moment, as elected Governor, I have greater ties and insight to the people, which I can execute without interference from other agencies. In essence, as appointed Governor I would have to listen to both sides, the people's wishes and the wishes of my superiors in Washington.

Senator BELLMON. Do you have any superiors in Washington now?

Governor CAMACHO. No. Before, I was appointed Governor.

Senator BELLMON. Do you feel election will give your delegate an advantage over being appointed?

Governor CAMACHO. Very much so. At the present moment, although Mr. Won Pat has been doing a tremendously efficient job, the mere fact that he is not representing actually the administration nor the people as an elected official, his responsibility is to the legislature solely.

With this bill he will be responsible directly to the people, without having to go through any intermediary agency.

Senator BELLMON. Do you feel the language in H.R. 8787 which says the delegate has to be a citizen of the United States for at least 5 years prior to the date of election, you don't think we need any requirements that he be a resident of Guam for some period of time?

Governor CAMACHO. I think in essence the individual will represent the people. In my opinion, he should be there for a certain period of time to know the culture, ethnic background, the customs, which in essence would represent the people more effectively than if we were to reduce the number of years to be eligible.

Senator BELLMON. As I read this, it says he must be a citizen of the United States. There is no restriction of having been a resident of Guam for any period of time. Mr. Won Pat said your present law requires that he be a resident of Guam for at least 5 years before he can seek public office.

Governor CAMACHO. Yes, according to statute. I don't know if that relates to this bill.

Senator BELLMON. Certainly the intent of your law in Guam is to foreclose anyone serving who has not been there 5 years, and the bill also provides he must be an inhabitant of the territory. Of course, he could be an inhabitant for a short period of time.

Governor CAMACHO. According to the law Mr. Won Pat mentioned, the statute calls for any individual seeking election, that he must satisfy the residency law according to the statute, so that should eliminate the possibility.

Senator BELLMON. I have one other question. You made reference to the fact that you feel the delegate could speak not only for Guam, but for the trust territory too. Do you feel this is a real possibility? There is some problem between Guam and the trust territory.

Governor CAMACHO. There is a feeling back home that the trust territory, particularly the Marianas group, are very much interested in the development of Guam, with the possibility that they are

thinking of seceding from the trusteeship and attaching themselves to Guam politically. But it will continue to be similar to what we have been doing.

I call on the Hawaii Delegate here. I call them my big cousins, because if I need something, I normally go to them for help. They are more aware of our problems. You were thinking along that line.

Senator BELLMON. I have no further questions.

Senator BURDICK. And your analogy there is, where you look to your friends in Hawaii, the trust territory people might look to you?

Governor CAMACHO. Yes.

Senator BURDICK. But the delegate wouldn't be speaking for anyone but Guam?

Governor CAMACHO. Yes. Of course, we can help them if they ask. Not officially——

Senator BELLMON. As Governor of Guam you would have no objection to your delegate speaking for and becoming involved in the affairs of the trust territory?

Governor CAMACHO. I don't think we should.

Senator BURDICK. As a matter of fact, the Marianas is one section of the trust territory and Guam is not in the trust territory, but you are ethnically in the Marianas group?

Senator BELLMON. May I ask a question having nothing to do with the bill, and I don't want to take a great deal of time.

I have been there on occasion, but when I was there last there was some interest in—I will put it this way—there was some feeling that there was a certain amount of discrimination, particularly toward Saipan so far as our relations with them. Have we done a better job of administering our responsibilities toward the trust territory?

Governor CAMACHO. At the very moment I would not say the feeling has subsided. Still the Marianas, as I mentioned before, are very keen about their desire to become a part of the United States, apart from the feeling of the other districts of the trust territory. So when I speak about their desire, there is no such thing as the Marianas group discriminating against the U.S. trust issues. The other districts are not too happy.

Senator BELLMON. That is all.

Senator BURDICK. I don't suppose this is the proper place to go into the future status question, but we have that problem, too, as you know, with the trust territory.

Thank you, Governor, for your contribution this morning.

The Honorable F. T. Ramirez, speaker of the Guam Legislature.

TESTIMONY OF FLORENCIO T. RAMIREZ, SPEAKER OF THE 11TH GUAM LEGISLATURE

Mr. RAMIREZ. Mr. Chairman and Senator Bellmon, I am Florencio T. Ramirez, speaker of the 11th Guam Legislature. Last spring I was privileged to present testimony to the House Subcommittee on Territorial and Insular Affairs on H.R. 3237. I need only remind you of the joy with which the people of Guam received the word of the passage of that bill during the first few days of the current session of Congress. I now wish to state my appreciation to the subcommittee for permitting me to offer testimony on the companion bill, S. 1400. Let me say at the outset that it is doubtful that there is anyone among

our 70,000 civilian inhabitants who does not think Guam should have a representative in the Congress of the United States. There is wholehearted support for this measure and it is only a matter of convincing you, and the other Members of the Senate that S. 1400 is necessary for the wellbeing of Guam; that there would be reciprocal benefits to the Government of the United States and that it is appropriate and feasible at this time to enact such legislation.

I am privileged to have served in the legislature since its inception through the Organic Act of Guam in 1950. I have enjoyed the confidence of the electorate throughout these last 20 years and have always tried to honor that confidence by acting in the best interests of the people. Never being one for speech making. I do a lot of mingling with and listening to people. You may call it precinct work. I can say without a doubt that there is a tremendous feeling of pride among the people for their U.S. citizenship. It is evident in just about everything we do. This is all the more amazing when you stop to think that Guam is 9,000 miles from Washington, D.C., and a good 7 hours by air from Hawaii, our closest contact with the United States, yet the most distant of all 50 States from the Capitol.

One would think that with Japan, China, Korea, Australia, Southeast Asia, the Philippines, and even Russia, having easier access to Guam, that our culture would be infiltrated to some degree by these foreign nations. But not so. Guam is very American. Even those who come to Guam for vacations or to perform contract labor and eventually to reside permanently, strive to act American. You can see it in their everyday living habits. Guam represents America in the western Pacific. The saying, America's day begins in Guam, is a true assessment of the situation.

This strong patriotic feeling and definite leaning toward America has been coming on strong since World War II. Prior to that we were a sleepy, contented people who just happened to change landlords around the turn of the century. And they were absentee landlords at that. But came the cruel awakening in 1941. We learned the hard way how important our island was on the international scene. But the Japanese method of progress was not acceptable to Guamanians. There are many people on Guam today who carry the scars of beatings and our cemeteries contain the remains of those who died at the hands of the invaders. This was why there was so little cooperation from Guamanians during the occupation. We did only what we had to do to stay alive. And many chose to risk their lives for the liberation and paid with their lives.

I do not want to give the impression, however, that there is still hatred of the Japanese. On the contrary, Guam today welcomes many thousands of visitors from Japan and there are several new Japanese businesses spring up mainly to cater to the vacation trade from their homeland. Guam is America to the Japanese, too. We believe that it is the influence of the United States over those past 25 years which has made Japan a prosperous and friendly nation, one for which we are willing to forgive for the hardships of those nearly 3 years of harsh occupation.

I recount this to give you some idea of the feelings which will explain the rejoicing when Congress passed the Organic Act in 1950, extending U.S. citizenship to the people of Guam and permitting them to elect a local legislature to work with the appointed Governor. Com-

ing on the heels of that tragic period of the early forties, when our American heritage was forged with fire and blood, we began to see on the eastern horizon the faint glimmer of hope that Guam would one day attain membership in the American political union.

Guam occupies a very focal and strategic position in America's western world—or eastern world depending upon the direction from which you're looking at us. The glamorous bywords which have been used to describe it: cross-roads of the Pacific, showcase of the western Pacific, where America's day begins, America's last new frontier, far-flung outpost of Western civilization, America's first line of defense in the Far East, et cetera—are more truth than literary play on words in these expressions. Guam is every one of these to the United States. The fact that the military occupies one-third of our land and accounts for one-third of approximately 110,000 inhabitants attests to the validity of some of these expressions.

As the United States winds down its operations in Japan, Korea, Okinawa, the Philippines, and hopefully in Vietnam, Guam's strategic relationship to the United States becomes all the more important. On the civilian side of the ledger we find the economy booming. Part of it resulting from the increase in military activities, part of it due to the tourist industry and part of it due to natural growth and population expansion.

And I might add, that with opening of communications with mainland China, Guam will be the first window through which that vast, but unknown nation may peek at the workings of the American system of free enterprise and democratic government. At times the presence of the Federal Establishment can be a hindrance to progress, yet at times, it can be a favorable stimulant. But regardless of the causes of the problems, they are there, and they must be dealt with.

I think it was along about 1955, in the third Guam legislative session, that we first asked the Congress to afford the people of Guam a representative in the U.S. Capitol. We were mindful of the necessity for patience and of serving an apprenticeship as an unincorporated territory. But we have watched the progress of Alaska and then Hawaii and even the commonwealth of Puerto Rico. Each biennial session of the legislature would produce another resolution requesting such representation. In some years, a Member of Congress would respond by submitting a bill calling for just this. But it has never come so close as it is this very day. We fairly bubble over with expectation.

We feel we have served our apprenticeship well. We have even tried to help ourselves, while patiently awaiting further recognition by the Congress. In 1965 we established the Honorable Antonio B. Won Pat, a veteran member of the legislature, as the unofficial representative of Guam in the Nation's Capitol. This has cost the government of Guam a considerable sum of money each year, but without any official standing, without any official access to the committees of Congress or the executive agencies, he has managed to do a commendable job in bringing Guam more into the mainstream of Federal political and economic activity.

But in actuality, Guam's Washington representative, as beneficial as he has been to us, is nothing more than a paid lobbyist to the Federal Government. And the Lord knows, you have enough of these around Washington.

But, whereas, the proposed nonvoting Delegate would surely enhance the entire political and economic situation in Guam, it would also bode well for the Federal Government. The delegate's presence on such committees as the Territories' Subcommittee, Armed Services, Foreign Affairs, Foreign Commerce, Merchant Marine and Fisheries, Science and Astronautics, would afford other House Members valuable information, and in Guam's representative could join in seeking solutions. Even without a vote—but preferably with a vote—but serving as a member of these committees which would have need for information about matters in this pivotal point of the world, a delegate could more than earn his keep, to use the vernacular.

He could do more for Guam—and for the United States, if he were an actual Member of Congress with offices and a seat on the appropriate committees, even were he not to vote on the final passage of bills and resolutions.

I would like to submit for the record, two resolutions adopted by the 11th Guam Legislature early last year and duly noted in the hearings held by the House prior to passage of H.R. 8787. Resolution 86 respectfully requests the Congress to afford the people of Guam a nonvoting delegate to the U.S. House of Representatives. Resolution 212 expresses the wholehearted support for bills H.R. 8787 and S. 1400. I submit these for the record.

Senator BURDICK. They will be received, without objection.

(The documents referred to follow:)

[Res. 212, 11th Guam Legislature, 1971 (first) regular sess.]

Relative to expressing the wholehearted support of the people of Guam for Bills H.R. 3237 and S. 1400 pending in the United States Congress which provide a non-voting delegate in the House of Representatives for the territory of Guam.

Be it resolved by the Legislature of the Territory of Guam:

Whereas Bills H.R. 3237 and S. 1400 are presently pending in the United States Congress, introduced by the Honorable Phillip Burton in the House, and the Honorable Henry Jackson in the Senate, which Bills if enacted would provide a non-voting delegate for the territory of Guam in the United States House of Representatives, which delegate would have such privileges in the House of Representatives as would be afforded him under the rules of the House, receive the same compensation, allowances, benefits as a member of the House of Representatives, and be entitled to whatever privileges and immunities as are given the Resident Commission for Puerto Rico; and

Whereas, the people of Guam are ever anxious to obtain the full measure of democratic government enjoyed by their fellow American citizens in the rest of the United States, and therefore the provisions for the first time in the history of the territory of an official spokesman for the people of Guam in our Nation's Capitol with a seat in the United States House of Representatives is indeed a step forward for the people of Guam in their quest for self-government consonant with their status as American citizens and as inhabitants of an island of immense importance to the defense of the United States and the rest of the free world; and

Whereas, in view of the recent grant by Congress of the right of the people of Guam to elect their own chief executive, it is the hope of all that this clear indication of the faith that Congress has in the political maturity and stability of the people means that the granting of an elected delegate to the House of Representatives from Guam is also a strong possibility, especially since the former territories of Hawaii and Alaska had non-voting delegates to Congress long before they ever had elected governors; and

Whereas, not only will the proposed legislation clearly benefit the people of Guam, who at last will have a voice in the most important legislative assembly in the world, but also it will benefit Congress itself since the members can obtain direct and candid information about the problems of the people in this part of the world; Now, therefore, be it

Resolved, That the Eleventh Guam Legislature does hereby, on behalf of the people of Guam, express wholehearted support of Bills H.R. 3237 and S. 1400

pending in the Congress of the United States to provide for a non-voting delegate in the House of Representatives for the territory of Guam, and does further express the hope that such legislation will be given quick and favorable consideration; and be it further

Resolved, That the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to Representative Phillip Burton, Chairman of the House Subcommittee on Territorial and Insular Affairs, to the Chairman of the House Committee on Interior and Insular Affairs, to the Chairman of the Senate Committee on Interior and Insular Affairs, to Senator Henry Jackson, to the Speaker of the House, to the President of the Senate, to Senator Allott, to Senator Daniel K. Inouye, to Representative Abzug, to Representative Anderson, to Representative Badillo, to Representative Chisholm, to Representative Drinan, to Representative Edwards, to Representative Harrington, to Representative Hawkins, to Representative Kastenmeier, to Representative Matsunaga, to Representative Meeds, to Representative Mikva, to Representative Mink, to Representative Rosenthal, to Representative Ryan, to Guam's Washington Representative, and to the Governor of Guam.

[Res. 86, 11th Guam Legislature, 1971 (first) regular session]

Relative to respectfully requesting the Congress of the United States to enact legislation to afford the people of Guam a non-voting delegate to the United States House of Representatives

Be it resolved by the legislature of the Territory of Guam:

Whereas, under the tutelage and with the assistance of the Congress of the United States, the people of Guam have progressed steadily along the path of increasing political maturity matched with ever greater self-government, two particular milestones along this path being the Organic Act of Guam in 1950 giving U.S. citizenship and a locally elected Legislature, and the Elective Governorship Act of 1969 which permitted the election of Guam's chief executive for the first time in the recorded history of the island; and

Whereas the people of Guam are therefore now hopeful that the Congress will once again see fit to extend one more attribute of membership in the American political union so far not available to the territory; namely, a seat representing the territory in the halls of Congress, the previous Congress having considered a bill to provide the territory of Guam with a non-voting delegate to the U.S. House of Representatives, thus raising in the people of Guam the hope that such legislation will be enacted in the not too distant future; and

Whereas, in view of the extensive Federal presence in the territory and the unique problems that Guam has in our nation's capital, it is respectfully submitted that the provision of a representative for the people of Guam to serve as their delegate to Congress would indeed fill a gap sorely felt by the territory and its officials, although this is to no way denigrate the abilities or dedication of Guam's unofficial delegate, the Honorable Antonio B. Won Pat, who without any official standing has done a remarkable effective job on behalf of the people of Guam, but whose hand would be considerably strengthened were he to be an actual member of Congress with offices and a seat on the appropriate committees even were he not to vote on the final passage of bills and resolutions, the history of Congress and of the Territories demonstrating that many such non-voting delegates had a profound influence on the legislative process in so far as it affected their respective territory; and

Whereas, in addition to the manifest benefits that will accrue to the people of Guam from the presence of a delegate in Congress, the other members of Congress themselves would become much more knowledgeable about Guam, its problems and its people were a representative from the island to be their colleague; Now, therefore, be it

Resolved, That the Eleventh Guam Legislature does hereby on behalf of the people of Guam respectfully petition and memorialize the Congress of the United States to enact legislation to permit the people of Guam to be represented in the halls of Congress by a non-voting delegate; and be it further

Resolved, That the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the U.S. Senate, to the Speaker of the House of Representatives, to the Chairmen, Committees on Interior and Insular Affairs, U.S. Senate and House of Representatives, to Guam's Washington Representative, and to the Governor of Guam.

Mr. RAMIREZ. Thank you, gentlemen, for listening to this testimony from the 11th Guam Legislature on behalf of the people who elected

us. We are optimistically hopeful that your deliberations on H.R. 8787 will be resolved in favor of the people of Guam and our brothers and sisters of this great United States of America.

Senator BURDICK. Thank you very much for your contribution.

Mr. RAMIREZ. I will be very happy to answer any questions.

Senator BURDICK. There are slight differences between H.R. 8787 and S. 1440. Do you have any preference as to which one we pass?

Mr. RAMIREZ. No.

Senator BURDICK. The testimony this morning shows that if we accept H.R. 8787 we can go directly to the President with a bill and avoid a conference. Would you have any objection to that?

Mr. RAMIREZ. No.

Senator BURDICK. You raised a good point about the location of Guam and the Marianas, in general. With the abandonment of Okinawa, the Marianas become the first line.

Mr. RAMIREZ. We have always thought that, Mr. Chairman. Even right now we have a bill in the legislature, the purpose of which is to create a commission to see just how we can get together. This is a very—sometimes we call it a very delicate situation. Some of the people are not too happy.

Senator BURDICK. The whole population of the Marianas is ethnically the same people and, as I say, Tinian and Saipan and Guam will all be in the first line of defense for the United States; won't they?

Mr. RAMIREZ. They are.

Senator BURDICK. Any questions, Senator Bellmon?

Senator BELLMON. This is a very fine statement, and I have no questions about the statement. But I would like again to pursue for just a moment the question about the relationship between Guam and Saipan and Tinian. I was a member of the 14th Division. We made landings during World War II on Saipan and Tinian. At that time they were very prosperous islands. When we go back there now we don't see much going on. There is a very notable difference between the level of prosperity on Guam as compared to Saipan and Tinian. I hope they could be brought up to the levels Guam has already reached.

The bill you mentioned, what is its purpose?

Mr. RAMIREZ. The purpose of the bill is to create a commission so that both Guam and the Marianas might be able to achieve a way where we can associate. Of course, in the Guam Legislature, we can only act affecting Guam and the problem here is to try to get from the Saipan Legislature something which might be happening to their area. Over the years, as far back as the 1950's, we have been discussing economic integration, political integration, so forth. That is the purpose of the legislature's bill.

Senator BELLMON. Are there trade barriers to prevent fruits or vegetables from Saipan from being brought to Guam to be marketed there?

Mr. RAMIREZ. There is no problem there. We always welcome a product from the territory. We don't produce enough in Guam. Sometimes we have agricultural restrictions on produce from that area.

Senator BELLMON. How do you explain the big difference in prosperity and level of income between Guam and Saipan?

Mr. RAMIREZ. For one thing, the difference is there is more activity in Guam, Federal spending. Another is that in Saipan and the other districts, the place is closed and outside people just don't wish to go there and invest, because it is not a good place to invest.

You can't buy land in Saipan. You have to be a citizen to acquire land. That situation is very difficult for an investor to go into.

Senator BURDICK. Will the Senator yield? There are two problems—I hope they are not major—that I discovered when I was out in the islands that were causing Saipan some problems. One is they are just cleaning up the live ammunition that was scattered all over Saipan. Apparently some general blew up the dumps thinking he destroyed the ammunition. He did not destroy it. It was all over the island and they were working acre by acre, foot by foot, to clean it up.

The second problem was there has been a tremendous proliferation and expansion of the snails that the Japanese brought in, to the point they were destroying vegetation.

Mr. RAMIREZ. The same way in Guam. They are now as prevalent on Guam as on Saipan. One important factor you should consider: when Japan was occupying Saipan, thousands of Japanese moved there. The Japanese established some kind of commerce.

Senator BELLMON. I think it was subsidized.

Mr. RAMIREZ. But you don't find the Japanese in Guam now. One difference is this: when Saipan was occupied by the Japanese, most of the land was either leased to agriculture or under control. That is information I got from some of the people I spoke to on Saipan.

Senator BURDICK. The legislation we passed to assist Guam in its economic development has been very helpful, hasn't it? We also passed a similar bill to help the trust territory. It might do something to give some impetus or stimulation to areas like Saipan and Tinian and other places. We are very hopeful the President will sign the bill.

Senator BELLMON. I have no further questions.

Senator BURDICK. I am very pleased to have you here, and I appreciate your testimony and hope we can see you out in Guam some time.

Mr. RAMIREZ. Do come and visit us. You are always welcome. Thank you very much, sir.

Senator BURDICK. Is anybody else here in the hearing room who cares to testify on the aspects of this bill from the point of view of Guam? If not, at the sound of the gavel, the hearing is adjourned.

(Whereupon, at 11:15 a.m., the hearing was adjourned.)

The following communication was received subsequent to the hearing and, by order of the chairman, was ordered to be included in the record.

LEAGUE OF WOMEN VOTERS,
St. Thomas, V.I., March 15, 1972.

Senator QUENTIN BURDICK,
Subcommittee on Territories,
U.S. Senate, Washington, D.C.

League of Women Voters, Virgin Islands, supports delegate in House per S. 1400. Runoff election should coincide with Governor runoff 14 days after general election deadline. Filing date should coincide with Virgin Island code otherwise candidates for other posts defeated in primaries could then file as delegate candidates. Do you wish independent delegate candidates to get double number (200) signatures as independent candidates for other offices including Governor? Virgin Island code requires 100 signatures for independent candidates.

Running at large recommend bill be kept general, prevent contradiction between Federal and territorial laws.

BETTY WEATHERBY, *President.*