

MINA BENTE NUEBI NA LIHESLATURAN GUAHAN
2007 (FIRST) REGULAR SESSION

Resolution No. 8 (45)

Introduced by:

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RELATIVE TO EXPRESSING OPPOSITION TO, AND CAUTION AND CONCERN REGARDING THE PASSAGE OF H.R. 3079, 'THE NORTHERN MARIANA ISLANDS IMMIGRATION, SECURITY, AND LABOR ACT', AS INTRODUCED; AND S.B. 1634, 'THE NORTHERN MARIANA ISLANDS COVENANT IMPLEMENTATION ACT', TO THE UNITED STATES CONGRESS; SUGGESTING THAT GUAM'S DELEGATE TO CONGRESS REQUEST THE U.S. GOVERNMENT ACCOUNTABILITY OFFICE CONDUCT A REPORT ON THE EXPECTED IMPACT THAT PASSAGE OF H.R. 3079 AND S.B. 1634, WILL CAUSE IN GUAM AND THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS; AND REQUESTING THAT THE UNITED STATES MISSION TO THE UNITED NATIONS ADVISE THE UNITED NATIONS COMMITTEE ON

11/15/07
12:25:00
COM

**DECOLONIZATION OF THE EXPRESSIONS OF THE
PEOPLE OF GUAM CONTAINED HEREIN**

1 **BE IT RESOLVED BY I LIHESLATURAN GUAHAN:**

2 **WHEREAS**, the island of Guam, a United States possession
3 since 1898, and a United States unincorporated territory since 1950
4 with no voting representation in the United States Congress, remains
5 on the United Nations List of Non-Self-Governing Territories and is
6 the southernmost island in the *Mariana Island Chain*; and

7 **WHEREAS**, the island of Guam is the closest geographically
8 located United States territory in relation to the Commonwealth of
9 the Northern Mariana Islands, a former United Nations Trust
10 Territory administered by the United States since the end of World
11 War II and since 1976, a commonwealth in political union with and
12 under the sovereignty of the United States of America; and

13 **WHEREAS**, H.R. 3079, '*The Northern Mariana Islands*
14 *Immigration, Security, and Labor Act*', as introduced in the United
15 States House of Representatives, and S.B. 1634, '*The Northern Mariana*
16 *Islands Covenant Implementation Act*', as introduced in the United
17 States Senate, include provisions that are expected to adversely
18 impact the quality of life for all of the people of Guam, including the
19 indigenous Chamorro people, the lawfully domiciled permanent
20 resident aliens admitted to Guam under the provisions of the

1 *'Immigration and Nationality Act'*, and United States citizens residing
2 in Guam; and

3 **WHEREAS**, upon passage of H.R. 3079 and S.B. 1634, persons
4 lawfully admitted to the Commonwealth of the Northern Mariana
5 Islands by the Commonwealth, pursuant to the Commonwealth
6 Immigration Law, including the spouses and children of such
7 persons, will be granted United States Nonimmigrant Status if such
8 persons have (a) continually resided, except for brief absences, in the
9 Commonwealth for at least the 5 years prior to the date of enactment
10 of said legislation; (b) have legal immigration status within the
11 Commonwealth on the date of enactment of the same legislation; and
12 (c) who submit a complete application establishing such alien's
13 eligibility, pursuant to regulations promulgated by the Secretary of
14 Homeland Security, not later than 1 year after the date of enactment
15 of the said act; and

16 **WHEREAS**, the granting of nonimmigrant status to such
17 persons will provide previously unavailable and unprecedented legal
18 authorization for such persons admitted by the CNMI into its
19 immigration area, an expedited entry into the United States and its
20 territories and possessions, including Guam; and

21 **WHEREAS**, officials of the Commonwealth of the Northern
22 Mariana Islands have expressed concern and opposition over the
23 passage of H.R. 3079 and S.B. 1634 and the negative impact to the

1 economic viability of the Commonwealth, most recently in a field
2 hearing conducted by the Committee on Natural Resources,
3 Subcommittee on Insular Affairs of the United States House of
4 Representatives; and

5 **WHEREAS**, the Honorable Benigno R. Fitial, Governor of the
6 Commonwealth of the Northern Mariana Islands, has advised the
7 United States Congress of the *“need for a careful and professional study*
8 *of the Commonwealth before enactment of legislation such as H.R. 3079...*
9 *(1) to provide current and reliable information about the Commonwealth as*
10 *it exists today – its economy, workforce, changing population, and labor and*
11 *immigration programs; and (2) to assess the economic, political, and social*
12 *consequences of preempting the CNMI immigration and labor laws and*
13 *substituting a federally managed guest work program in the*
14 *Commonwealth”*; and

15 **WHEREAS**, the current eligibility requirements for the
16 admission of immigrants and nonimmigrants to Guam are pursuant
17 to the *‘Immigration and Nationality Act’*, and the Compacts of Free
18 Association between the United States and the Federated States of
19 Micronesia, the Republic of the Marshall Islands, and the Republic of
20 Palau, respectively; and

21 **WHEREAS**, persons admitted to the Commonwealth of the
22 Northern Mariana Islands by the Commonwealth, and pursuant to
23 Commonwealth Immigration Law, have not been subjects to, or

1 made to comply with, the requirements and processes mandated by
2 the *'Immigration and Nationality Act'* of any other persons seeking
3 immigrant and nonimmigrant entry to the United States including
4 Guam; and

5 **WHEREAS**, the regular application of the *'Immigration and*
6 *Nationality Act'* on Guam, combined with the nonimmigrant status of
7 the citizens of the Freely Associated States, has caused a substantive
8 and dramatic shift in the demography of Guam including
9 precipitating an overall increase in the Government of Guam's cost
10 for providing basic public safety, health, education, and human
11 services for its combined population of residents, immigrants, and
12 nonimmigrants, and resulting in the Chamorro people of Guam
13 becoming an assimilated minority in their homeland under laws not
14 of their own making ; and

15 **WHEREAS**, Guam is an attractive port of entry for regular
16 admission to the United States given its proximity and accessibility to
17 the major ports of debarkation in Asia, and is the recipient of the
18 largest wave of Micronesian nonimmigrant migration because of it is
19 the economic center of and gateway to Micronesia; and

20 **WHEREAS**, the Department of Defense has increased the
21 number of active duty U.S. Armed Services personnel assigned to
22 duty stations in Guam by the Department of the Navy and the
23 Department of the Air Force; and

1 **WHEREAS**, the Department of Defense has also announced
2 plans to relocate 8,000 active duty troops from the U.S. Marine Corps
3 bases in Okinawa, Japan, in addition to approximately 10,000 spouses
4 and associated dependants, and approximately 8,000 to 10,000
5 temporary employees necessary for construction of infrastructure
6 and facilities, not including the number of regular civilian employees
7 required for base operations; and

8 **WHEREAS**, the economic and social impact that this U.S.
9 Military Buildup will have in relations to the people of Guam,
10 including the indigenous Chamorro people, has not yet been
11 determined, studied, and disclosed by either the Department of
12 Defense or the Government of Guam, as an ‘Environmental Impact
13 Study’ is underway for the purpose of determining the parameters
14 for the relocation of Marines to Guam and the facilities and
15 infrastructure required; and

16 **WHEREAS**, the Department of Defense has not provided the
17 Government of Guam with specific planning information and
18 infrastructure requirements necessary for the local preparation of the
19 U.S. Military Buildup, including details on the proposed application,
20 exemptions, or modifications to the provisions of the ‘*Immigration and*
21 *Naturalization Act*’ for the purposes of facilitating the movement of
22 Marines to Guam; and

1 **WHEREAS**, the increase in U.S. Armed Services, combined
2 with the need for temporary labor to support such increase, and the
3 granting of nonimmigrant status to temporary workers of the
4 Commonwealth for general admission to the United States including
5 Guam, will further significantly impact the demography of the island
6 of Guam, in addition to the capacity of Guam’s social and natural
7 environment; now, therefore, be it

8 **RESOLVED**, that *I Mina’ Bente Nuebi Na Liheslaturan Guahan*,
9 the Twenty-Ninth Guam Legislature, on behalf of the people of
10 Guam, does hereby express its opposition to, and caution and
11 concern as it relates to Guam regarding the passage of H.R. 3079 and
12 S.B. 1634, as introduced in the United States House of
13 Representatives and the United States Senate, respectively; and be it
14 further

15 **RESOLVED**, that *I Mina’ Bente Nuebi Na Liheslaturan Guahan*,
16 the Twenty-Ninth Guam Legislature, on behalf of the people of
17 Guam, does hereby petition Guam’s Delegate to Congress Madeleine
18 Z. Bordallo, to actively oppose the passage of H.R. 3079 and S.B. 1634
19 or any other similar or like measure introduced in the Congress or
20 proposed by the United States Government; and be it further

21 **RESOLVED**, that *I Mina’ Bente Nuebi Na Liheslaturan Guahan*,
22 the Twenty-Ninth Guam Legislature, on behalf of the people of
23 Guam, does hereby petition Guam’s Delegate to Congress Madeleine

1 Z. Bordallo, to actively oppose the passage of any federal legislation
2 that would enable the admission of non-immigrants and immigrants
3 to Guam for indefinite periods of time, the admission of which are
4 not currently authorized by 'the Immigration and Nationality Act';
5 and

6 **RESOLVED**, that *I Mina' Bente Nuebi Na Liheslaturan Guahan*,
7 the Twenty-Ninth Guam Legislature, on behalf of the people of
8 Guam, does hereby petition Guam's Delegate to request the United
9 States Government Accountability Office, to cause the careful study
10 and report on the expected impact passage of H.R. 3079 and S.B.
11 1634, or any other similar or like measure or proposal will have on
12 both Guam and the Commonwealth of the Northern Mariana Islands;
13 and be it further

14 **RESOLVED**, that *I Mina' Bente Nuebi Na Liheslaturan Guahan*,
15 the Twenty-Ninth Guam Legislature, on behalf of the people of
16 Guam, does hereby express its desire that the United States
17 Permanent Mission to the United Nations provide the United Nations
18 Committee on Decolonization with a report on the position and
19 expressions of *I Liheslaturan Guahan*, the Guam Legislature, on behalf
20 of the people of Guam, contained herein, relative to H.R. 3079 and
21 S.B. 1634 or any other similar or like measure introduced in the
22 Congress or proposed by the United States Government; and be it
23 further

1 **RESOLVED**, that the Speaker certify, and the Legislative
2 Secretary attest to the adoption hereof, and that copies of the same be
3 transmitted to Speaker Nancy Pelosi, Minority Leader John Boehner,
4 Resources Committee Chairman Nick J. Rahall II, Resources
5 Committee Ranking Member Don Young, Insular Affairs
6 Subcommittee Chairwoman Donna M. Christensen, Insular Affairs
7 Subcommittee Ranking Member Luis G. Fortuño, Congresswoman
8 Madeleine Z. Bordallo, and all other Members of the U.S. House of
9 Representatives; President Pro Tempore Robert C. Byrd, Majority
10 Leader Harry Reid, Minority Leader Mitch McConnell, Assistant
11 Majority Leader Richard Durbin, Assistant Minority Leader Trent
12 Lott, Senate Energy Committee Chairman Jeff Bingaman, Senate
13 Energy Committee Ranking Member Pet V. Domenici, Senator Daniel
14 Akaka, Senator Daniel Inouye, Senator Maria Cantwell, Senator Lisa
15 Murkowski, and all other Members of the United States Senate; the
16 Honorable George W. Bush, President of the United States; the
17 Honorable Richard Cheney, Vice President of the United States;
18 Secretary of Interior Dirk Kempthorne; Secretary of Defense Robert
19 Gates; Secretary of Navy, Donald C. Winter; Secretary of Homeland
20 Security Michael Chertoff; Secretary of Labor Elaine Chou; Secretary
21 of State Condoleeza Rice; U.S. Comptroller General David M. Waler
22 of the U.S. Government Accountability Office; Ambassador Zalmay
23 Khalizad, United States Permanent Representative to the United

1 Nations; the Honorable Margaret Hughes Ferrari, Permanent
2 Representative of Saint Vincent and the Grenadines to the United
3 Nations and Chairperson of the United Nations Committee of 24; the
4 Honorable Benigno M. Fitial, Governor of the Commonwealth of the
5 Northern Mariana Islands; the Honorable Pete Tenorio, Resident
6 Representative of the Commonwealth of the Northern Mariana
7 Islands; and to the Honorable Felix P. Camacho, Governor of Guam.