

Special Session of the Tenth Congress to convene in Chuuk State from 28 July to 10 August 1998. This marked only the second time in its eighteen-year history that the Congress held a session away from Pohnpei State.

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GUAM

The period under review began with two wrenching tragedies. In August Korean Airlines flight 801 crashed into a Guam hillside, and in December Supertyphoon Paka pounded the island for ten hours.

At 1:42 AM on 6 August 1997, a Korean Airlines jumbo jet approaching Guam International Air Terminal slammed into a hill three miles short of the runway. Some 229 of the 254 passengers on board the Boeing 747-300 were killed. The preliminary investigation by the National Transportation Safety Board cited nonfunctional ground navigation aids, pilot exhaustion, crew errors, miscommunication between the crew and the control tower, and a sudden, heavy rainsquall as factors in the fatal crash. Although safety board officials have not released their final report, transcripts of cockpit conversations show that the crew was not aware of the impending crash until it was too late.

Three months later, on 16-17 December, Supertyphoon Paka, packing wind gusts of 180 to 200 miles per hour, hit Guam. Miraculously, there was no loss of life, but thousands of people were left homeless. As with the Korean Airlines crash, Governor

Gutierrez quickly communicated with President Clinton, who declared Guam a disaster area. The resources of the Federal Emergency Management Agency, the Small Business Administration, and several other federal agencies, including the US military, were available to facilitate a fast recovery. Water and electric power were restored to many areas of the island within weeks, and students returned to schools soon after the new year. Damages were estimated at \$200 million to \$400 million, and as of June 1998 the Small Business Administration had provided Guamanians with \$140 million in relief loan money.

Governor Carl T C Gutierrez is completing his fourth year in office as the territory's chief executive and is up for reelection. Madaleine Bordallo, the wife of former two-term governor Ricky Bordallo, who took his life in 1990, serves as lieutenant governor. This team claimed a number of distinct accomplishments during the period under review. It also responded to some difficulties, including the sudden resignations of the attorney general and the chief prosecutor, the rejection by the legislature of the governor's designee for police chief, and two-year-late campaign-fund-raising reports. In addition charges were made that the island's strategic plan, Vision 2001, was being politicized, and that loans had been made to former political opponents in order to gain future support.

Governor Gutierrez was one of the first on the scene of the KAL crash and was effective in mobilizing rescue efforts. Although a few people questioned his involvement, many com-

mended him for his humanitarian concern and leadership. His response to the havoc of Super typhoon Paka was equally fast and effective. He had Guam declared a major disaster area, secured housing for the homeless, got the water and power restored, and used the Guam National Guard and government resources to accelerate recovery.

Gutierrez began his governorship in January 1995 by extricating Guam from impending financial crisis. He listened to advice from private-sector leaders and was successful in stopping overspending from the government's General Fund by means of "a financial plan with teeth." He then used public and private-sector talent to develop Vision 2001, Guam's strategic master development plan to guide economic change. The privatization of the navy's ship repair facility, acquisition of an 800-foot dry dock, and stimulation of tourism are efforts consistent with the plan. Much of the Gutierrez team's focus is on developing Guam's economic and financial strength.

In social and community affairs, the Gutierrez-Bordallo team established an island police commission to link law enforcement to village concerns; vetoed a land use plan because it would cause difficulty for families that had approval to build on Chamorro Land Trust land; made over one thousand lots available for agricultural and residential use by people of Chamorro ancestry; and was involved in the announcement of four hundred winners, via lottery, of the right to purchase affordable homes. Financing for these homes was made available in the form of \$50 million in loans derived

from mortgage revenue bonds sold by the government. Further, the Gutierrez administration has paved 53 miles of road and built 360 concrete bus shelters. Close associates of the governor describe him as a very hard worker, a hands-on person who wants to achieve goals and make things happen.

Guam, like most developing islands, has a major problem with waste. The Guam legislature drafted a bill that became controversial during the period under review. Bill 495 called for a user's fee for garbage pickup service, closure of the island dump in Ordot and establishment of a new sanitary landfill, privatizing trash pickup, and the construction of a waste-to-energy incinerator. The incinerator became a topic of fierce debate because of the alleged health hazards it would create. In February 1998, opponents of the proposed incinerator protested at the governor's residence, pressuring for a veto of bill 495. Gutierrez neither signed the bill nor vetoed it. Failure to act within ten days usually means that a bill approved by the legislature automatically becomes law. However, a suit was filed citing some obscure language in Guam's Organic Act and claiming that bill 495 had not become law. It appears the incinerator controversy has conveniently "gone up in smoke."

Delegate Robert Underwood represents Guam's interests in the House of Representatives of the US Congress. Completing his third two-year term, Underwood has developed enormous talent in negotiating Guam issues through the bureaucratic and political maze in Washington, DC. This skill, however, has not guaranteed solutions

to some nagging questions such as a new political status for Guam, as described later. Troubled by the KAL tragedy, Underwood met with transportation and safety board officials and developed legislation requiring foreign air lines flying into the United States (Guam included) to file crisis-management plans. President Clinton signed this legislation into law as the Foreign Air Carrier Family Support Act. Underwood also worked to acquire supplemental disaster aid for damage inflicted by Supertyphoon Paka.

Underwood's two-year push—in conjunction with the governor—to gain approval for a trial visa waiver program for the Philippines ended in defeat. The formidable Immigration and Naturalization Service (INS) claimed the idea was too risky, given the more than 30 percent denial rate for visa applicants from the Philippines. Some Guam business leaders suggested a visa waiver for mainland China similar to arrangements with South Korea and Taiwan. In a meeting with the Guam Hotel and Restaurant Association, Underwood said the idea would not be favorably received in Washington given several groups of illegal Chinese migrants recently washing up on Guam's shores. However, he agreed to push the visa waiver idea as a way of enlarging and diversifying Guam's tourism base, the island's main economic engine.

After a dozen years, the Immigration and Naturalization Service finally proposed rules and regulations to limit the stay on Guam of citizens from the freely associated states, designated "habitual residents." Underwood

noted that the proposed regulations have no enforcement or monitoring provisions and that Guam needs to make a unified response to the INS proposal. The habitual-resident situation has been a bothersome one for Guam because the government has not been fully reimbursed for the educational or social costs of the ten thousand or so citizens of the Federated States of Micronesia, the Marshall Islands, and Palau who have migrated to Guam since the compact agreements were signed.

Guam has a \$10 billion military infrastructure and some 2,300 federal civil service employees. With a dramatic cutback in defense funds, the military was been carrying out studies, known as A-76, to determine which of these jobs it can phase out, replace with technology, or purchase from the private sector. Congressman Underwood has talked to numerous groups about the military's relentless downsizing and how consortiums of creative individuals can find new opportunities in this environment. He is pushing a reporting requirement "to make sure the commercial studies are open, honest and productive," and that Guam's interests and people are treated fairly (Underwood 1998).

In a rare disagreement with senators in the Guam legislature, Underwood introduced House Resolution 2370, the Judicial Empowerment Act, naming the Supreme Court as the pinnacle of the third branch of the Government of Guam. The legislature, on the other hand, passed a law via a rider on the incinerator bill keeping the Supreme Court subservient to the Superior Court. Supreme Court Chief

Justice Peter Siguenza, normally a low-profile leader, spoke harshly of the legislature's wrongheaded interference. But the dynamics of this contest were influenced by Representative Don Young, chairman of the House Resources Committee, which has jurisdiction over insular issues. Young wrote to Senator Charfauros, stating that his committee generally would approve changes in the Organic Act that the Government of Guam supports (*PDN*, 26 June 1998, 3). Essentially, Young's position was that since the court matter, as a rider, had been caught up in the incinerator suit testing the "legality" of the new law (formerly bill 495), Congress would not interfere with the legislature's authority. Until bill 495's fate is determined by the courts, Congress will look on the hierarchy of Guam's courts as a matter internal to Guam.

On 15 June, at Congressman Underwood's request, five Guam flags were flown over the US Capitol in commemoration of Guam's one hundred years of US rule and as a symbol of its desire to be a full partner in the American political family. "The political development of Guam is not a process which can be stopped," he said. "It can be impeded, it can be re-directed, but hopefully, it will be guided by our best aspirations and our full understanding of Guam's innate capacity for self-government. . . . It will be a process in which Chamorro self-determination will be exercised. It will be a process which will engage federal authorities, rely on international goodwill and support, and be a process which brings us together as a people" (*PSN*, 14 June 1998, 24).

Nineteen ninety-eight is an election year on Guam for governor, lieutenant governor, 15 seats in the Legislature (formerly 21 seats), and Guam's lone seat in the US Congress. For the primary on 5 September, the Democrats are running three teams, party discipline being weak both within the parties and between them: the incumbents Gutierrez and Bordallo; Tom Ada and Lou Leon Guerrero, senators in the Guam Legislature; and Angel L G Santos and Jose Terlaje. Santos is currently a senator and known for his assertive and sometimes militant style, and Terlaje is a former policeman. The incumbents, the favorites, began their campaign in November 1997 with signs featuring their distinctive yellow, red, blue, and green logo, which can be seen all over the island. They have over \$1 million in their campaign coffers as well as strong support from government employees and some private businesses. They stress their accomplishments in television spots and rallies, have not been critical of their challengers, and declare, "People of Guam, You're still the one!"

Ada and Leon Guerrero are an ambitious and feisty team that has been publicly critical of the Gutierrez-Bordallo record, particularly as regards the schools and crime. Their logo is a wave, and they claim, "It's time." Keen observers have noted a number of campaign blunders so far. The Santos-Terlaje team is the clear underdog and has a Chamorro (also Chamorro) language campaign slogan, "HITA," meaning "We or Us," and the latte stone as its logo. The indigenous slogan and logo are designed to appeal to the Chamorro voters, who make up

the plurality of the Guam electorate. Santos was one of the founders and leader of the Chamoru Nation until his entry into the Guam legislature four years ago. The Nation champions the cause of Guam's poor and politically weak and has vigorously opposed control by the US military of large sections of Guam land. The Tom and Lou camp has made at least one overture attempting to persuade Santos and his partner to withdraw from the race and throw their support to the wave team. It was not accepted and the Santos-Terlaje team continues to campaign with door-to-door visits, public meetings, and "going out to the people." One insider to the Santos-Terlaje campaign has described the effort as "unrealistic as far as winning, and the victory will be more in spirit than reality."

Another careful observer has noted that the Chamorro voters, are, prior to the primary election, split in four ways: those for Gutierrez and Bordallo, those supporting Ada and Leon Guerrero, those pushing Santos and Terlaje, and those favoring Ada and Camacho, the Republican Party challengers who enter the primary unopposed. The key question is which candidate team these four groups will support, both before and after the September primary. It is believed that the activity of the Ada and Leon Guerrero (Tom and Lou) team will be critical to whoever emerges as the winner in both the primary and general elections.

In March 1998, former two-term Republican Party governor Joe Ada declared his candidacy and chose Senator Felix Camacho, son of a

former governor and a three-term senator himself, as his running mate. This is an attractive ticket and will, come November, test loyalties to party platforms and family connections.

The 15 seats in Guam's legislature will be contested by 31 candidates—14 incumbents and 17 challengers—of whom only 4 are women, unfortunately. Besides their 9 incumbents, the Republicans have some impressive challengers who include men from prominent families—Calvo, Moylan, Blas, and Sanchez. The Democrats have only 5 incumbents running, but several others have stepped up who may attract voter attention—Norbert Perez, former senator Ted Nelson, James Nelson, and Eloy Bermudes. Senate seats are coveted on Guam, and candidates host fund-raisers and parties and attend weddings, funerals, and rosaries to "show their faces" and gain support. New with this election are portrait and message billboards along Guam's roadsides.

In the final race for 1998, Congressman Underwood is being challenged by Manuel Cruz, president of the American Federation of Government Employees. Oddly, Cruz as a union leader is running as a Republican and has been quiet so far as a campaigner. On the other hand, Underwood, a Democrat, has established a strong record in his six years as Guam's representative in Washington, DC, has solid union and popular support, and will likely be reelected. He ran unopposed in 1994 and had little opposition in 1996.

Governor Carl T C Gutierrez serves as chairman of both the Commission of Self-Determination (established in

1980) and the Commission on Decolonization (established in 1997). In 1987, the Guam electorate approved the draft commonwealth act, which has been introduced by Guam's congressman into every session of the US House of Representatives since 1988. Progress in moving the act through approval stages of the executive or the Congress has been painstakingly slow and often marked by setbacks. In 1997-98, the major event in Guam's quest for a change in political status was a one-day hearing before the US House of Representatives Resources Committee. Although Guam had a large group of leaders at the US Capitol to offer testimony, each speaker was limited to five minutes. Governor Gutierrez and former governors Ada and Calvo spoke, as did senators who serve on the Commission on Self-Determination, Archbishop Anthony Apuron, and members of the Organization of People for Indigenous Rights and the Chamoru Nation. US Special Representative John Garamendi, speaking for the Clinton administration, stated, "We have been unable to find constitutional and otherwise appropriate ways of bridging the gap between the full extent of what Guam has originally proposed [in the draft commonwealth act] and what the executive branch is able to support under the American flag" (*PDN*, 31 October 1997, 1).

Despite a decade of on-again, off-again discussions between Guam and administration officials and a 1989 meeting with Congress members, there is no agreement on the fundamental planks of the commonwealth act, specifically: (1) mutual consultation and

consent on changes to the act (after implementation) on applicability of federal law to Guam, and in changes in the status of military forces on Guam; (2) the meaning of self-determination and its relation to a Chamorro-only vote on political status options; and (3) control of immigration as a means of slowing cultural assimilation by reducing the influx of non-US citizens. Each of these basic issues, particularly mutual consent, generates considerable debate.

Although the draft commonwealth act of 1987 was not endorsed by the Clinton administration in the October hearings, the key issues are alive. At the request of Governor Gutierrez and Congressman Underwood, Senator Frank Murkowski, chairman of the Senate Committee on Energy and Natural Resources, introduced the act for the first time onto the floor of the US Senate. Murkowski has taken a great interest in Guam's quest for a new political status and stands ready to introduce a substitute bill in the Senate that will harmonize Guam's position with the Clinton administration's views. For the first time since Guam's quest began, a future political status for the island will involve the US Congress in an active way. Guam now knows the administration's position on the 1987 act, and Governor Gutierrez sees this turn of events as "the catalyst for local progress." In response, Congressman Underwood has noted that "Guam's negotiating team has to consult the people of Guam to determine our bottom line and our willingness to negotiate." Both leaders are on friendly terms with Murkowski.

Finally, Guam's leaders have recently added a new element to the political status debate: the norms on decolonization established by the United Nations and administered by its Special Committee on Decolonization. Related to the potential involvement of the United Nations in Guam's quest for a new political status, the Guam legislature in January 1997 passed Public Law 23-147, over Governor Gutierrez's veto. This law created a ten-person Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination, which is mandated to carry out a public education program to inform the people of three political status options: independence, free association, and statehood. According to the law, participation in a special plebiscite on these options shall be limited to "Chamorro people entitled to vote," that is "all inhabitants of Guam in 1898 [the date of US acquisition of Guam via the Treaty of Paris] and their descendants who have taken no affirmative steps to preserve or acquire foreign nationality" (Guam Public Law 23-147). A separate law created the Chamorro Registry Advisory Board, which has been working to identify those individuals who qualify as Chamorro according to that definition.

The Chamorro-only vote, likely to occur in late 1999, has generated some concern in the Congress, and particularly with the United States mission to the United Nations. A mission member stated during a meeting with the Fourth Committee of the General Assembly in October 1997 that the US

Federal Government and representatives of Guam "differ on the definition of who should be entitled to participate in such an exercise [of self-determination]. . . . We [the United States] will not support programs or projects [such as a plebiscite] that exclude some Guamanians based solely on their failure to be Chamorro" (United States 1997).

In response to this position, the Guam Commission on Decolonization has asserted that the United States is confusing voting in a regular and free election with a one-time plebiscite on Guam's future political status as an expression of Chamorro self-determination. Further, the commission has argued that the United States "seeks to use its colonial immigration policies to assimilate the Chamorro people in their homeland" and to that extent "attempts to use immigration as a means to subvert the rights of the colonial [Chamorro] people, [which] is a violation of international conventions with respect to decolonization and the obligations the United States assumed under the Charter of the United Nations" (Government of Guam 1997).

It remains to be seen whether Guam's appeal to the United Nations and its norms on decolonization will stimulate a fundamental change in the relationship between the United States and Guam, which has been an unincorporated territory for more than one hundred years.

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NORTHERN MARIANA ISLANDS

Gubernatorial elections, a new low in relations with the federal government, continuing labor issues, and new health concerns featured prominently during the year. The new administration of Pedro P Tenorio (Teno) and his lieutenant, Jesus C Sablan (Pepero), found that the coffers were empty when they moved into their Capitol Hill offices and then had to deal with the significant economic impacts of the Asian monetary crisis.

For a complex set of reasons, relations between the Northern Marianas and Washington descended another notch or two during the year. On 30 May 1997 President Clinton wrote to then governor Froilan C Tenorio stating his administration's determination to reclaim responsibility for immigration, minimum wage, and labor. His now famous "Dear Froilan" letter noted that issues which had been called to the commonwealth's atten-

tion since 1986 had been ignored or disregarded and that the situation was no longer acceptable. The local minimum wage, the dependence on foreign workers, and violations of human and civil rights of those workers were specifically mentioned. The president's promise to cooperate and coordinate with local authorities in carrying out the desired reforms was not met with great enthusiasm.

The minimum wage issue was greatly exacerbated when the process of raising the local minimum wage by 30 cents an hour every year until it reached the federal level was brought to a halt under pressure primarily from the garment industry. Just before the July 1997 increment was to have kicked in, the legislature amended the law and froze the wage increase at a one-time increase of 30 cents per hour for all employees except those of garment and construction companies. Those workers would get only an additional 15 cents an hour in July 1996 and another 15 cents on 1 July 1997. After that date there would be no automatic increases until a committee was formed to make industry-specific recommendations.

The sometimes acrimonious exchanges between federal and commonwealth officials featured the increased use of the term "indentured servitude." After a January 1998 visit to attend the inauguration of Governor Pedro P Tenorio, Representative George Miller reported that indentured servitude was common in the Northern Marianas according to what he saw. He was referring to the practice of foreign recruiters demanding as