STATEMENT
OF
JOHN A. CARVER, JR., UNDER SECRETARY OF THE DEPARTMENT OF THE INTERIOR,
AT HEARING BEFORE THE SUBCOMMITTEE ON TERRITORIES AND INSULAR AFFAIRS
OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, UNITED STATES SENATE,
SCHEDULED FOR THURSDAY, JULY 21, 1966, IN CONNECTION WITH S. 3504, A BILL
"TO AMEND THE ACT OF JUNE 30, 1954, AS AMENDED, PROVIDING FOR THE CONTINUANCE
OF CIVIL GOVERNMENT FOR THE TRUST TERRITORY OF THE PACIFIC ISLANDS."

Mr. Chairman and members of the committee:

S. 3504, the bill before you, would authorize a $172 million capital improvement program for the Trust Territory. It would also remove an existing ceiling on the appropriation of funds for administration of the area.

Many factors make it timely for the Committee and the Congress to consider the nature of the relationship of the United States to the political, economic, and social situation of the people of the Trust Territory. Of necessity, the Interior Department, charged by the President with administrative responsibilities in the area for the executive branch, must take the lead. But it is not solely administrative matters with which we are concerned.

As a United Nations Trusteeship, how and when we carry out the obligations of the agreement with the United Nations Security Council for the area's administration is a sensitive question of international relations; as a "strategic trust", with the agreement itself specifying the right of the United States to establish naval, military and air bases, and to station forces in the area, the present day strategic nature of the Western Pacific area must be seen whole.

Guam, a United States territory, is geographically a part of the area under consideration, and that territory's political status is a related factor.
President Johnson recently announced that the Peace Corps would send volunteers to the Trust Territory, and that program is in its initial phases.

For these reasons, and for others like them, we hope in this hearing to have the Committee search and probe into any and all questions relating to the Trust Territory. We appreciate the fact that the Committee has recognized some of the broader considerations, so with the indulgence of the Committee I would like to permit my colleagues from the Defense Department to be heard first. Then I will, if the Committee desires, present an historical summary of United States relationships with territories generally, and the Trust Territory in particular, and the High Commissioner can then present the details of the proposed program, and of its execution under his leadership, if it should be enacted and the money appropriated.
In resuming my statement, I should like to discuss the nature and character of the relationship which the executive and legislative branches of the United States Government bear toward the Trust Territory of the Pacific Islands. I think it is relevant, for the bill increases the authorized appropriation level by an order of magnitude which raises all the fundamental questions about our role in the Western Pacific.

The term "territory" is mentioned in the Constitution, Article IV, section 3, clause 2, in the context of Congressional power to "make all needful rules and regulations respecting the Territories...belonging to the United States." Yet there is no special constitutional meaning for the term, or even the concept. This committee has dealt with "organized" territories, for example, the Virgin Islands and Guam, each of which has a congressionally adopted organic act; "incorporated" territories, which Hawaii and Alaska were before Statehood; and "unorganized" territories, the present status of American Samoa, which has not yet been accorded a congressional charter.

These three examples show stages, and it might be thought that there is some sort of progression in territorial status. But no generic term precisely describes the process of political development of people in areas described as "territories". History helps to gain insight into the process, but it furnishes no standard progression.

Confining our attention to the noncontiguous areas, the United States has acquired dominion over other lands and peoples since 1898 in a variety of ways. Guam, Cuba, the Philippines, and Puerto Rico came from Spain by the Treaty of Paris which ended the Spanish American War. American Samoa came to the U. S. as a free act of cession by the Samoan chiefs at about
the same time—albeit the United States and Germany had decided between
themselves for a division of the Samoan Archipelago, with the United
States selecting the magnificent harbor of Pago Pago in the Island of
Tutuila with the nearby Manua group, and the Germans selecting the more
extensive islands of Upolu and Savaii.

The Virgin Islands were purchased from Denmark in 1917. That purchase
ended U. S. territorial acquisition of non-contiguous areas until the
former Japanese mandated islands, with three million square miles of
surrounding ocean stretching from the Marshalls to the Western Carolines,
were committed to the U. S. trusteeship by agreement with the United
Nations Security Council in 1947. Thus the arrangement for the Trust
Territory is unique.

An examination of United States history in the period from 1898 until
the present time reveals that we have never been a colonial power, in
the sense of the building of an ageless empire. Peoples in all off-shore
areas have been, and are, free to work out political relationships to or
with the United States best suited to their own conditions and status in
the world community. Our record is one of performance, not propaganda.

Thus Cuba and the Philippines were granted total, sovereign independ-
dence, Cuba within four years of the Treaty of Paris.

The circumstances of our relationships with the Philippines are
instructive. President McKinley in 1900 said that "the government which
they [the Philippines] are establishing is designed not for our satis-
faction nor for the expression of our theoretical views, but for the
happiness, peace and prosperity of the people of the Philippine Islands."
In 1933 Congress voted independence to the Philippines, and in the same year overrode President Hoover's veto of its independence bill. But the Philippine Legislature declined to ratify the proffered grant of independence. So in 1934, the Congress again promised independence for the Philippines and created a Commonwealth to function until the new scheduled date of 1944. This promise was carried out only two years late, notwithstanding such intervening changes in circumstances as three years of enemy occupation, a million Philippine lives lost, and devastation of the local economy in the range of 80-90 percent. Just a few months before the scheduled independence, Congress voted the $620 million Philippine Rehabilitation Act and the Philippines Trade Act.

Since 1898, five States have been admitted to the Union, two of them non-contiguous Alaska and Hawaii. Complete integration into the federal union of equal States is the polar opposite to complete independence. Between these ultimates of self-government, our American system has been flexible enough to accommodate the varying needs of different cultures, economies and heritages. This system takes into account the dynamics of social and political development and has seen one form freely evolve into other, more advanced institutional arrangements. The concept of commonwealth status, for example, has no constitutional basis, but in different forms was created for the Philippines and Puerto Rico as those areas reached higher stages in their development and capability for independent administration.
The dynamic process continues today. The Virgin Islands has recommended to you changes in its organic act, using a responsible and fruitful constitutional convention for the purpose. American Samoa is about to go through a similar process.

I have visited Guam, the Virgin Islands, and American Samoa several times each, as many of the members of this committee have. I may observe parenthetically that one cannot return from a trip to any of them without a renewed faith and confidence in the American system. These places are American; their people are loyal, undivided, steadfast.

U. S. administration of the Trust Territory was 19 years old on July 18th. In that 19-year period it has freely embraced many of the American forms of government as its own. For example, the Congress of Micronesia last year asked for and was granted the bicameral system of the U. S. Congress.

The relationship between any territory and the federal establishment, meaning the executive and legislative branches collectively, contains special and unusual incidents, to be met by steps from each adequate to the time and place. The creation of a social, economic and political environment to permit the residents of the area to make a free choice as to their ultimate form of relationship with the United States can be free only so long as it is not overshadowed by fear--fear of outside aggression or subversion, fear of economic instability, fear of shortages in basic physical necessities.

May I suggest that part of our troubles may be semantic, stemming from the word "colonial," Internationally, it has meanings and implications
which are bad, and we instinctively think of our own struggles to be an independent nation. In our domestic lexicon, we have an economic understanding of the word "colonial": in this sense it involves the imposition of economic constraints to further the extraction of an area's resources for the benefit of a dominating region.

In the latter sense, the United States has itself never pursued anything resembling a colonial policy abroad. For our territories, we put, not take; for their governmental arrangements, we tolerate variances from our own system which would at home be considered violative of constitutional requirements; the whole pattern has been to assist, not to exploit.

To accept the burden of a charge of colonialism would be inconsistent with our good record, as I have outlined it. That there are U. S. territorial areas still in a political status between the polar extremes of independence and statehood ought not be regarded as a failure of policy or program. Guam and the Virgin Islands may remain the subject of scrutiny by the United Nations as "non-self-governing" territories, to the chagrin, from time to time, of the elected legislatures of those territories, but in our system we should not regard this as requiring apology or excuse.

American Samoa has developed and grown in the last five years, in a remarkable performance by an able governor, aided by a sympathetic and helpful Congress. The essence of our success there has been to get the
Samoan cultural system to function as a help, rather than a hindrance, to the accomplishment of the essential objectives of the improvement program, even though, paradoxically, one of those objectives is the shift away from the matai system.

To regard the Samoans as ready for full self-government, in the sense of independence or Statehood, would be irresponsible. The self-government status of an organized territory will come to Samoa in time, but at this moment to accord the same status as, say, Guam, would result in chaos and disservice to Samoa.

The Trust Territory has cultural similarities to Samoa, considerably compounded in complexity. In both places, a cultural heritage with hidden forces of tribal sovereignty coloring concepts of land ownership, income distribution and political authority is still strong.

Lest this be regarded as unique, let me remind this Committee that some of this cultural overhang still exists in our relationships with American Indians.

The Trust Territory is not legally the same as Samoa, or any of our other territories. Yet the different way that area was committed to U. S. dominion may not necessarily require a different U. S. approach to administrative, social, economic or political questions.

The Trusteeship Agreement for the United States Trust Territory of the Pacific Islands, for example, was sent to Congress, and there approved by a joint resolution adopted July 18, 1947. In form, the Agreement was between the Security Council of the United Nations and the Government of the United States, "after due constitutional process" to quote from Article 16.
By the terms of the agreement, the United States has full powers of administration, legislation, and jurisdiction, and may apply such of the laws of the United States as it may deem appropriate to local conditions and requirements.

The United States, as administering authority, undertakes a number of obligations spelled out in article 6. It agrees to foster the development of such political institutions as are suited to the Trust Territory and to promote the development of the inhabitants toward self-government or independence as may be appropriate to the circumstances and the freely expressed will of the people; to give to the inhabitants a progressively increasing share in the administrative services, to develop their participation in government; and to promote economic social and educational advancement.

As a security council trusteeship, changes in the agreement are subject to veto.

President Truman delegated the initial responsibility for administration of the Trust Territory to the Navy Department, doing so on the same day the Joint Resolution of the Congress was passed. Simultaneously, he issued a statement affirming that it was a responsibility primarily of the Congress to carry out the provision of the Agreement which called for the U. S. to enact legislation necessary to place the agreement in effect. "In order to assist the Congress. . . .," President Truman said, "I have asked the Department of State to prepare . . .
suggestions for organic legislation for the trust territory."

Congress has never enacted organic legislation for the Trust Territory. It was asked to do so first in 1953, by which time responsibility for administration had been transferred to the Interior Department, (excepting the Marianas District, which was not transferred from Navy to Interior until 1962.)

An executive recommendation for organic legislation for the Trust Territory was sent to Congress in 1953 and was introduced in the House. No action was taken on the bill, which in form was quite similar to the Secretarial order which in substance still prevails.

In 1954, the Department reported on the first Trust Territory ceiling bill, which had as its specified purpose "to afford statutory authority for the continuation of civil government for the Trust Territory," and which provided that "Until Congress shall further provide for the government of the Trust Territory of the Pacific Islands, all executive, legislative, and judicial authority necessary for the civil administration of the Trust Territory shall continue to be vested in such person or persons and shall be exercised in such manner and through such agency or agencies as the President of the United States may direct and authorize."

A year earlier, in Interior's appropriation act for fiscal year 1954, Congress had provided that "no new activity in the Trust
Territory of the Pacific Islands requiring expenditures of Federal funds shall be initiated without specific prior approval of Congress."

This provision probably expired at the end of fiscal year 1954, although it has been codified and is currently in the U. S. Code.

As nearly as I can tell, the last bill proposing organic legislation for the Trust Territory was in the 87th Congress. Until 1960, the United States repeatedly promised to seek organic legislation at its U. N. appearances; the subject has not come up since.

What would be included in organic legislation, if that route should be reopened for further consideration, might be entirely different. I have reviewed this history to show that such an approach has precedent authority.

It is also demonstrable that the obligations in the Trusteeship Agreement have been kept. Progress has been made toward "a progressively increasing share of the administrative services" with a number of Micronesians in important posts. Micronesian participation in government is a reality with a Secretarially chartered Congress of Micronesia, which had its opening session a year ago. Economic, social, and educational advances have been made.

Yet it would be a mistake to conclude that the progress which has been made, and the overall framework of an affirmative United States
policy, has insulated the United States from criticism.

Some of this criticism has come from the so-called Committee of 24, the "Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples." For example, two years ago one of the members of the Committee of 24 accused the United States of using the money appropriated for Samoa on the construction of military projects, such as a jet runway and a highway linking the naval base at Pago Pago with a U.S. military base at Leone. We have no naval base in Samoa, and haven't for decades. We have nothing more warlike at Leone than a high school and elementary school built squarely on the old World War II fighter strip. General Assembly Resolution 1514 of December 14, 1960, declares that all peoples have the right to self-determination and that by virtue of that right they should freely determine their political status and freely pursue their economic, social and cultural development.

Resolution 1514 declares that inadequacy of political, economic, social or educational preparedness should never serve as a pretext of delaying independence. Granting independence to the Philippines proved that we do not use pretexts to avoid our commitments.

Resolution 1514 calls for immediate steps, in Trust and Non-Self-Governing Territories (which in U.N. parlance includes Guam and the
Virgin Islands) "to transfer all powers to the peoples of those territories, without any conditions or reservation, in accordance with their freely expressed will and desire, ... in order to enable them to enjoy complete independence and freedom."

If the emphasis on this is on the freely expressed will of the people, it is unexceptionable. If on the clause, "without any conditions or reservations," then the Congress must be a party to such policy.

The United Nations was assured last month that events are moving us toward the need for a definite decision, within a reasonably short time, as to how and when the population of the Trust Territory shall exercise the right of choice we are obligated to provide them. Our representative there, Mrs. Eugenie Anderson, also emphasized the role of the Congress, explaining that Congress is jealous of its appropriations powers, and that the annual budget of the Trust Territory must be meticulously justified.

This then is the background in which the ceiling bill comes before you. The future of the Trust Territory depends upon the cooperation of the executive and legislative branches.

President Johnson has announced that 400-500 Peace Corps Volunteers will be sent to the Trust Territory, beginning in the next few months, emphasizing thereby a strong executive commitment to social, educational, health, and economic betterment of the area. In fact, the success of
the Peace Corps effort is dependent on action on the pending measure. A brief of its program, which was supplied us by the Peace Corps, has been distributed to the Committee as a separate document along with a copy of the President's letter to Director Jack Hood Vaughn.

High Commissioner Norwood will detail the presently proposed legislation.

As you consider this proposal, you deserve to have the background I have tried to give you. The overriding international factor is that the people of the Trust Territory are to have a free choice. The overriding domestic factor is that the alternatives which could be offered the people of Micronesia, so far as future political arrangements are concerned, would be meaningful choices only insofar as the Congress is prepared to specify its willingness to participate in carrying them out.

It seems unlikely to me that Congress would agree that any alternatives for political arrangements could be offered the people of the Trust Territory without considering the economic circumstances, existing political development, strategic requirements of the United States in the area, and perhaps the comparable status of other U. S. territorial areas. No fair minded student of history could regard these as pretexts for delay. The United States has too good a record of delivering full measure on its promises to territories.
What is before the Congress is not organic legislation. But a commitment of the length and magnitude of that here recommended implies a long term commitment by the United States Congress which, if history is any teacher, requires the formulation of a theory or basis for the recommended action.

The theory which I have articulated is that the United States is not a colonial power in any invidious sense; that its promises like those in the trusteeship agreement are entitled to credence; that delivery on those promises requires close cooperation between the executive and legislative branches; that such cooperation can be meaningful only as all the considerations are laid out for discussion and action.

The new High Commissioner will detail his program, and show you how he would expect to act if this bill should be passed, and the appropriations it authorized should be made. The United States has a great stake in this area, and I am convinced that the American system can accommodate to both our needs and our responsibilities there.