

Editorial

Land Bills Important

Those were two very important pieces of legislation, passed "routinely" by the House of Representatives the other day. We think that the significance of the two bills, if they sail through the Senate as expected, and are signed by the President, will be more and more clear as the months go by.

It is just one more step in an escalating demand by Guam—along with the Trust Territory—for more self government. Until very recently the U.S. hasn't been all that enthusiastic about turning the reins of government to the people of Guam, the T.T. or the Virgin Islands. More and more, though, they are being stung by criticism from the United Nations and from other countries about their colonialistic attitude.

One of the bills, co-sponsored by Reps. Antonio B. Won Pat of Guam, and Ron De Lugo of the Virgin Islands, would transfer from the Interior Department to the territorial governments ownership of all the land between the mean high water mark and the three mile limit at sea.

Up until this point all such development such as dredging of Tumon Bay, or the establishment of boat basins, or piers in Merizo or any other village had to be cleared with the Department of Interior, as well as the U.S. Army Corps of Engineers. There would be no way, for instance, for Guam to go ahead and build a reef highway without first giving approval from federal governmental sources. Rep. Won Pat points out that the existing situation "is fraught with bureaucratic delays and has served to obstruct the development of Guam's economic potential." Getting permission to dredge a swimming area in Tumon Bay took more than a year, as we recall it.

It stands to reason that the people on Guam are much closer to the scene than would be some bureaucrat in the Department of Interior in Washington, D.C. Inspectors and study teams are expensive, sending them out this far. This too, caused delays. Certainly the people that live on Guam should be a better judge of what takes place on their beaches, and in their reefs and lagoons than would be some unnamed governmental official 12,000 miles away.

It all gets back to autonomy. Either we have it or we don't. If the Department of Interior, which for all intents and purposes gave up control of Guam when the elective governor bill was passed, can still tell the people of Guam where they can, or cannot build a pier on their own island, then something is wrong.

This is not to say that we expect no controls at all. The Guam legislature, after passage and study of the bill, should make every effort to see how the situation is handled in other, similar areas. Perhaps a new jurisdiction has to be set up. Perhaps controls can be handled by existing bodies, such as the Guam Environmental Protection Agency. The point is that we don't want a proliferation of piers and marinas and lagoon dredgings without somebody looking after the interests of the general public, and the ecology. Somebody who lives on Guam, rather than in Washington.

The second bill introduced by Won Pat applies only to Guam, and could be even more far reaching in its affect on the island scene. It is a measure that conceivably could result in thousands of acres of U.S. military land reverting to ownership by GovGuam. It directs the President to conduct a one-year survey to determine what federal lands on Guam could be turned back to local control without affecting any strategic policies or other government missions.

It has been estimated that the federal government—mainly the military—owns about one-third of Guam's land. According to information provided by Won Pat, approximately 50,000 acres of Guam land is controlled by the military. The information said that estimates indicate about 10,000 acres are not being "beneficially used" by the government, although how that figure was arrived on was not mentioned. It may be nothing more than an "educated guess." The bill leaves the people on Guam to do some speculation. Would some of the present military beaches be considered essential to strategic policies, for instance?

Earlier Won Pat was frustrated in his attempts to get the Pentagon to supply him with the "Project Gateway" report on the military land requirements on Guam. At first the Pentagon said that they would provide him with a "sanitized" version of the report, but later rescinded the order. Won Pat said that the new bill would achieve the kind of military land inventory he was unable to get earlier.

Committee Republicans didn't go along entirely with Won Pat's suggestion that the land survey be made in 120 days, insisting instead on a one-year study.

The bill also reinforces the concept of "concurrent jurisdiction" on Guam by deleting language in the existing law that enables the president to exclude Guam from that law enforcement doctrine. Concurrent jurisdiction is accepted in all of the 50 states as a legal arrangement by which military and local authorities overlap. In foreign outposts, of which Guam has been one, the U.S. military retains separate jurisdiction over its people. Although this latter policy has not been invoked in Guam, the possibility that it could be has become a symbolic irritant to Guamanians, Won Pat said, and could be a factor in local tensions with the military.

The two bills, Won Pat said, are the most important legislation now pending for Guam. He said that he expected smooth passage for the bills through the Senate. If so, it will again show that the U.S. is becoming increasingly serious about giving more self-government to the people of Guam. Won Pat deserves credit for the introduction of these bills, and easing them through the House of Representatives. JCM.