

own and declared independence from the Ottoman empire in 1821.

Our two countries share in embracing and nurturing an idea instrumental in bringing freedom and prosperity to mankind. We take great pleasure in wishing the Greek people well, and join in their celebration on this, the 174th anniversary of their independence and freedom.

□ 1530

#### GUAM COMMONWEALTH ACT

The SPEAKER pro tempore (Mr. FUNDERBURK). Under the Speaker's announced policy of January 4, 1995, the gentleman from Guam [Mr. UNDERWOOD] is recognized for 60 minutes as the designee of the minority leader.

Mr. UNDERWOOD. Mr. Speaker, this afternoon I want to go on record and discuss an issue that is of serious concern to people in small territories. It is going to take a great deal of attention and I am going to provide it as much context as I can because it is an issue that is frequently not understood in the context of national issues in the United States.

Taking a page from the previous speaker who discussed the meaning of democracy and the ties between Greece and the United States, I would like to, in the same vein, talk about the application of democracy, the full application of democracy, to the entire country, and not just the 50 States and not just the District of Columbia but, indeed, all of the offshore territories.

Today the United States holds a number of offshore territories that are small in nature, that are sometimes seen as not serious political issues, and are sometimes seen as areas that lead idyllic existences that somehow don't merit the attention and consideration that they deserve.

These include Guam, American Samoa, the Commonwealth of the Northern Marianas, the Virgin Islands, and Puerto Rico. Puerto Rico is a slightly different example from the rest because the other four share something that Puerto Rico does not have and, that is, that they share a very small size. Most of these areas have populations that number under 150,000. All but one, the Northern Marianas, is represented in this body by a delegate.

On February 24, 1995, I introduced H.R. 1056 called the Guam Commonwealth Act with 41 cosponsors from both sides of the aisle. This draft act, this commonwealth draft act that we are proposing and we are hopeful will get the serious attention that it deserves during the life of the 104th Congress represents the expressions of the hopes of the people of Guam that have been associated with the United States since the Spanish-American War in 1898.

As a result of the Spanish-American War, the United States acquired the Philippines, Puerto Rico, and Guam. The case of the Philippines was resolved after World War II with full

independence, the situation of Puerto Rico remains unresolved to some extent, and the situation of Guam remains unresolved to a much greater extent.

The commonwealth draft act that we have proposed is composed of 12 articles and it took approximately 5 years to draft, from its very beginning, through an electoral process which was taken upon by the government of Guam on its own, despite the fact that the Federal Government, the U.S. Government, is obligated and has willingly placed small territories on a United Nations list of areas to be decolonized, the Federal Government and the Federal policy in these areas has been unclear, erratic, and inconsistent. At no point in the entire history of Guam's relationship with the United States has the Federal Government ever taken the issue of political status on its own as an obligation to fulfill. It has always been instead an effort on the part of Guam to try to get at the substance of the issue that underline the problems that we face.

The commonwealth draft act is composed of 3 basic parts: One deals with some historical injustices, some of which I will touch on. Another deals with the nature of the relationship between the government of Guam and the Federal Government. And the third deals with some economic issues which remain areas of serious contention between Guam and the United States, especially if we hope to develop in a more autonomous fashion.

Our act, the Guam Commonwealth Act, H.R. 1046, works toward improving the Federal-territorial relationship between Guam and the United States. The commonwealth that we are proposing is something that has not been proposed before. It is something that pushes the envelope of Federal-territorial relations.

Currently whenever Guam asks to do something, we are constantly and it is a mind-set and it is a natural mind-set, it is something that is part and parcel of the American psyche when it comes to discussing issues of government, and, that is, that the Federal Government is seen only in its connection and its relationship to States. There are such things as State-Federal relationships. There is the District of Columbia, which in the Constitution has a special relationship. But then there is the case of territories in which the Constitution refers to as having plenary, the Congress has plenary authority over the territories but there is no clear definition of what it means to have Federal-territorial relations.

Every time that in the past Guam attempts to do something to expand its autonomy, sometimes that is compared on the basis of what is allowable in the context of the Federal Government and the State relationship, Federal-State relationships. In fact, in many instances, in many discussions that I have participated in over the life of being very directly involved with the

issue of political status change for 15 years, sometimes the comment is made that you can't ask for that because not even States are allowed to do something. Not even States are allowed to have that kind of authority over their own existence, so that somehow or other State is seen as the apex of the system, as the standard against which territories will be measured. And sometimes almost in the same breath you will hear the subtle reminder, and, by the way, Guam will never be a State.

There you have the amazing quandary in which small territories find themselves. Small territories are composed of U.S. citizens. What does it mean to be a U.S. citizen from Guam versus a U.S. citizen from Wisconsin? What does it mean to have your territorial government relate to the Federal Government when you are fully aware that statehood is really not on the table for you?

What do you need in order to reshape that relationship, catch the attention of important people so that they understand it, so that they understand that there are bits of America that are not likely to become States, how do you resolve that fundamental principle that you seek when you say you want political equality for citizens for everybody who is a U.S. citizen and yet they continue to survive and exist in areas of the United States which are small territories not likely to be candidates for States and are living in a kind of permanent political limbo?

That is why I feel very strongly that we need to push the envelop on this. We need to conceptualize and think of what are some possible new relationships which territories may aspire to which will give them the dignity that they deserve, which will give them as individuals, as residents, as individual citizens the kind of dignity that they deserve, because they have the same basic obligations to this country.

There is no area of the United States that has provided on a per capita basis as many people to join the armed services as has Guam. There are more people who died per capita in Vietnam in comparison to other jurisdictions that died from Guam. There is always the quandary that there are people from Guam who joined the service and are asked to put their lives on the line for the supreme sacrifice to that flag and if by chance they happen to die, they come home in a casket under that flag, but lo and behold they cannot vote for President, lo and behold, they have no voting representation in this House, and lo and behold, there is no mechanism, no Federal-territorial relationship which will give them the dignity and increased autonomy over their existence that could perhaps compensate for the fact that they will not ever be full States of the union. That is what we are proposing and that is what we are putting on the table.

Since the arrival of the Clinton administration, there has been a lot of

attention to a concept called REGO, reinventing government.

□ 1545

Since the victory of the majority party, the Republican party, in November, there has been a lot of attention addressed to devolution, the returning of power to the States. The question, of course, that you must ask if you are a resident of a territory is that when the Federal Government says that they are returning power to the States, does that mean that they are returning power to the territories? And the answer is it is not clear.

When the Clinton administration says they are reinventing government in order to make it more user friendly and also create a new pattern, a new federalism, which will increase autonomy in local governments, does that include the territories? And again, the answer is not clear, because in point of fact, neither the Republican Contract With America nor the reinventing government initiatives under Vice President GORE addresses territories.

So there you have yet another item in which when you represent a small area like I do and the other Delegates that represent small areas, in fact, sometimes, I tell people that whenever I raise these issues, I get the response that, you know, this was an oversight; "We forgot, we are sorry. It was not that we intended to forget about you. It was an oversight." And I have always replied that one day if I was ever fortunate enough to become a committee chairman or a subcommittee chairman, I would have an oversight hearing on all the oversights that I have experienced, and certainly all the oversights that territories have experienced.

So there is no clear answer in the new federalism because there is no attempt to try to interpret what the new federalism means in the case of some 4.1 million American citizens that live outside the 50 States.

Now, one of the core principles of American government and one of the core principles of democracy is that government flows from the consent of the governed, and yet clearly in the case of the small territories, this is not the case. There is no consent of the governed in terms of passing the laws that are passed right in this body. This is the people's House, we are always reminded, and I am a person, I think I am one of the people, but yet my powers, my role of participation in this is circumscribed.

And in that, when they pass laws, the full application of these laws are expected to fall with the same weight as they would on citizens in Wisconsin or Montana, as they would on the citizens of Guam or American Samoa, and yet there is no meaningful participation in terms of voting by which you could legitimately say that there is consent of the governed, because there is not voting representation in the House of Representatives.

So what we have offered in our Commonwealth Draft Act is a process which will, in a sense, compensate for that, which will attempt to provide a new mechanism to deal with that, because we do not want to get into the issue of whether voting representation will resolve that issue, because that will take a constitutional amendment. It is tough enough passing a constitutional amendment when the issue has serious national attention. The odds against passing a constitutional amendment for territorial representation in this House are long, very long, and I recognize that.

But instead, perhaps we could pass some legislation in this body mindful of its responsibility to perfect and apply democracy wherever the U.S. flag flies and see if some kind of mechanism cannot be established by which there is consent of the governed.

And we have offered that in the context of our Commonwealth Draft Act, and we have labeled it mutual consent, and basically what we are saying is that if we pass this Commonwealth Draft Act as it stands is that we say that in order to change the Draft Act it should be incumbent on both sides to agree. That is in lieu of the fact we have forgone the possibility of being full in the sense of consent of the governed, but we are seizing upon a document which will clearly outline and bring clarity to the nature of the Federal Government's relationship with the territories.

In this bill, the Guam Commonwealth Draft Act has been introduced. This makes the fourth successive Congress, two by my predecessor, the Honorable Ben Blaz, two by myself. In that, we have always deferred to the administration, because we knew that the administration has to get its support behind it, and with the onset of the Clinton administration, we were able to get a representative of that administration in the period of I. Michael Heyman. A few weeks ago Mr. Heyman decided that he no longer wished to engage in this. It was not lack of interest. It was basically a concern about all the other responsibilities he has.

What this means for us is that if the administration does not replace Mr. Heyman in short order, then valuable time will be wasted in terms of discussing some of the specifics of the Draft Act with the administration so that a hearing can be held here in Congress in which this administration comes with a coherent position. Because of the far-reaching nature of our Draft Act, which talks about taxation, which talks about military issues, which talks about transportation issues, as well as the political relationship, we felt it, as did the administration, as did the congressional leadership, that it is most important that some kind of clear, coherent, comprehensive position be drafted by the administration and then that be presented in the form of a congressional hearing.

Well, time is running short on this time period in the 104th Congress. If we do not get that person on board, if we do not get them on board in short order, then I fear that we will not be able to complete the time, the process of discussion which will inevitably lead to a congressional hearing.

Guam's relationship with the United States is a long one and is most known to most people, I guess, by the context, its military relationship, and, indeed, it is no surprise that that is the very reason, because of its military strategic location, that Guam came to be part of the United States family to begin with.

But the world is changing, and what we have now on Guam is that at one point in time in our existence and especially in the time period after World War II and during the cold war, during the height of the cold war, Guam played a very important and integral part of a huge forward presence by the United States in East Asia. Well, that time period has shifted, and good relationships and military security depends much more on good relationships than it does on good weaponry, and so the role of Guam in that process has shifted, and we recognize that.

But we sometimes get very confused signals. In the recent proposal by the Department of Defense, before the Base Realignment and Closure Commission, the Department of Defense has argued for the closure of four military facilities on Guam which will effectively put out of a job 10 percent of the entire work force. This is an enormous cut. This has enormous impact. If this were carried out in the State of California it would have proportionately had the effect of cutting 1.5 million jobs. So the magnitude of this proposal indicates that the nature of the relationship between Guam and the United States is entering a new transition period.

I would also like to point out that even though military spending forms an integral part of the Guam economy, it is a declining part of the Guam economy, and I would also like to point out that Guam probably, among the small territories, is clearly the most self-sufficient in terms of its economy. We have approximately a million tourists a year come to Guam, primarily from the Asian market. Two-thirds of the world's people live within a 4-hour flight from Guam, just to bring into context the possibilities and the economic possibilities of tourism and doing business on Guam, even for United States interests, as they do business in East Asia.

So we have opportunities, and we have a great deal of self-sufficiency. In fact, in terms of the kinds of Federal assistance that the Federal Government gives to Guam, we did an analysis of this, and 35 States have a higher percentage of direct Federal assistance into their local operating revenues, and Guam ranks No. 17, if you look from the bottom, if you look at all the States and the territories.

So we are not a political welfare case. We are not a political charity case. We are a proud people, looking for a new mechanism through which we can become even more autonomous, obtain some political dignity, and receive some of the freedoms that every other American enjoys and takes for granted.

When you are a territory, you live in an existence, in a political existence, in which any Federal bureaucrat, in which any Federal official may misunderstand whether you are a domestic entity, whether you are a foreign entity, or whether you are a nonentity.

And in this, I would just give you some examples. Federal aviation—for purposes of airline routes, we are regulated as a domestic entity.

For communications—for purposes of communication, we are regulated, we are treated as a foreign country. What does that mean? Well, basically what that means is, if you are trying to run a viable economy on Guam, is that you have telephone rates that are incredibly high because you are treated as a foreign country.

And if you want to bring more air routes in from the surrounding area in order to contribute to the growth of your tourist industry, you are not able to because the routes that Guam, the Guam-to-Japan routes, Guam-to-Taiwan routes, Guam-to-the-Philippines routes are part of the basic negotiation of United States-foreign country routes.

So you can see in those two examples right there how sometimes we are being in a sense jerked around. Basically, it seems like the Federal Government, when it is favorable to the Federal Government, we are treated as a domestic entity. When it is favorable to the Federal Government to treat us as a foreign country, we are treated as a foreign country.

So we have a number of trade arrangements we would like to engage in. We seek clarity in these arrangements. We seek political autonomy. We seek political dignity.

And in all of these dimensions, we try to be open. We are clearly, clearly a political anomaly which needs solution.

It is unconscionable for this country to continue to keep small territories in political limbo, not clearly offering them the option of being full participants as States, but instead seemingly only offering the option of being a political dependency in which your dignity as a people, in which your rights as a citizen are clearly mitigated, misunderstood on a daily basis.

If I could be afforded, Mr. Speaker, a personal note, there is no individual from Guam, there is no individual on Guam, there is no elected political official from Guam or from any of the territories who could feel or understand what this continual turmoil is on this issue of political status than the people who sit as Delegates. On a daily basis, you are reminded that for one reason or another—some historical, some military—you are part of this great

country, and you are a U.S. citizen. But for reasons that are equally sometimes unclear, you are not part of the full participation of this body.

If you look around this room, you will see the seals of each of the 50 States that are on the ceiling, as you look around the room, and you will see in a corner, tucked away, seals of various territories as an afterthought.

When voting time comes, we are given—Delegates are given—a card, and everyone calls it a voting card. But I guess in the case of Delegates it is really a nonvoting card. You put it in the machine and nothing happens, because you are ineligible to vote, and most importantly and most, I guess, where if symbols count, and this is the House of the people, and the people come to vote, and the people's Representatives come to be represented, your name is not even listed on the board up there, so that you become a nonperson.

That is not meant to bemoan that existence, because every Delegate who gets elected to this body clearly knows the parameters of working and living in this body, but what it is meant to note is that when the territories and when Representatives, elected officials of the territories, have a proposal in hand which seeks to resolve the anomalous status of these jurisdictions, that it is the obligation, I think, of people who propound almost on a daily basis on the meaning of democracy to entertain those in as serious a manner as possible.

And on that note I would like to close by asking for cosponsorship by all the Members of the House of H.R. 1056.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. WISE) to revise and extend their remarks and include extraneous material:)

Mr. HOYER, for 5 minutes, today.  
 Ms. KAPTUR, for 5 minutes, today.  
 Mr. JEFFERSON, for 5 minutes, today.  
 Mr. VOLKMER, for 5 minutes, today.  
 Mr. OWENS, for 5 minutes, today.  
 Mr. HILLIARD, for 5 minutes, today.  
 Mr. TUCKER, for 5 minutes, today.  
 Mrs. SCHROEDER, for 5 minutes, today.

Mr. WISE, for 5 minutes, today.

(The following Members (at the request of Mr. HAYWORTH) to revise and extend their remarks and include extraneous material:)

Mr. NORWOOD, for 5 minutes, today.  
 Mr. HOEKSTRA, for 5 minutes, on March 29.  
 Mr. SCARBOROUGH, for 5 minutes, today.  
 Mr. BEREUTER, for 5 minutes, today.  
 Mr. CUNNINGHAM, for 5 minutes, today.  
 Mr. FUNDERBURK, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. HAYWORTH) and to include extraneous matter:)

Mr. GALLEGLY.  
 Mr. DORNAN.  
 Mr. FIELDS of Texas.  
 Mr. FRANKS of New Jersey.  
 Mr. PACKARD.  
 Mr. SOLOMON in two instances.  
 Mr. FORBES.  
 Mr. HAYWORTH.  
 Mr. ROTH.

(The following Members (at the request of Mr. WISE) and to include extraneous matter:)

Mr. TORRICELLI.  
 Mr. KENNEDY of Rhode Island in two instances.  
 Mr. MONTGOMERY.  
 Mr. JACOBS.  
 Mr. MANTON.  
 Mr. BARCIA.  
 Mr. HEFNER.  
 Ms. LOFGREN.  
 Mr. BONIOR.

(The following Members (at the request of Mr. UNDERWOOD) and to include extraneous matter:)

Mr. ALLARD.  
 Mr. COSTELLO.  
 Mrs. LOWEY.  
 Mr. STARK.  
 Mr. WILLIAMS.  
 Mr. RICHARDSON in two instances.  
 Mr. MOORHEAD.  
 Mrs. MEEK of Florida.  
 Mr. HOYER in three instances.  
 Mr. BEREUTER.  
 Mr. DINGELL.

#### ADJOURNMENT

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 1 minute p.m.), under its previous order, the House adjourned until Tuesday, March 28, 1995, at 12:30 p.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of the XXIV, executive communications were taken from the Speaker's table and referred as follows:

600. A letter from the Assistant Secretary of Defense, transmitting a report entitled, "Personnel Assistance Program: Report on the Transition Assistance Program for FY 1994"; to the Committee on National Security.

601. A letter from the Chairman, Reserve Policy Board, Department of Defense, transmitting a report entitled, "Reserve Component Programs Fiscal Year 1994"; to the Committee on National Security.

602. A letter from the Administrator, U.S. Agency for International Development, transmitting the annual report to Congress on activities under the Denton amendment, pursuant to 10 U.S.C. 402; to the Committee on National Security.