

OPENING STATEMENT
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LEGISLATIVE HEARING ON H.R. 3940
Thursday, November 5, 2009

Today, we convene to discuss an issue of great importance to the people of Guam and to the jurisdiction of the Committee on Natural Resources: that of appropriately enabling the Executive Branch to help resolve the question of Guam's political status in a manner that would be consistent with the aspirations of the people of Guam.

The "territorial clause" in Article Four of the United States Constitution vests with the Congress the power to dispose of and make all needful rules and regulations respecting the territories of the United States. Recommendations as to the exercise of such plenary authority by the Congress rest with this Committee. As a member of the United Nations, the United States also assumes by virtue of Article 73 of the United Nations Charter the international obligation to develop self-government and to take due account of the political aspirations of the people of her territories. Mindful of these responsibilities we resume today a discussion that involves the political history and future of Guam.

The people of Guam call home an island that now has been under the United States Flag as an unincorporated territory for over 111 years. Guam, like her sister territory Puerto Rico, was ceded to the United States from Spain upon the signing of the Treaty of Paris settling the Spanish-American War in 1898. For the first 45 years of United States rule, the Department of the Navy administered Guam. Shortly after United States Armed Forces returned to regain control of Guam ending a 32-month occupation by Imperial Japan during the Second World War, administrative authority for the territory was transferred to the Department of the Interior where it remains today. In 1950, Congress also passed the Organic Act of Guam conferring United States citizenship on the people of Guam and providing the territory with a limited form of self-government. It is under the Organic Act that the Secretary of the Interior exercises his administrative authority for Guam.

Today, Guam, like American Samoa and the United States Virgin Islands, is listed by the United Nations as a non-self-governing territory, and its political status remains a matter for Congress to address. After over a decade of earnest and diligent effort toward defining a new political relationship between Guam and the United States that gained the attention of the Executive Branch and that took the form of legislation introduced in the 100th through the 105th Congresses, the political aspirations of the people of Guam for such status were never realized. As a result, a plebiscite affording the people of Guam an opportunity to express their views on status was authorized by local law but remains unscheduled.

I introduced H.R. 3940 for the purposes of best positioning the Department of the Interior to help the Government of Guam in its process of preparing for such a plebiscite. H.R. 3940 would authorize the extension of grants and other forms of assistance by the Department of the Interior to the Government of Guam for the express purpose of facilitating a public education program regarding various political status options.

The education of the public as to viable status options is essential to the exercise of self-determination and to the expression of a people's political aspirations. My bill is not meant to steer the course in one direction over another with regard to any particular status option nor is it meant to assert direct Congressional involvement in this process. Ultimately, Congress should remain ready and obligated to respond to the desires of the people of Guam on the question of status.

I remain committed to and ask my colleagues to join me in supporting the efforts of the Governor of Guam and the Guam Legislature in providing for an opportunity for the people of Guam to express their desired political status. Through the testimony and discussion today we can gauge where the Government of Guam is in this process and assess the views of the Administration as to the role it believes is appropriate for it to assume in this process and for which it may be capable of fulfilling.

Lastly, I thank my colleagues representing each of the other territories for cosponsoring H.R. 3940. Mrs. Christensen of the Virgin Islands has already requested my support for amending this bill, should it move forward in the legislative process, to also authorize such assistance for the Government of the Virgin Islands. Following this hearing, we shall continue our efforts with respect to this subject area and evaluate amending H.R. 3940 to encompass the other non-self-governing territories based on our discussion today. With that, we look forward to hearing and reviewing the testimony that will be formally submitted today.