

## RIGHTING CIVIL WRONGS: GUAM CONGRESS WALKOUT OF 1949

By Anne Perez Hattori



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Guam received its Organic Act in 1950, after half a century of U.S. naval occupation. It was not a benevolent gift from a generous colonizer or a prize awarded to the Chamorro people for their loyalty throughout a brutal wartime experience. Rather, its long-overdue passage in an era of decolonization is attributable to various factors, including a half-century of Chamorro resistance climaxing with a walkout by the Guam Congress in 1949. The walkout generated intense national publicity and friends of Guam residing in the United States stepped up their lobbying efforts, using the walkout to illustrate graphically Chamorro dissatisfaction with US naval rule.

In a recent interview, former member of the Guam Congress, Carlos Taitano disclosed, "We knew something had to happen. We had to tell the American public. Martial law was really horrible and we had to create an incident which would bring publicity to Guam" (Carlos Taitano, personal communication, November 29, 1993). Taitano revealed that several months prior to the Assembly walkout, two news correspondents - one representing the Associated Press and the other the United Press - visited Guam to report on military affairs. Taitano entertained the newsmen at his home in Mangilao and narrated to them a brief history of Guam under the oppressive naval government. Taitano and the newsmen agreed that if the Chamorro people's desire for self-government was to be heard, an incident of substantial magnitude had to occur, great enough to warrant major coverage in the newspapers. Taitano agreed that should such an incident unfold, he would personally inform the two reporters by radiogram.

Details of the congress' walkout were reported in newspapers throughout the United States. A few of the 1949 headlines read:

The New York Times, March 6, 1949: Guam Assembly Quits: Protests What It Calls a Navy Move to Limit its Power

Washington Post, March 6, 1949: Navy Action Protested by Guam Assembly

Honolulu Star-Bulletin, March 29, 1949: Guam's Boston Tea Party

Washington Post, April 3, 1949: Guam Rebels at New Navy 'Rule'

Despite the publicity generated by the 1949 Guam Congress walkout, authors of Guam history have paid scant attention to the protest. Charles Beardsley (1964), Earl Pomeroy (1951), and Frederick Weber (1970) completely disregard it in their studies, while others devote thin paragraphs to the incident. Michael Dean Zenor (1949, p. 79) remarks that the Congressmen acted "hastily" and reduces the walkout to an act of "political immaturity." Richard Roy Griffith (1978, p. 171) removes responsibility from members of the Guam Congress, remarking that "the Attorney General apparently had encouraged the lower house to take such action." He adds that the Chamorro public attended village meetings where they "vehemently expressed satisfaction with their ousted elected representatives" (p. 174). In a one-paragraph summary of the walkout, Paul Carano and Pedro Sanchez (1964, p. 348) refer to it as "an unpleasant incident ... which resulted in increased agitation for transferring Guam to the control of a civilian department of the federal government and for the passage of an organic act." In Sanchez's later, independent work (Guahan Guam, 1988, p. 299), he maintains that walkout occurred because members of the Guam Congress "felt betrayed by the Governor."

House of Assembly Speaker Antonio B. Won Pat emphasized, "the Assembly action was not based upon any single incident, but upon a series of actions" ("Mr. Won Pat...," p. 1). Written accounts, however, have focused primarily on one incident — the vetoed subpoena bill of the House of Assembly — as the cause of the walkout. A closer examination of the issues and events leading up to the walkout exposes a battery of unresolved issues, each one of which added to the frustration of



disempowered legislators. From the beginning of U.S. rule in 1899, and intensifying after World War II, the Chamorro people suffered through land alienation, civil rights violations, discrimination, arbitrary naval rule, and the lack of self-government. In its articulation of political inadequacies, the walkout became a significant episode in the movement for U.S. citizenship by the Chamorros of Guam, climaxing with the Organic Act of 1950.

What were the issues driving the Guam Congress' 1949 act of defiance? What are the "series of actions" referred to by Speaker Won Pat? What does the walkout reveal about Chamorro views and understandings of U.S. citizenship? An examination of the Ninth Guam Congress proceedings provides a glimpse into the political and social circumstances culminating with the March 5 walkout.

### INTRODUCTION TO U.S. COLONIALISM

Thirteen months after the United States seized Guam from Spain, the first appointed governor arrived, on August 10, 1899. Accompanied by U.S. marine and navy troops, Captain Richard Leary proclaimed the occupation of Guam, the southernmost Mariana Island. In one of the few written accounts of Chamorro response from this period, visiting Brigadier General Joseph Wheeler (1900, p. 16) commented that the indigenous people "seemed very desirous of establishing the kindest relations with the Americans, and ... they hoped for and expected great advantages to come to the island from American rule." Indeed, from village to village, Wheeler and other visiting Americans were greeted in typically generous and hospitable Chamorro style.

Governor Leary established a system and style of government that served as the model for later Naval governors in their domination of the Chamorro people; the governor was vested all executive, legislative, and judicial power. Only two weeks after his arrival, Leary banned public celebrations of patron saints' feast days, fiestas that remain significant occasions of celebration on Guam. Leary also enacted an order banning the ringing of church bells before 8:00 in the morning. Wheeler's 1900 report revealed Chamorro displeasure with executive orders pertaining to religion: "orders with regard to religion are evidently considered as a hardship and are distasteful to the majority of the people" (Wheeler, p. 36).

The autocratic rule of naval governors was a continual source of frustration to the indigenous people of Guam. In a 1901 petition to the U.S. Congress, Chamorro leaders criticized, "It is not an exaggeration to say that fewer permanent guarantees of liberty and property

rights exist now than when under Spanish domination" (1901 Petition to the United States Congress).

### EXPRESSIONS OF RESISTANCE

The 1901 petition declared Chamorro loyalty to the United States, saying that "[t]he change of sovereignty was welcomed by the inhabitants of Guam," but that "[a] military government at best is distasteful and highly repugnant to the fundamental principles of civilized government." Drafted by a group of 32 Chamorros residing in Agaña, the petition asked that the Congress establish a "permanent government" on Guam, reflecting their understanding that the naval administration was only a temporary form of government.

In a 1933 petition signed by 1,965 natives of Guam, petitioners again professed their loyalty to the United States and asserted their aspirations for citizenship, while also reminding the U.S. Congress of its responsibility under the Treaty of Paris to determine the political status of the Chamorro people. The petition criticized that "the Virgin Islands, although a later acquisition, having been purchased from the Danish Government on January 25, 1917, have had full American citizenship granted on the natives on February 25, 1927" (1933 Petition to the United States Congress).

Other petitions to the U.S. Congress surfaced in 1917, 1925, 1929, 1936, 1947, 1949, and 1950, but efforts were consistently thwarted by U.S. naval opposition to citizenship and civil rights for the Chamorro people. Some of the petitions seemed to have gotten "lost" in the files, and were never responded to, but others were rejected outright for a variety of reasons. In 1918, Governor Roy Smith explained to the petitioning Guam Congress members, "The present time is probably not opportune to bring it up again, when [the U.S.] Congress is so fully occupied with great and momentous matters affecting the very life of the nation" (Bordallo, p. 85). The Depression, regional tensions due to Japan's ominous presence in Micronesia, and both the First and Second World Wars were used as excuses for ignoring the political concerns of the Chamorro people.

Governor Roy Smith created an appointed advisory Guam Congress in 1917. According to anthropologist Laura Thompson, the Guam Congress was created "[m]ainly as a result of native dissatisfaction at the loss of their political privileges" (Thompson, 1944, p. 149). Its members were appointed by the governor, and were to act in a merely advisory capacity. Despite their inability to enact laws or policies, the Chamorro legislators used this opportunity to criticize the naval government and to discuss questions of civil rights and citizenship.

The members of the Guam Congress also hosted

visiting American dignitaries and used those opportunities to relay their wishes. Despite supportive and encouraging messages from nearly every visiting U.S. Congress member or cabinet-level visitor, numerous bills introduced in the U.S. Congress failed to gain passage. Because of this history of failed legislation, Chamorro political leaders decided that direct contact with Washington, D.C. legislators would be necessary to further the citizenship drive.

In July 1936, eight months after a tour of Guam by Secretary of War George H. Dorn, the Guam Congress selected two of its members, Baltazar J. Bordallo and Francisco B. Leon Guerrero, to travel to Washington, D.C. and lobby in the U.S. Congress and in the capital on behalf of the Chamorro people. After the naval governor of Guam refused financial assistance for the trip, colleagues in the Guam Congress began a fund-raising drive. Jeff Tainatongo Barcinas of Merizo, whose father Jose was a Council member in the Fifth through Tenth Guam Congresses, recalled stories shared by his father about these hopeful fund-raising efforts. Jeff reminisced:

F.Q. Sanchez was in the House of Council, and Jesus Quinata, also from Umatac, was in the House of Assembly. The two were able to raise money with village kids carrying blankets. They'd walk through the villages with their blankets spread out across the road and people would throw their coins or dollars into the blankets.... That was how they'd go about fundraising. (Jeff T. Barcinas, personal communication, October 30, 1993)

The islandwide fund drive for Leon Guerrero and Bordallo raised over \$6,500, capital sufficient for the trip to Washington, DC. There the two met with President Franklin Roosevelt and testified before Congress. Bills conferring citizenship on the indigenous inhabitants of Guam were introduced in both the Senate and the House of Representatives; the Navy, however, proved to be a powerful foe. Secretary of the Navy Claude A. Swanson objected to citizenship for Chamorros on behalf of the Navy, citing the complicated international situation in the Far East. Citizenship for the Chamorros would "aggravate the danger to peaceful international situations." Further, Swanson reasoned, "there is every indication that these people have not yet reached a state of development commensurate with the personal independence, obligations, and responsibilities of United States citizenship. It is believed that such a change of status at this time would be most harmful to the native people" (Bordallo, p. 130). Both Bordallo and Leon Guerrero testified in rebuttal to Swanson's assessment, but the Navy's control over Guam

prevailed. Neither bill was acted upon during that session of Congress, and both Bordallo and Leon Guerrero would remain prominent figures in Guam's political scene.

### DESTRUCTION, DISPOSSESSION AND DISCRIMINATION

Chamorro concerns remained unaddressed by the U.S. Congress at the time of Japan's attack on Guam on December 8, 1941. Guam was to be occupied by this foreign power for nearly three years, and the Chamorros suffered tremendous atrocities at the hands of the Japanese military. In the last month before U.S. reoccupation, Chamorros were herded out of their villages and moved into concentration camps where they were forced to provide labor and food for the Japanese military population. Men, women, and children were made to work on huge agricultural projects and on military construction projects, such as building airfields, bunkers and gun emplacements. Executions, beatings, and rapes were bleak aspects of the war experience that became embedded in the Chamorro memory.

Unforgettable also was the U.S. campaign to recapture Guam. When the reoccupation campaign for Guam's liberation was concluded, the island's villages were devastated by the effects of American bombardment. All across Guam, about 80 percent of the island's homes, buildings, and permanent structures were destroyed (Hale'ta, p. 109). The capital of Agaña, home to over half the Chamorro population before the war, was almost completely destroyed by the bombardment; by 1950, the population of Agaña had decreased from its prewar peak of over 10,000 to only 760 residents (Sanchez, p. 268). Sumay, the second largest village with a population of over 1,900 prior to the war, was completely condemned for use by the military (Sanchez, p. 269).

Over 200,000 military personnel were stationed on Guam for the remaining battles of the war. Within one year, 21 military bases were constructed on Guam (Underwood, 1987, pp. 93-5). By 1946, only seven miles, about one-third of Guam's land, remained in native ownership (Thompson, 1947, p. 125). By 1947, 1,350 families had lost their land and homes due to military policy (Maga, 1988, p. 197). Adding insult to injury, Chamorros involved in the mammoth military construction projects complained bitterly of a discriminatory "Navy-decreed pay rate of less than one-fourth the pay rate [of stateside hires]... for identical skills in identical jobs" (Collier, p. 2). Ironically, even Chamorros enlisting into the service of the U.S. military faced discrimination; Chamorro men entering the Navy were allowed admission only as Mess Attendants, regardless of educational background.



Although issues such as discriminatory practices and unsatisfied political desires for U.S. citizenship and civil government plagued Chamorros, military land grabbing was the critical concern of the postwar Chamorro population. The appropriation of land by the military touched Chamorro lives unlike any other imposition of the U.S. government. The military wanted bases in order to complete their war effort, and lands were taken without regard for the Chamorro land tenure system. In Agana and Sumay alone, approximately 11,000 of the island's 20,000 inhabitants were displaced (Sanchez, pp. 159, 268). Though these were the two villages most sorely hit by military land grabbing practices, other Chamorros in different areas all over the island suffered the same fate. To provide shelter for these thousands of displaced Chamorros, the military government Public Works Department constructed small frame dwellings and tent frame structures for approximately 1,400 families. These were built in the new or enlarged villages of Dededo, Barrigada, Sinajana, Yona, Asan, Santa Rita, and Agat ("Housing...," p. 1).

By 1948, the naval administration was condemning lands almost exclusively for the recreational use of military dependents. In Agana, roughly 500 people were displaced when 82 lots were condemned for a park ("Condemnation," p. 3) and in Tamuning, 60 hectares of Tumon Beach were condemned for a military recreational center (Guam Congress House of Assembly (GCHA), November 4, 1949, pp. 16-7). Chamorros were further perturbed to see fertile lands seized by the military sitting idle. In Barrigada, Frank C. Perez reported that his farmlands, once used for raising livestock, were lying dormant ("Land Disposition...," p. 1). What also bothered the people was the seemingly arbitrary nature in which lands were selected. No one's land and home were beyond the demolition of military bulldozers. These feelings of insecurity surfaced in the citizenship debates; in the words of Council member Francisco Sanchez of Umatac, Chamorros typically believed "[t]he granting of American citizenship to the Guamanian people will remove one of the greatest fears among us, and that is the fear of insecurity...The government of the United States...extends protection not only to individuals, but also to their property" ("Francisco Sanchez...," p. 2).

For his part, Governor Pownall defended the appropriation of lands for recreational use as an "essential requirement of the Armed Forces of the United States in prosecuting the war" (Pownall, April 26, 1948). Such was the case of beachfront property in Tumon, requested for recreational use by the commanding general, Marianas Bonins Command, for the combined air and ground forces based on Guam. Pownall rationalized that "[t]o provide adequate athletic facilities for the personnel of

the Armed Forces on Guam is of direct concern to the local Government in effecting law and order, harmony and morale" (Pownall, April 26, 1948).

For the most part, Chamorros did not dispute the need for military bases. With the war experience so fresh on their minds, Chamorros welcomed bases as a sign of future protection against foreign invasion. Yet when the military began condemning lands for parks and recreational facilities exclusively for military personnel, resistance to land alienation multiplied. Sanchez commented, "While they [the Chamorro people] fully recognized and offered no complaints for land taken for military use, they did not accept the position that private land should be held for security perimeters, recreation and contingencies" (Sanchez, p. 271).

### THE NINTH CONGRESS FIGHTS FOR LAND AND JUSTICE

In a 1946 report to the United Nations detailing numerous features of American rule in Guam and American Samoa, the Navy Department described the Land and Claims Commission as "the real estate agency for the Governor of Guam" (Assistant Chief of Naval Operations). In one of its functions, the Land and Claims Commission determined the terms of compensation to uprooted Chamorro landowners, restitution that averaged only six percent of the land's appraised value ("Navy to Buy Land," p. 1). Frank Perez testified to visiting U.S. Congressmen in 1949 that for 160 acres of his farm, upon which the U.S. Naval Hospital was built, he received \$100 per year ("Land Disposition...," p. 1). Another landowner reported that his 14 acres on a most desirable site on Guam were leased to the Navy for only \$14.10 per year ("Guam Suggestions...," p. 1).

Guam Congress members struggled to help their constituents with these crucial land matters. In an attempt to understand the power of the naval government regarding the land condemnation procedures, members of the Assembly called upon the attorney general for legal clarification. In the Fourth Regular Session of the House of Council, Attorney General Vivien McConnell confirmed that "the government is authorized to condemn lands for the rehabilitation of Guam" (Guam Congress House of Council (GCHC), September 11, 1948, p. 5); Council member Bordallo voiced concerns about the rights of landowners and speculated "since lands cannot be condemned unless it is for the benefit of the public, there may be legal technicalities involved." McConnell explained that "[t]here are no legal technicalities involved at all because the government is authorized to condemn lands" (GCHC, September 11, 1948, p. 5).

Despite their ostensible powerlessness, legislators attempted different strategies to alleviate the situation. When the army moved to condemn 60 hectares of Tumon Beach in 1948, members of Congress held conferences with the governor and with the officer in charge of the Land and Claims Commission. Council member Bordallo reported to the Guam Congress that the naval officers (the governor and the Land and Claims Commission officer) felt that "they didn't have the power to reduce the area acquired by the Army because they had a directive from high authorities in Washington, D.C." (GCHC, September 11, 1948, pp. 2-3). This prompted a September 11, 1948 cablegram to Secretary of Defense James V. Forrestal from members of the House of Council. Testimony from the Fourth Regular Session of Council reads:

TO THE HONORABLE JAMES FORRESTAL  
SECRETARY OF NATIONAL DEFENSE

REQUEST KIND RECONSIDERATION OF  
U.S. ARMY RECREATION BEACH AT  
TUMON AREA NOT TO INCLUDE THE  
HOMES OF NINE FAMILIES WITH CHILDREN.  
FAMILIES URGENTLY REQUEST TO  
REMAIN IN PRESENT HOMES AND PROPERTIES  
INHERITED FROM PARENTS  
(GCHC, September 11, 1948, p. 2).

In debate on the floor of the Council, members questioned whether it was necessary to seek the intervention of the Secretary of Defense. The cablegram was agreed upon as a desperate measure, reflected in the testimony of Council member Simon Sanchez, who argued that "All of them [evicted families] have been reared from the soil and this land was inherited from their parents and these people have a strong sentiment for the soil. It is my belief that this is our last appeal and whether he will consider it favorably or not, it is worth trying" (GCHC, September 11, 1948, p. 3). It nonetheless failed to save the Tumon land from military bulldozers.

Another congressional tactic intended to alleviate the land crisis was legislation to abolish the Superior Court. Prior to World War II, land cases were heard in the Island Court and appeals of those decisions went to the Court of Appeals on Guam. Following the war, an important element in the court system changed with the creation of the Superior Court of Guam. The Superior Court was given jurisdiction over all civil cases in which the naval government or the United States of America was a party, which included jurisdiction over land condemnation cases. Under this new court system, Chamorros dissatisfied with compensation terms set by

the Land and Claims Commission were directed to take their case to the Superior Court, whose judge was appointed by the Secretary of the Navy. Appeals of Superior Court decisions were sent to the secretary for final deliberation. In the Congressmen's view, the Land and Claims Commission, the Superior Court, and the appeal process to the Secretary of the Navy blatantly favored military interests and effectively prohibited Chamorros from formally contesting the decisions of the Land and Claims Commission. In the House of Assembly's December 11, 1948 session, Judiciary Committee member Joaquin C. Perez stated:

The Secretary of the Navy maintains his office, shall we say, nine thousand miles away, and it is very obvious that a party desiring to appeal cannot economically be present at a hearing...A man is entitled to present his case in the best possible manner. A man is entitled to present his case face-to-face. Robbing a man of that privilege is certainly robbing him of a portion of the justice due him (GCHA, December 11, 1948, p. A7).

Council member Perez interviewed Island Court judges who conceded that the Island Court was willing to and capable of handling the Superior Court caseload (GCHA, December 11, 1948, p. A15). Congressional legislation to abolish the Superior Court was vetoed on January 3, 1949 by Governor Pownall, who stated in a letter to the Guam Congress that "the Superior Court fulfills a definite need in the judicial structure for Guam...There is a large volume of land cases requiring the attention of the Superior Court" (Pownall, 1949). The controversial appeal process to the Secretary of the Navy was not repealed until the administration of Guam was transferred to the Department of Interior in 1950.

In a memorandum to the Guam Congress, Governor Pownall chastised members of the Congress for meddling in land affairs, saying "a mistaken idea exists in the minds of some of the members of the Guam Congress, with respect to land condemnation" (Pownall, July 20, 1948). Pownall wrote:

The Governor appreciates the interest of the Guam Congress in such matters but believes that the proper solution of matters of this nature should be left to the determination of that branch of government charged with the responsibility of hearing and determining rights of individuals under law (Pownall, July 20, 1948).



## THE NON-LEGISLATIVE LEGISLATURE

The first postwar election for the Guam Congress took place on July 13, 1946. Following the induction of the first postwar Congress, Guam's new naval governor, Admiral Charles Pownall, spoke encouragingly of increased self-government for Chamorros. Pownall, in a May 27, 1947 letter to the Chief of Naval Operations, wrote that "a great deal of the current unrest among the peoples of Guam has been the fact that the Governor's power is plenary and that the Guam Congress is merely an advisory body" (Zenor, p. 62). Indeed, Chamorro leaders were excited by the 1947 proclamation of Secretary of the Navy John Sullivan granting limited powers to the Guam Congress. Members of Congress looked favorably upon this proclamation as a step forward; finally, it seemed as if previous lobbying efforts for self-government were paying off.

Proclamation Granting Limited  
Powers to Guam Congress

Whereas the citizens of the Island of Guam, through the Guam Congress, have expressed a desire for American citizenship and an organic act for that island with self-government; and Whereas the United States Government reposes faith, trust, and confidence in the people of Guam and desires to give to them a greater share in their own Government;

Now, therefore, by virtue of the authority vested in the Secretary of the Navy by Executive Order 108-A, dated 23 December 1898, it is hereby proclaimed:

No change or changes shall be made in nor new provision or provisions added to the Penal Code of Guam, Civil Code of Guam, Code of Civil Procedure, Probate Code, the Civil Regulations With the Force and Effect of Law in Guam, ... except as in the manner hereinafter provided. Such changes or additions may be proposed by a majority vote in both Houses of the Guam Congress.

Such proposals shall be conveyed in writing to the Governor of Guam by the chairman of each House of the Guam Congress, and the proposals shall be signed by the chairman certifying the necessary vote (Sullivan, 1947).

This proclamation was met with great enthusiasm and excitement among Chamorro leaders, but by 1948 Guam Congress members began realizing the inadequacies of the proclamation. At the request of the House of

Council, Attorney General McConnell attended the 3rd Regular Session on September 4, 1948 to provide legal clarification on the terms of the proclamation. Governor Pownall had earlier forwarded a proposed bill to the Council for their enactment, and Council members wondered what would happen if such a bill were ignored or if passage failed. McConnell replied that "a bill ... has to be introduced by a member of Congress." The attorney general added, however, that even without the consent of Congress, the governor could issue an executive order, having the effect of law, until the Guam Congress took favorable action. If the Guam Congress took unfavorable action, the order would go to the secretary of the navy for a final decision. In the meantime, it would remain law unless disapproved by the secretary of the Navy (GCHC, September 4, 1948, p. 5).

In practice, Pownall maintained the same posture as had previous governors, despite assuring Congress members of their legislative powers. Assemblyman Taitano summed up a common feeling among Guam legislators when he said:

I came into this House of Assembly last June [1948] with high hopes. I had read the Proclamation granting this Congress legislative powers ... after seven months as an Assemblyman, I have discovered that we haven't got those powers ... I can't see that this Congress is anything more than an advisory body (GCHA, March 5, 1949, pp. 6-7).

Perhaps in this new era of Cold War politics, Governor Pownall worried excessively about the potential political resistance of Chamorros, as cautioned in a 1942 Office of Strategic Services (OSS) report (Maga, 1988, p. 176) to the president regarding a postwar government on Guam. Maga's review of the previously top secret report uncovers OSS admonitions of radicalism among Chamorros in the Guam Congress. The OSS characterized the Guam Congress as an "uncooperative component of the navy's democratic machinery." The report further recommended that "post-liberation rewards to the Guamanians should be limited to honorary functions and colorful statements, for greater political authority might lead to radical policies and threats to America's strategic position in the western Pacific" (Maga, 1988, pp. 176-7).

## HELP FROM ABROAD

Despite local Navy opposition to political reform on Guam, the island's political interests were promoted on the U.S. mainland by the independent lobbying and

publicity efforts and friends of Guam such as the Washington, D.C.-based Institute of Ethnic Affairs, anthropologist and Chamorro rights advocate Laura Thompson in conjunction with the American Civil Liberties Union (ACLU), and New York attorney Richard Wels. Studies by president and naval committees rendered their recommendations to the nation's political leaders. These studies voiced support for citizenship and a civilian form of government for Guam.

The Institute of Ethnic Affairs was created by Laura Thompson and other civil rights activists in Washington, D.C. to help the people of Guam remedy their political situation (Thompson, 1991, p. 85). John Collier, president of the Institute of Ethnic Affairs (who was also a former U.S. commissioner of Indian Affairs and the husband of Laura Thompson), worked closely with the Guam Congress in transmitting the political desires of the Chamorro people to a wider, U.S. mainland audience. This was undertaken primarily through publication of the Guam Echo, a newsletter that detailed both local and national political developments regarding the U.S. colonies. Members of the Guam Congress specifically transmitted parts of their congressional proceedings to the staff of the Guam Echo for their information and dissemination. In addition to utilizing the Guam Echo for publicity purposes, members of the Institute touted the Guam cause by writing articles for various magazines and newspapers, delivering lectures, and holding conferences (Thompson, 1991, pp. 85-6).

Laura Thompson's involvement in Guam affairs followed her employment in 1938 as Consultant on Native Affairs to the naval governor of Guam, and, by the outbreak of World War II, this fieldwork experience had already spawned several monographs, articles and books on the archaeology, culture and life of the Marianas. Following her critical disclosure of naval practices on Guam, she was barred by the Navy from returning to the island. Through her writings and public appearances, Thompson generated support for the Chamorro political cause. Employing her personal knowledge of the Guam situation, Thompson was an occasional guest of Richard Wels on his radio program, the "Court of Current Issues," in New York on ABC network (Wels, R. to R. Underwood, June 8, 1982). Testifying before the U.S. House of Representatives, she represented the ACLU in hearings regarding Guam before the Committee on Public Lands, and referred to the naval government of Guam as a "rapidly rotating personal dictatorship" (Thompson, 1983, p. 6A). The ACLU strongly recommended citizenship, an organic act, and civil government for the island of Guam.

Attorney Richard Wels became an advocate of political rights for the Chamorro people following his return to the U.S. mainland in 1946, subsequent to active

duty in the U.S. Naval Reserve, in which he served 16 months on Guam as a U.S. attorney during the war crimes trials. Wels began a letter writing campaign to The New York Times, reporting on the Chamorro people's inadequate political situation. In correspondence with Chamorro historian Robert Underwood, Wels recalled attending a meeting called by Editor Foster Hailey of Time magazine with Gilbert Cant, another Time magazine editor; author Pearl Buck; and Buck's husband Richard Walsh, publisher and editor of Asia magazine, in which they discussed ways of using their connections to publicize the plight of the Chamorro people under U.S. Navy rule (Wels, R. to R. Underwood, January 31, 1977 and March 28, 1977). As Wels recollected:

The New York Times was generous with its help, and there was scarcely a week in which it did not publish several letters on Guam, many of which I wrote. Time magazine, CBS radio, and many other papers and magazines, were also won over and lent their support. Joseph Farrington, the Delegate to Congress from Hawaii, also worked closely with us and was most helpful. Asia also ran several articles of which I wrote two (Wels, R. to R. Underwood, March 9, 1977).

President Truman responded to the postwar clamoring of territorial supporters by appointing a committee of the Secretaries of State, War, Navy, and Interior to study the status of the Pacific territories (Guam, Samoa, and the numerous Micronesian islands administered as the Trust Territory of the Pacific Islands). Regarding Guam, Truman's committee recommended on June 18, 1947 that organic legislation be enacted providing a civil government, American citizenship, legislative powers, and a bill of rights for Guam; the committee, however, also recommended that the Navy Department continue to administer Guam until the island's transfer to the jurisdiction of a civilian agency of the government (Bordallo, pp. 160-1).

Navy Secretary James V. Forrestal in 1947 appointed a team of civilians to study charges of Navy mishandling of government duties in Guam and American Samoa. The report of the committee members, Chairman Ernest Hopkins, Maurice Tobin, and Knowles Ryerson, corroborated Chamorro allegations of excessive land alienation abuse, inordinate wage discrimination, and arbitrary practices of naval officers. The Hopkins committee recommended citizenship, organic acts, and a civilian form of government for both U.S. colonies, but also recommended continuation of naval control for an indefinite time period (Collier, 1947; Hopkins, Tobin, & Ryerson, 1947).



## THE SUBPOENA ISSUE

Despite the significance of various committee studies and lobbying efforts in the United States, members of the Guam Congress still faced the daily paradoxical struggles of a legislative body under military rule. From the earliest sessions of the Ninth Guam Congress in 1948, both Council and Assembly members questioned the limited legislative powers supposedly granted them in the 1947 proclamation. In only the second session of the House of Assembly, Congress members questioned whether they enjoyed the "inherent subpoena powers and power to administer oaths" held by legislative bodies (GCHA, August 14, 1948, p. 9).

In order to resolve Congressmen's uncertainties about the extent of their limited legislative powers, Assembly member Leon Flores introduced a bill to grant subpoena powers to the Guam Congress. In the proposed bill's wording, the penalty for disobedience of a subpoena would be punishable as contempt of the Guam Congress, subject to imprisonment for a term of between five and 30 days (GCHA, August 14, 1948, p. 9). This bill was vetoed by Governor Pownall on October 1, 1948, because, according to Pownall, the Guam Congress' legislative powers already allowed them to conduct and authorize investigations (GCHA, October 2, 1948, p. 3). Pownall assured the Congress that legislative bodies possessed certain inherent powers, but he failed to specifically address the issue of subpoena powers. Still uncertain about the scope of their "inherent powers," the House of Assembly sent the rejected subpoena bill back to its Judiciary Committee for further study.

In the next session of Congress, on October 9, 1948, only eight days after Pownall's veto of the subpoena bill, Speaker Won Pat reported the results of a meeting with Pownall in which they discussed the Congress' legislative powers. Council member Ismael Calvo of Sinajana began the discussion by directly asking the Speaker, "Is the Guam Congress still an advisory body, or do we have any legislative powers?" (GCHA, October 9, 1948, p. 4). Won Pat referred to the 1947 proclamation's declaration of "limited legislative powers," and reported that, according to Pownall, the Congress has "implied subpoena powers over the residents of the island" (GCHA, Oct. 9, 1948, p. 5). Speaker Won Pat's answers failed to assuage the doubts of skeptical Congress members; Calvo replied, "we are only a puppet Congress. There is no use wasting my time here if I am not to represent my people" (GCHA, Oct. 9, 1948, p. 5).

The vetoed "Bill on Subpoena Power," which had been returned to the Judiciary Committee for further investigation, was resubmitted to the floor of the House of Assembly on January 8, 1949. Judiciary Committee mem-

bers Enrique Untalan, Joaquin C. Perez, Vicente Barrios, Leon Flores, and Jose Leon Guerrero presented a report that determined that, according to their evaluations and the reports and opinions of the Attorney General of Guam, the Congress and its committees had the power to enforce subpoenas; they therefore recommended dropping the issue. Assembly member Leon Guerrero, however, added, "I wish to ask all committee chairmen to use the implied powers of Congress to subpoena such persons as they may deem necessary for investigations conducted on any matters referred to them. That would be the only way this Congress can find out the extent of our powers" (GCHA, January 8, 1949, p. 12).

Jesus Okiyama, Chair of the Commerce and Trade Committee, was the first committee chair to take up Leon Guerrero's challenge. His committee was immersed in a study of violations of the postwar naval administration economic policy that mandated that business licenses of Guam could be attained only by Guamanians, or permanent residents and persons domiciled on Guam for at least 10 years. This policy was implemented by Governor Pownall to protect the indigenous people from outside exploitation during the postwar economic rehabilitation period; the policy also intended to prohibit outside business interests from competing against native enterprises. Okiyama's committee was "conducting an extensive investigation relative to violations of the existing policy of the Naval Government. The formal investigation will be conducted on Thursday, January 20th, by subpoenaing several witnesses accused of violations of this policy" (GCHA, January 15, 1949, pp. 9-11).

Abe Goldstein, a Navy clerk who operated the Guam Style Center, a woman's clothing shop, was the first to be subpoenaed by Okiyama's committee. Congress members questioned Goldstein, who refused to answer questions; he replied to Okiyama and other committee members, "I hereby respectfully question the authority and jurisdiction of this committee and of the Guam Congress to inquire into that matter" (GCHA, February 5, 1949, p. 4).

Intense discussion followed Goldstein's refusal to testify in their 5 February 1949 session. Assembly member Leon Guerrero asserted, "I believe it is time for us to have the real test as to whether this Congress has the power to subpoena a witness in connection with the administration of our Island laws" (GCHA, February 5, 1949, p. 7). Member of Assembly Taitano commented:

If we suspect any violation on the Island of Guam, on mere suspicion, it can be investigated. I think this is very important because it is actually putting to a test this inherent power which we have, according to the Administration... We

are in a peculiar situation. We are being governed by the Navy and this interim power the Navy has given us is shaky (GCHA, February 5, 1949, p. 6).

Nine days after Goldstein's refusal to testify, the House of Assembly issued a warrant of arrest for contempt of Congress. Joaquin C. Perez assured his colleagues, "I, on my own, consulted the Attorney General regarding our intended move. The Attorney General is of the same opinion that such an individual is guilty of contempt" (GCHA, February 5, 1949, p. 8). Pownall, however, ignored the warrant and the Goldstein issue went unresolved. One week later, Assembly members debated their options, and opinions to dissolve the Congress were expressed. Okiyama addressed his colleagues, "If that warrant of arrest is not honored and Goldstein is made immune to the laws of Guam, gentlemen, we might as well dissolve this Guam Congress" (GCHA, February 12, 1949, p. 9). Frank Perez added, "If it is within our jurisdiction to handle this matter, well and good. If not, we might as well fold up the Guam Congress and go home - we have failed our people. We want courtesy" (GCHA, February 12, 1949, p. 10). The Assembly members voted that Speaker Won Pat should discuss the matter personally with Governor Pownall.

Won Pat met with Pownall, and reported to the Assembly that "the Guam Congress has no grounds whatsoever to act, although there are implied powers inherent" (GCHA, March 5, 1949, p. 5). Because Goldstein was a Navy employee, the governor believed that the Guam Congress did not have jurisdiction over his actions. Rather, Pownall said, this was a case for the executive branch of government. Pownall's response did nothing to clarify the powers of the Guam Congress and the Assembly members responded in unison.

On the floor of the Assembly, Congress members responded;

Frank D. Perez: I am of the honest opinion that it would be best for us to adjourn until such time when we can do some good for Guam and our people and the government. Let us not hide behind doors, but let us come right out and tell our people that we cannot do things they wish, because we have somebody to tell us what to do. I don't know about the other members but I am of the opinion that it is time to adjourn until we can be of service to our Guam people and to the government.

Carlos P. Taitano: I think the gist of the whole thing was this. We had been given to believe

that we had certain powers and we went ahead and put it to a test. We found that we haven't got those powers...The embarrassing thing about this, which I pointed out at the Council Meeting, is that in the beginning, the Executive Branch encouraged the members of the Commerce and Trade Committee to continue on with their investigation held and then, at the crucial moment, when we decided to issue a Warrant of Arrest, the Attorney General gave us his blessings. Then, everything was stopped short and we are left hanging out on a limb. The Executive Branch pulled away and left us dangling. I can't see that this Congress is anything more than an advisory body.

Concepcion Barrett: How can one man be the supreme Executive, Legislative, and Judicial Power? What kind of government is that? (GCHA, March 5, 1949, pp. 6-10)

Before adjourning from their March 5, 1949 session, members of the Assembly voted unanimously on "The Bill to Provide an Organic Act and Civil Government for the Island of Guam" (GCHA, March 5, 1949, p. 11) to be transmitted to the U.S. Congress. In passing their own version of an organic act for Guam, the members of the Guam Congress sought to identify clearly the walkout as a call for U.S. citizenship and civil government rather than as a rejection of the American presence. Following its passage, Antonio C. Cruz introduced the walkout motion:

I move that the House of Assembly adjourn at this time and not to reconvene until such time as this body receives a reply or the action of the Congress of the United States relative to the Organic Act for Guam as passed by both Houses of the Guam Congress. (GCHA, March 5, 1949, p. 14) Cruz's motion passed unanimously, beginning the walkout.

One week later, on March 12, 1949, protesting Assembly members were conspicuously absent from a Special Joint Session of Congress convened by Governor Pownall to discuss the walkout. Pownall addressed the Councilmen and expressed his dismay over the Assembly's adjournment. Pownall remarked:

I know of no instance in which it can be said that the Governor has restrained the legislative authority of this Congress except by lawful exercise of the veto power...I express the hope that



there is now a clear understanding of the legislative powers and responsibilities of this Congress (GCHC, March 12, 1949, pp. 6-8).

Following Pownall's address, Council member Francisco B. Leon Guerrero commented:

...[A]n unusual occasion has recently occurred which could have very well been avoided if our land and people had received the attention of the Congress of the United States. I am citing basic principles and facts. We are now in the second half century period since the signing of that treaty that has caused the transfer of the Island of Guam from the sovereignty of Spain that of the United States. ...the fact remains that without organic legislation there is no security for ourselves and our posterity (GCHC, 12, 1949, p. 8).

Following a lengthy debate that raised issues similar to those the Assembly had itself raised prior to adjourning, the Council members voted to recess until resolution of the Assembly walkout.

### WALKOUT REVITALIZES CITIZENSHIP DRIVE

Whether or not Pownall understood that the walkout was more than a protest of the subpoena issue, it is clear that to the Chamorro legislators, the subpoena issue was only a superficial catalyst in their protest. Assembly Speaker Won Pat, in a letter to Governor Pownall, clearly expressed the views of the protesting Congress members:

It must be emphasized that the Assembly action was not based upon any single incident, but upon a series of actions which have occurred with increasing frequency since the issuance of the Proclamation of August 4, 1947. Definition of the scope of its powers has become, in the opinion of the Assembly, a matter of interpretation of individual actions of the Congress by the Executive Branch of the Government without observance of any uniform rule. This has created an atmosphere of uncertainty as a result of which the Assembly does not feel that it can determine its mission...It is believed that a similar feeling of uncertainty exists in the minds of the people concerning the status of the Congress. The members of the House of Assembly consider that the powers of the three

branches of government must be defined ("Mr. Won Pat...", p. 1).

Assembly member Taitano expressed his belief that the walkout emerged out of "three major grievances: (1) Arbitrary rule by the Naval government; (2) Lack of a constitution guaranteeing civil rights; and (3) Lack of a court of appeals beyond the Secretary of the Navy" ("Taitano...", p. 13). Taitano's experience of naval rule on Guam had shown him the discrepancies between American democracy and arbitrary rule.

The walkout brought the issues of citizenship, civil government, and civil rights to a head. When the Guam legislators ended the walkout and returned to their positions in the Congress only one month later, their message had already been successfully transmitted across the United States. National media coverage of the walkout, coupled with independent lobbying and publicity efforts by friends of Guam (such as Thompson, Collier, and Wels) undoubtedly contributed in bringing about political changes on Guam within several months of the congressional incident.

On May 21, 1949, just over two months after the walkout, President Harry Truman called upon the Secretary of the Department of the Interior to begin planning immediately for Guam's transfer from the Department of Navy. The implication of a civilian form of government was a political development for which Chamorros had long awaited and for which the great majority of Guam Congressmen were grateful, despite hesitation from some Assemblymen who objected to Guam's relegation to the Department of the Interior. Concerned members of the Assembly voiced their apprehension regarding the Interior Department's "poor record in the Virgin Islands and on the American Indian Reservations" (Bordallo, p. 222. Also see GCHA, June 4, 1949, pp. 10-12). Despite the expressed reservations, a congressional resolution recognizing Truman's move to remove naval rule and requesting Chamorro participation in the administrative transfer preparations passed by a majority vote.

One month later, on June 4, 1949, Governor Pownall announced his retirement, revealing that in his place, a civilian governor would be appointed ("Governor Pownall...", p. 1). That civilian would be Carlton Skinner, and he would work in unison with the Guam Congress in seeking citizenship for the Chamorro people.

### CITIZENSHIP SENTIMENTS

After nearly 50 years of lobbying and petitioning for citizenship, Guam's legislators had certain percep-

tions of what citizenship would mean for Guam. The events leading up to the walkout provide interesting insights into their understandings of citizenship. Some members of the Guam Congress emphasized the idea that citizenship would accord the Chamorro people a measure of equality, thus protecting them from discrimination. Many Chamorros believed that U.S. citizenship would remove many of the existing discriminatory practices. Others viewed citizenship as a means of safeguarding their land and property; Chamorros believed that the U.S. government would not arbitrarily condemn the lands of its own citizens.

In coming to an understanding of the citizenship movement on Guam, it is impossible to ignore the impact of the Japanese occupation upon the Chamorros. As Robert Underwood describes,

The experience left a psychological legacy of fear of non-American control and helped generate a relationship of gratitude and debt as far as the Chamorros were concerned. On the one hand, there was gratitude for being rescued, but there was also a debt owed them by America on whose behalf they suffered. In keeping with this, the war experience subsequently became the main rhetorical basis for the acquisition of U.S. citizenship (Underwood, 1987, p. 181).

The fears expressed by Underwood compare similarly, if more intensely, with those expressed in 1926 after the Philippines House of Representatives passed a resolution to annex Guam. The idea that Guam's political status was so ambiguous as to invite annexation by foreign countries kindled a citizenship drive at that time as well (Bordallo, pp. 93-97).

The postwar pro-American sentiments of those who endured various forms of wartime brutalization were expressed by a great majority of the population and were inevitably communicated to and by the Guam Congressmen. In the sentiments articulated in congressional sessions, the problematic issues such as land alienation, discrimination, and unfair government practices were all the more disturbing in light of a war experience so fresh and brutal.

Members of Congress shared diverse perceptions and understandings of citizenship, but despite the variety of arguments employed, they unanimously agreed that citizenship was not only desirable, but necessary.

Mariano Santos: At present, the wage scale for the Guamanians is very low. If we have this Organic Act and our political status changes, I am sure a lot of things will be changed for the

better, too. At present, again, we have the Army and the Navy here as representatives of the President of the United States. If we should have this Organic Act and our political status changes we would be dealing directly with the President of the United States and not his representatives.

Carlos Taitano: We are outside the family now. How can we demand our rights if we do not belong? We have not the right until we have been granted citizenship. After you belong, then you can demand your rights.

Frank Perez: Do we want to be forever wards of the United States of America - we, and our children after us? Certainly we don't want it. The definition of a ward is a person who is incapable, having no initiative but just to be led by a guiding hand, telling you to face right and left. Do you want to be in that status forever? Do we want to be pushed around?

You have seen all of the discrimination going on, depriving us of our rights. Do you want to let this thing go on for another century until we lose everything we have? - until we having nothing to fall back on? What will be our economic situation in the days to come? No land, no money, no home. Where is our security? Have we any secure spot anywhere on these 225 square miles? I say, no.

Antonio C. Cruz: We would like to be secure in our homes and free from fear and condemnation of our property. We would like the privilege of planning our own homes ... Our land is fast being condemned and there is little available land for agriculture now (Guam Congress Joint Session, December 22, 1948).

Ironically, Congress members, such as Mariano Santos, believed Guam's representatives would deal directly with the U.S. President. Others, such as Frank Perez and Carlos Taitano, assumed that discrimination would end and civil rights would be guaranteed, and Congress members, such as Antonio Cruz, believed that land injustices would be corrected.

In their sessions prior to the walkout, both Assembly and Council members questioned the authority of the naval governor. In their perception, the judicial branch of government was little more than an arm of the governor, and its appeal process to the Secretary of the Navy seemed improper and unfair to Chamorros. From



their experience, it was also evident that the legislative branch lacked power; the "limited legislative powers" granted by the 1947 proclamation failed to provide them with a means of alleviating the island's problems. This fundamental lack of a balanced three-branch system of government simply became unacceptable.

Plagued by critical land injustices, discriminatory pay practices, and other problems rendered unresolvable owing to insufficient judicial and legislative leverage, Guam's Congress members challenged the U.S. government to live up to its ideological rhetoric. Finally the U.S. Congress and administration responded, with the appointment of a civilian governor, the termination of military rule, and the passage of an organic act for Guam with citizenship for the Chamorro people.

Carlos Taitano was privileged to attend the signing of the Organic Act by President Truman on 1 August 1950 in Washington, D.C., the Act having passed after the failure of 29 previous House and Senate bills and resolutions (Zenor, pp. 283-294). Taitano vividly recalled accepting the congratulations of those in attendance. It was a major victory won for the Chamorro people, he was told, especially because the Navy desired to maintain complete control over Guam in the light of escalating conflict in Korea. White House staff and Department of the Interior personnel communicated to Taitano that the Guam Congress walkout, in an age of decolonization, was an embarrassment to the U.S. government and drew attention to the urgency of Guam's situation. Taitano particularly valued the words of those in attendance who confided in him that, "the walkout did it" (Carlos Taitano, personal communication, November 29, 1993).

Just as surely as the walkout was a multidimensional episode, so surely was the Organic Act's passage one of multifarious causes. The influence of various Chamorro and other lobbying efforts, the impact of national publicity and international embarrassment, and the effect of the Hopkins Committee report all had various influences upon members of the Washington, D.C. executive and legislative branches. The pressures of being a world leader in an era of decolonization, along with postwar modifications in military operations and styles of leadership also undoubtedly factored into the Act's passage. But for the members of the Guam Congress and to the people of Guam, attributing credit to any one force was immaterial as they began immediately the task of appropriating to themselves the Government of Guam.

### A LEAP BACK TO THE PRESENT

Amid Guam's contemporary political struggles — in the battle for commonwealth status and in the quest for Chamorro self-determination — the aspirations and

achievements of my grandfather, *si difuntun* Joaquin Cruz Perez, and his colleagues in the Guam Congress seem especially worthy of inquiry. While our island has changed so much, and while our people have ostensibly achieved so much, ironically the hopes and dreams of previous generations — for sovereignty, self-reliance, and freedom from land alienation — provokingly linger.

In a 1986 interview, Governor Ricardo J. Bordallo commented, "[i]t was a sad day for the people of Guam when the Organic Act was signed... The Organic Act is not designed to enhance the dignity of the indigenous people. It was designed to enhance the colonial authority of the United States" (Stinson, p. 4). But just as Governor Bordallo's father, Guam Congress member Baltazar Bordallo, struggled long and hard to transform Guam's political status, so too do succeeding generations fight their battles in the struggle for political justice. Listening to the deliberations and emotions articulated in the 1949 Guam Congress, I am struck by their similarity to today's political discourse. As we near our centennial mark as an American colony, I wonder where we, the Chamorros, are as a people in our homeland, what the U.S. government has done to and for us, and what we have made of our Government of Guam.

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