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for the
Commonwealth of the Northern Mariana Islands
(CNMI)**

**Testimony
Before the Committee on Resources
United States House of Representatives**

**An Examination of the Potential for a Delegate
from the Commonwealth of the Northern Mariana
Islands**

Wednesday, February 25, 2004

Introduction

Hafa Adaj, Chairman Pombo, Ranking Member Rahall, members of the Committee, I am Pedro A. (Pete) Tenorio, Resident Representative to the United States (US) for the Commonwealth of the Northern Mariana Islands (CNMI). Thank you for holding this very important hearing on the potential for a CNMI nonvoting Delegate to the US Congress. I am honored to testify before you today.

The timing of this hearing is particularly appropriate, as many of you took part in a recent Congressional Delegation (CODEL) trip to our homeland. The CODEL presented you an opportunity to experience first hand our people and native culture and visit with our elected officials. While the CODEL visit was brief, I believe you gained a sense of our traditions, values and pride in being part of the US. I hope you more fully understand and appreciate the hope of Americans in the CNMI to have a voice in Congress.

The purpose of my testimony today is to respectfully request that Congress authorize a nonvoting Delegate position in Congress for the CNMI. Such legislation would extend democratic representation to American citizens in the CNMI and affirm Congress' commitment to the democratic principles of our Republic.

I believe the CNMI is just as deserving of representation in the Congress as all the other US territories. By showcasing our significance in American history, I hope to demonstrate that this issue is about justice, equity, and fairness for the people of the CNMI to have status in Congress equal to that of other US territories.

Geographical Overview of the CNMI

The CNMI consists of 14 of the 15 islands that make up the Marianas Archipelago (the 15th is Guam, a separate US territory and the southernmost in the chain), stretching more than 400 miles north to south. Saipan, the main island, is 1650 miles east of the Philippines; 1500 miles south of Tokyo; and 3720 miles west of Honolulu. The Marianas Archipelago is the dividing line between the Pacific Ocean and the Philippine Sea. Just to the east of the chain is the Marianas Trench, with the world's greatest known ocean depth at 38,635 feet. As part of the US, the Northern Marianas Exclusive Economic Zone (EEZ) spans approximately 250,000 square miles of the Western Pacific Ocean, as large as California and Oregon combined.

CNMI: A Special Piece of American History

Mention of the CNMI resonates differently with different people. For some, it conjures up a vision of beautiful beaches and warm temperatures. For others, it invokes memories of significant moments in American history, as the place where thousands of American soldiers died fighting a desperate battle during World War II and as the launching pad for the Enola Gay, the B-29 bomber that dropped the first atomic bomb on Hiroshima, ending the War in the Pacific and ushering in the atomic age.

For the native Chamorros, Carolinians and other Americans, the CNMI represents the American dream for equality, yet the CNMI remains the last US territory without formal representation in Congress. A successful experiment in democracy and a place where American free enterprise and capitalism flourish, the CNMI has developed economically and socially due to significant funding from the federal government. Some people however, choose to focus more on mistakes we have made along the way, which we are doing our best to correct.

Due to military victories during World War II in the Western Pacific, the US gained control of the Northern Marianas, the Marshalls and the Eastern and Western Carolines. On July 18, 1947, under a joint resolution from the US Congress, President Harry Truman approved a trusteeship agreement between the US and the Security Council of the United Nations (UN). During the 30 years that followed, the US provided the basis for the entities within the Trust Territory of the Pacific Islands (TTPI) to make a steady movement toward self-government or independence.

The Covenant

After a failed 1969 plebiscite to reintegrate our islands with Guam, we began negotiating our own arrangement with the US for either direct annexation or incorporation into the US system. After several years of extensive negotiations, Ambassador F. Haydn Williams representing the interests of the US, and the members of the Marianas Political Status Commission (MPSC) representing the people of the Northern Mariana Islands, reached agreement on a political status as detailed in the *Covenant*.

Following approval by the Commission and the NMI District, MPSC embarked on a comprehensive effort to educate residents of the Northern Marianas about the agreement. Once the agreement was overwhelmingly approved in 1975 by 78.8%, the process to gain Congressional approval began. I traveled to Washington many times over a two-year period to convince Members to support the Covenant (H.J.R. 549), which they did in 1976; President Gerald Ford signed it into law (Public Law 94-241) on March 24, 1976.

In enacting the Covenant, Congress approved an unprecedented political union between the people of the Northern Mariana Islands and the US. The Covenant placed the CNMI under US Sovereignty while acknowledging its right to self-government. It established a number of historic and legal precedents:

1. The US fulfilled its international obligation and discharged its responsibility as the Administering Authority of the former Trust Territory of the Pacific Islands under the terms of the Trusteeship Agreement between the Security Council of the UN and the US guaranteeing the people of the Northern Mariana Islands the right to freely express their wishes for self-government;
2. The US supported the desire of the people of the Northern Marianas to exercise their inalienable right to self-determination;
3. The people of the Northern Marianas announced to the world that they share the same goals and values found in the American system of government based upon the principles of government by the consent of the governed, individual freedom, and democracy; and
4. In the process, the US gained enormous international prestige and credit as the only nation within the UN to have gained the aspiration of assimilation from a group of people under its guardianship.

The Covenant became fully effective with President Ronald Reagan's Proclamation No. 5564 on November 3, 1986 calling for termination of the UN Trusteeship Agreement. On that same date under the authority of the Covenant, the residents of the NMI became US citizens and all those born in the NMI since that date are US citizens by birth. The UN, through Security Council Resolution No. 638, acknowledged the termination of the Trust Territory of the Pacific Islands for the Northern Mariana Islands on December 22, 1990.

The remaining island groups of the former Trust Territory, who are now known as the Marshall Islands, the Federated States of Micronesia (FSM), and Palau, are freely associated Republics with the US. They have ambassadors to the US and are members of the UN. Their people are citizens of their own respective countries, not US citizens.

The US and CNMI: A Mutually Beneficial Relationship

The CNMI's relationship with the US has been mutually beneficial. Over the last 28 years the people of the Northern Marianas have benefited enormously as American citizens of a vibrant self-governing political entity. The US has also benefited from the support, loyalty, patriotism, and affection of the people of the Northern Marianas.

Our strategic location brought the US to the Northern Marianas in World War II. Today, the islands continue to have vital significance to national defense and security. By virtue of the Covenant the US secures a permanent and vital extension of its foreign affairs and defense needs in the Western Pacific and neighboring and strategic Asian countries. For example, two-thirds of our island, Tinian, and the

entire island of Farallon de Medinilla (FDM), which includes more than 18,000 acres of land, are leased to the US for 100 years. Annual military exercises on Tinian prepare our armed forces for tropical conditions and amphibious assaults. FDM is the only live fire area in the Western Pacific that allows tactical surface-to-surface and air-to-surface training exercises. These are critical to the overall readiness of American forces that maintain stability and peace in the region. In addition, four ships, stocked with the equipment needed to support Marine assault forces landing in Pacific and Middle East hot spots, are pre-positioned in Northern Mariana waters.

Support for a Nonvoting Delegate

For nearly three decades, the people of the Northern Marianas have expressed their desire to be represented in Congress. As early as 1974 the MPSC requested a nonvoting Delegate to Congress, similar to the nonvoting Delegates representing Guam and the Virgin Islands. US negotiators representing Presidents Nixon and Ford supported the request. US House Leadership, however, discouraged the Northern Marianas from seeking a nonvoting Delegate in Congress, citing its small population as compared with the population in Guam and the Virgin Islands at the time those territories were granted nonvoting Delegates. In 1978, two years after Congress approved the Covenant, it granted a nonvoting Delegate to American Samoa with a resident population of only 27,000. According to the US Census Bureau, the population of the CNMI is currently 69,000. Attached to this testimony is a chart containing population data for each territory when it was provided with a Delegate. This chart clearly shows that Congress has not used population benchmarks as a condition for granting representation.

In the early 1980's President Reagan appointed a Commission on Federal Laws to recommend to Congress which laws should be made applicable to the Northern Marianas. In its final report, the Commission recommended that Congress provide for a Northern Marianas' nonvoting Delegate in the US House of Representatives. The Commission reasoned that:

- ✧ Every other area within the American political system with a permanent population is represented in Congress;
- ✧ Northern Marianas' representation in Congress is in keeping with American traditions of participatory democracy and dispels any lingering taint of American colonialism over the islands; and
- ✧ A Northern Marianas nonvoting Delegate would effectively represent the needs and interests of the islands, relieving other Members of this responsibility.

In 1985, the people of the Northern Marianas amended the Commonwealth Constitution to reflect the continuing intent of the voters to prepare the way for representation in Congress. The amendment allows for the term of office of the Resident Representative to be modified with an act of Congress conferring nonvoting Delegate status on the Resident Representative.

Mr. Chairman, I wish to point out that it is through our membership in the US political family and the activities of this Congress that have fueled the desire to have nonvoting Delegate representation. Under the Covenant, the Congress has been granted power to make laws that the people of the Northern Mariana Islands must abide by. The Congress consistently includes the Northern Marianas with the other US territories on such matters as public assistance and services, education, social security, Medicaid and Medicare, airports, transportation, veterans' benefits, national defense and homeland security. Every Committee in Congress is legislating for the territories. Similarly, all departments and agencies in the Administration oversee programs and funding that impact the Northern Marianas and other territories. However, while many laws are enacted and rules and regulations are promulgated on our behalf, we are excluded from these processes, which most definitely impact our wellbeing.

The people of the Northern Marianas recognize that they, like the constituents you represent, need an elected official in Washington. We elect a "Resident Representative" to serve in Washington but the position is more like that of lobbyist than elected official. We have been relegated to the position of asking Congress to do for us what we cannot do for ourselves. As we are part of America and faced

with issues similar to the rest of the country, it is imperative that we be included in the national legislative process.

With me today are resolutions adopted by the 14th Commonwealth Legislature, the National Governors' Association (NGA), the California-Pacific Annual Conference of the United Methodist Church, and the Association of Pacific Island Legislatures that seek Congress' approval to provide a nonvoting Delegate in the House of Representatives to represent the CNMI.

Last June, I met with several congressional leaders in hopes of garnering support for a bill that would grant the CNMI a nonvoting Delegate. The meetings were constructive and provided valuable insight as to how some in Congress would like to shape such legislation, including issues and/or conditions they would like addressed. I would simply urge Members to review the historical precedent of prior legislation granting any territory with a nonvoting Delegate that was void of such matters. In addition I am including, as an attachment, a comprehensive list of US Statutes that have provided nonvoting Delegates to territories to demonstrate this point.

Economic Development

Because of the Northern Marianas' limited economic base and the desire to preserve indigenous control over the Islands' assets, control of minimum wage and immigration laws were negotiated and approved in the Covenant to be the responsibility of the CNMI government. The US also extended to the CNMI the same duty free and quota free exemptions that are extended to the other US territories under the Harmonized Tariff Schedule General Note 3(a)(iv). It was envisioned by the negotiators that in order for sustainable economic development to be possible in the CNMI, favorable local policies on immigration must be in place together with a locally enacted wage rate.

The CNMI has two primary industries that support its economy and aid in development:

- Tourism. The Northern Marianas are to Japan as the Bahamas are to the US. Each year close to half a million tourists visit the islands. It is estimated that visitor expenditures will approach \$600 million in 2004 and contribute 20% of the government's direct revenue.
- Garment Industry. According to the Saipan Garment Manufacturers Association (SGMA), the garment industry expanded in the 1990's - from 21 factories with \$300 million in sales in 1992 and to 34 factories with sales of \$1.06 billion in 1999. Sales declined in 2000 and continue to be weak with sales in 2002 totaling \$831 million. In 2003, there were only 29 factories still in business with sales estimated at \$765 million. Taxes and fees from the garment industry account for about one-quarter of the government's direct revenues. It is expected that the garment industry will continue to decline with the impending expiration of WTO quotas on garments and textiles.

Since tourism and textile manufacturing are fragile industries wholly dependent upon external circumstances beyond our control, we must look to other avenues for economic development. Valuable resources in the waters surrounding the Northern Marianas remain untapped. Because of volcanic activity that spawned the Marianas archipelago, the seabed is believed to be rich in minerals. Cobalt rich manganese crusts can be commercially mined once technology permits economically feasible and environmentally safe extraction. Fishery resources are likewise untapped, and like mining will require the investments of large US companies to become a reality. We must also explore the advantages of our proximity to Asia, and seek those US industries that wish to expand their markets into the East yet maintain offices and operate on US soil.

Our future wellbeing and the potential for economic development are critically dependent upon a secure and sound relationship with the US. A CNMI nonvoting Delegate in the US House of Representatives would play a major role in facilitating these goals and aspirations.

Working for the People

As a CNMI native, I have worked diligently over the past 30 years on behalf of our people to establish an enduring friendship and a permanent relationship with the United States. As a Senator in the former Congress of Micronesia and then as a member of the Marianas Political Status Commission (MPSC) and as a negotiator of the *Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America*, I actively pushed for commonwealth status for the CNMI while protecting the CNMI culture and way of life.

I had the honor of serving two four-year terms as Lieutenant Governor of the CNMI. In this capacity, I oversaw the implementation of numerous capital improvement projects funded through the Covenant, the development of private sector investments in hotels and tourism, and the first major initiative to develop industries that utilize the provisions of the Harmonized Tariff Schedule General Note 3(a)(iv). Although strengthening ties with the US through mutual understanding and genuine cooperation was the highlight of my tenure as Lt. Governor.

After more than 12 years in the private sector, I re-entered public service. I ran for Resident Representative to improve our relationship with the federal government and our substandard public water supply. Since being elected two years ago, I have focused my efforts on growing and diversifying the CNMI's economy, expanding access to federally funded health benefits, and improving and exploring new educational and cultural exchange programs. While I have met with some success, a nonvoting Delegate seat would more effectively promote the interests of the people of the CNMI.

Conclusion

Thank you again for the privilege to testify before your Committee. I urge you to strongly support a CNMI nonvoting Delegate bill. I look forward to working with you in the coming months. I would be happy to answer any questions. Thank you.