

106TH CONGRESS
2D SESSION

H. CON. RES. 437

To reaffirm the commitment of the United States to help Guam achieve full self-governance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 25, 2000

Mr. UNDERWOOD submitted the following concurrent resolution; which was referred to the Committee on Resources

CONCURRENT RESOLUTION

To reaffirm the commitment of the United States to help Guam achieve full self-governance, and for other purposes.

Whereas the Chamorro people of Guam lived in relative peace and obscurity for centuries before the European discovery of Guam by Ferdinand Magellan on March 6, 1521;

Whereas following such discovery Guam was used as a port of call to resupply the ships of many explorers and adventurers, and became a regular stopping place for Spanish galleons voyaging from Mexico to the Philippines;

Whereas Miguel Lopez de Legazpi claimed Guam as a royal possession of Spain for King Phillip II on January 26, 1565;

Whereas the Chamorro people of Guam became subject to 236 years of Spanish colonial rule beginning with the arrival of Jesuit missionaries in 1662;

Whereas the United States and Spain signed the Treaty of Paris on December 10, 1898, which ended the Spanish-American War and ceded Guam from Spain to the United States;

Whereas Article IX of the Treaty of Paris provided that the United States Congress shall determine the civil rights and political status of the Chamorro people of Guam;

Whereas Guam was placed under the control of the Department of the Navy on December 23, 1898;

Whereas Guam remained under temporary Naval authority, a form of United States colonial rule, for over half a century, from 1898 to 1950;

Whereas Chapter XI of the United Nations Charter, the Declaration Regarding Non-Self-Governing Territories, provided that member nations who have undertaken the administrative responsibilities for peoples of territories who have not yet attained a full measure of self-government are to acknowledge and respect the interests and political aspirations of these peoples and to assist them in the progressive development of self-government and free political institutions;

Whereas in 1946 the United States, having responsibility for Guam, listed Guam as a Non-Self-Governing Territory with the United Nations and thereby became obligated to assist Guam in its political, cultural, social, economic, and educational advancement;

Whereas the General Assembly of the United Nations adopted Resolution 217, the Universal Declaration of Human

Rights, on December 10, 1948, and thereby proclaimed the equal dignity and rights of all persons;

Whereas in 1950 the Organic Act of Guam (48 U.S.C. 1421 et seq.) established a civilian administration in Guam and granted United States citizenship and limited self-government to the Chamorro people of Guam;

Whereas the General Assembly of the United Nations adopted Resolution 1514 on December 14, 1960, and thereby proclaimed the necessity of bringing a speedy and unconditional end to colonialism in all its forms;

Whereas Resolution 1514 declares that self-determination is a right of all peoples, and that by virtue of that right all peoples should be free to determine their political status and pursue their cultural, social, and economic development;

Whereas Resolution 1514 further requires that immediate steps be taken to transfer all governmental powers to the peoples of Non-Self-Governing Territories without condition or reservation and in accord with the freely expressed will and desire of such peoples;

Whereas the General Assembly of the United Nations adopted Resolution 1541 on December 15, 1960, and thereby provided the principles that were to guide member nations in determining their obligations under Chapter XI of the United Nations Charter;

Whereas Resolution 1541 recognizes the concept of Non-Self-Governing Territories as an evolutionary and progressive step toward the attainment of full self-governance and requires member nations to transmit to the United Nations information regarding geographically separate and eth-

nically or culturally distinct Non-Self-Governing Territories, such as Guam;

Whereas Resolution 1541 provides that a Non-Self-Governing Territory can attain full self-governance by emerging as a sovereign independent state, by freely associating with an independent state, or by integrating with an independent state;

Whereas on January 5, 1997, the 23d Guam Legislature enacted Public Law 23–147, an Act to Create the Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination;

Whereas such Public Law 23–147 provides a mechanism by which the Chamorro people of Guam may freely, intelligently, and democratically determine their preference for a future political relationship with the United States by choosing independence, free association, or statehood;

Whereas the Chamorro people of Guam have struggled for 338 years, from 1662 to 2000, to survive historically, socially, politically, and economically; and

Whereas Guam continues to be on the list of Non-Self-Governing Territories maintained by the United Nations despite the efforts of the Chamorro people of Guam to secure their inalienable right of self-determination: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That the Congress—

3 (1) recognizes that it has a duty to promote the
4 political development and advancement of Guam
5 under article IV, section 3, clause 2, of the Constitu-
6 tion of the United States, which provides: “The Con-

1 gress shall have the Power to dispose of and make
2 all needful Rules and Regulations respecting the
3 Territory or other Property belonging to the United
4 States”;

5 (2) reaffirms its commitment to help Guam
6 achieve full self-governance, consistent with the obli-
7 gations of the United States under Chapter XI of
8 the United Nations Charter;

9 (3) aspires to eradicate colonialism and grant
10 the Chamorro people of Guam the right to self-de-
11 termination by 2010, consistent with United Nations
12 General Assembly Resolution 1514 (December 14,
13 1960);

14 (4) continues to support and respect human
15 rights, consistent with United Nations General As-
16 sembly Resolution 217 (December 10, 1948); and

17 (5) urges the President to also reaffirm the
18 commitment of the United States to help Guam
19 achieve full self-governance and to grant the
20 Chamorro people of Guam the right to self-deter-
21 mination by 2010.

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