

## INTERVIEW OF HERMAN T. GUERRERO

by Howard P. Willens

November 22, 1993

- Willens: I have the pleasure of interviewing today Herman T. Guerrero, who has served for many years in the Commonwealth Legislature and a variety of other public assignments. He is also an experienced political campaigner. Herman, I want to thank you for being available for the interview. Could I begin by asking you to give me a little background information about where you grew up and where you were educated.
- Guerrero: Well, I grew up here. I was born and raised here on Saipan. From kindergarten up to about tenth grade, I went to Mt. Carmel School. The last two years of my high school I graduated at Father Duenas Memorial School in Guam.
- Willens: D-u-e-n-a-s?
- Guerrero: Yes. And after I graduated over there, I went to pursue a post-secondary education at St. Johns University at Collegeville, Minnesota, and I graduated from there with a sociology major.
- Willens: When did you graduate?
- Guerrero: In 1972. And after graduation I came back. I worked for a few months with the Mariana Islands District Community Action Agency.
- Willens: Was that a U.S.-funded agency?
- Guerrero: Yes. It was a federally-funded, one hundred percent federally- funded program. At the time the Director was Herman R. Guerrero, the former Senator.
- Willens: Could I stop and ask about the family for a moment. Were your parents both local people?
- Guerrero: Yes, they are. My father's name is Herman Reyes DeLeon Guerrero. I haven't used the DeLeon since I was in grade school, primarily because I sort of got reprimanded and I had to write 100 times Herman Tenorio DeLeon Guerrero, and that takes a little time, so I decided—I was in the third grade—I decided not to use the DeLeon when I went up to the fourth grade.
- Willens: Are virtually all the Guerreros on the island related in one way or another?
- Guerrero: It's hard to pinpoint exactly whether we are all related. Some people are just Guerrero, others are Leon Guerrero. Whether they are all the same as the DeLeon Guerrero—we do have a family tree that traces back our branches of the DeLeon Guerrero family.
- Willens: How many generations can you trace the family back?
- Guerrero: I think about four or five generations back.
- Willens: Were you able to ascertain where the family originally came from?
- Guerrero: Basically, yes. I think it started with the, I forgot which one he is, but this one went to the Philippines to study for the priesthood. He married what we think was a mestizo in the Philippines.
- Willens: Is that the name of a kind of person?

- Guerrero: Mestizo is a mixture in the Philippines of basically Spanish.
- Willens: I see.
- Guerrero: By the name of Chabrahan and that's how I think my great-great-great grandfather just never made it to the priesthood. He decided to marry and then he brought his bride back to the island. I don't know who are his brothers. That's something that we have not even explored in terms of tracing the roots. There's an offshoot of the Guerreros that were not too clear, like the Governor, where the branches that we have followed, they are not in there. So we have to move further back to find the figure [who puts us] in the same family.
- Willens: Going back to your education, Herman, were you away in the United States then for your college education for three or four years?
- Guerrero: For four years.
- Willens: Before you left to go back to the United States for college, did you as a high school student have any sense of the political status decision that was facing the people of the Northern Marianas?
- Guerrero: What I remember about this period is the big issue at the time was integration with Guam. Primarily because they figure that the salary in Guam was much higher than here in the Northern Marianas, and I think that was the motivating factor at the time or at least part of it. The primary movement is that by being part of Guam or because we are all the same culture, the same race, and so forth, the standard of living will be comparable to Guam. When we had the plebiscite at the time I think the people overwhelmingly approved to integrate with Guam and consequently that backfired, because Guam did not endorse it. I think they felt that we were a burden to Guam rather than an asset.
- Willens: When you returned to the Marianas in 1972 and assumed a position with the Community Action Agency, did you become involved in the political status issues at that point in your life?
- Guerrero: I think political status was already ongoing at the time. What I remember the most is that it's already moving ahead and it was being presented to the people—the Covenant.
- Willens: The Marianas Political Status Commission was created in early 1972, and it had its first formal meeting with the United States delegation in December 1972. The real substantive discussions began in May 1973. They were continued in December 1973. The Commission met with the United States twice in 1974, and the Covenant was signed in February 1975. Now with that timeframe in mind, did you assume any political responsibilities during that two and one-half year period?
- Guerrero: No. I was just basically involved with the government. I do remember I think public education and so forth, but I was not active in politics at the time.
- Willens: Were you close on a personal basis with any of the members of the Marianas Political Status Commission?
- Guerrero: I think at the time Joeten was originally appointed and some other members like Oly Borja.
- Willens: You don't remember any conversations with any members of the Commission about their work or the issues that were pending in the negotiations?
- Guerrero: No. I don't remember that much about the negotiations. I think it was sort of kept quiet.

- I'm not sure that they have done extensive public education or they are trying to get public input.
- Willens: There came a time when they made an effort to do that during the summer of 1973 and the early months of 1974. One of the problems was that the TTPI government at the time was also embarking on a so-called education for self-government program, and there seemed to be some apparent conflict between what the TTPI government was doing on the one hand and what the Marianas Political Status Commission was doing on the other because of its focus on the Commonwealth option. Do you have any recollection of how the TTPI reacted to the whole separate status negotiations here?
- Guerrero: I think that now that you mention it, I do remember that there were ongoing public education efforts, and I remember that the Trust Territory was trying to push on the different statuses for self-government. I remember that when they tried to present it again to the people of the Marianas, I believe the turnout was not very good. But at the same time, a lot of people had questions, why are we going to this process if we thought that we already have a negotiating team or something is being pushed. There is a confusion within the general public in terms of whether they should participate or not, and I remember a lot of people talking about it, saying why do we have to participate on this one; give it to the rest of the Micronesia because they're the ones that want it. We already made up our minds or at least the Marianas made up its mind in terms of pursuing the Commonwealth status.
- Willens: At about the same time in 1974, the Congress of Micronesia passed a law authorizing the holding of a constitutional convention for all of Micronesia.
- Guerrero: Yes.
- Willens: The Marianas was still part of Micronesia, and there is some indication in the documents that there was confusion also as to whether the Marianas people should participate in this constitution convention and what its impact would be.
- Guerrero: That's right.
- Willens: Do you remember any discussion along that line?
- Guerrero: Yes. I remember people talking, especially even some of the Congressmen, as well as the Senators for the Congress of Micronesia. They were talking about it in terms of whether the NMI should participate in view of the fact that they [the Congress of Micronesia] are pursuing a different political status. And I think there was a reluctance on the part of the Northern Marianas, to participate in view of the different status. I know for the longest time that I remember one of the Senators or at least the Congressman from the Marshall Islands was urging that we should not break up Micronesia because it's very fragile and it cannot work independently of the other units. At the time there were six districts. I think it was Congressman John Heine.
- Willens: There was a Dwight Heine and a Carl Heine from the Marshalls.
- Guerrero: But I think there is also a John. He was much taller than Dwight or Carl. But I do remember the guy, and he was talking about it, that, you know, we shouldn't split up the six Micronesias. We should pursue one political entity.
- Willens: How did you feel about the separate status being sought by the Northern Marianas? Did you have any reservations about pursuing a separate course at that stage of your life?
- Guerrero: I believe so, because when I came back it was being pursued, and to tell you the truth I voted against the Covenant. I wasn't too sure, and I think a lot of people were just pushing

it because they say we're going to have food stamps and the U.S. passports and so forth, so there was not really a clearly good public education, and at the time I still had a reservation about the whole agreement.

Willens: There was a very substantial effort in which Plebiscite Commissioner Canham participated to present the Covenant fairly, to make sure it was translated into the local languages, and to try to set it forth in an objective fashion. Did you feel that the education program was not fair and objective?

Guerrero: I think there was just not enough public education. Whatever materials they published, I don't think that it was sufficient enough to cover the entire document extensively. What they have done, I believed at the time, was rather a very superficial type of public education. That a lot of it, Canham and some of the expatriates that were here I think were involved in it. There were other things. I think after I got back that I felt that we might be shortchanging the people of the Commonwealth, and for that reason I remember I voted no. I was getting ready to go to Palau. For reasons at the time I felt that it was just moving too fast, the negotiations. And I think that they should be fine-tuning of certain parts of the Covenant, and I don't remember all the details back then. But that was one of the rationales that I voted no.

Willens: Were you affiliated with any of the organized groups that opposed the Covenant during that period?

Guerrero: No. In fact, after I got back I was very independent in terms of my thinking. Since I started voting when I got back from college, I never voted on a party line. I always voted on who I thought would be the best person to represent us.

Willens: But you had not made any political affiliation with the then-Territorial Party?

Guerrero: No. But I think it was the Republican Party that was more—I think there were a lot of them that were not in favor of it at the time. And the fact that my family political affiliation was at the time with the Territorial Party, which is the Republican Party now.

Willens: There were many who opposed the Covenant on similar grounds—namely, there isn't enough time to deal with something that is so complicated and important. Others maintained that they were pro-Commonwealth but thought that with more time a better deal could be negotiated. Some people have commented to me that they didn't think the negotiators had obtained sufficient money from the United States for the lease on Tinian. Others have complained about other aspects of the Covenant. Do you recall that you focused on any particular deficiency, or was this just generally your sense that more time perhaps should be devoted to developing a future status?

Guerrero: I wouldn't comment on the amount of money because any amount would have been much more than what we got at the time, so I think for a lot of people it is in a sense a lot of money back then, what was negotiated. Probably now people might think otherwise, but I just felt that it was moving too fast and probably certain provisions should have been negotiated further. There's a certain vagueness I think in certain of the provisions. I'm not sure that it was negotiated to the advantage of the Northern Marianas that were subject to the whims of the U.S., and that was my major concern about the bill, I mean the Covenant itself. Granted that there were a lot of good provisions in the Covenant, but there were just certain things that I think could have been negotiated a little bit more and probably provide clarification for the Commonwealth rather than just going real fast. I think we did it in three years.

- Willens: To some extent, your judgment on that is probably colored by your most recent 15 years of public service or whatever it has been. We'll come to that because that's an important point that you make. You mentioned that you were on the verge of going to Palau. Did you in fact go to Palau?
- Guerrero: Well, actually, I'm trying to remember whether I was already working for the Trust Territory government or, yes, I was already working for the Trust Territory government, and so I was going on official business so I actually voted absentee.
- Willens: When did you become employed by the Trust Territory government?
- Guerrero: Actually, I think it was toward either November or December of 1972.
- Willens: 1972?
- Guerrero: Yes.
- Willens: The first year you were back?
- Guerrero: Yes.
- Willens: So you only worked for a brief time for the ....
- Guerrero: For the Trust Territory government.
- Willens: I'm sorry. I may be confused. Was the community organization effort separate from the TTPI government? Or are you referring to the same job? I'm confused.
- Guerrero: For which one?
- Willens: Well, when you first came back from college, you said you worked at the community organization.
- Guerrero: Yes.
- Willens: Was that a TTPI government operation?
- Guerrero: No. It's an entirely different corporation set up here in the Mariana Islands for the Community Action Agency.
- Willens: And how long did you work for them?
- Guerrero: Actually, I just worked for a few months, I think from July to November.
- Willens: I see. What kind of a job did you take in the TTPI government?
- Guerrero: I worked for the Department of Education. I worked specifically dealing with students and scholarship programs.
- Willens: And how long did you stay in that capacity?
- Guerrero: I was there until 1976, I believe.
- Willens: And then what happened?
- Guerrero: Constitutional government had already split up at the time [separating the Trust Territory from the CNMI], so I was moved down to the CNMI.
- Willens: Of the Northern Marianas?
- Guerrero: Yes.
- Willens: You're referring then to the separate administrations that resulted after the Covenant had been approved by Congress?

- Guerrero: Yes. The transitional government.
- Willens: What happened at that point? Did the Trust Territory allocate some of its resources and people then to the Northern Marianas and continue to assume its ongoing responsibilities for the other districts?
- Guerrero: Yes. The Trust Territory basically split up the budget for the Marianas District, and that's where the transitional government was set up at the time, and that's when Canham was appointed for that position.
- Willens: Did you have any experience with Commissioner Canham?
- Guerrero: I can remember meeting the guy a few times, but I don't remember what we discussed.
- Willens: You don't have a sufficient basis on which to form a judgment as to how he performed his duties?
- Guerrero: No. Because, in fact, before I was transferred down from the Trust Territory, I was sent on educational leave and I went to the University of West Florida. So I think it was during that time that the first constitutional convention was held, so I wasn't able to participate because I was off-island at the time going to school.
- Willens: Some time in 1976 you went back to the United States to continue your education?
- Guerrero: Actually in 1975. I was sent for about a year and one-half for what they call educational leave. I was given a grant by the Trust Territory Department of Education to go away.
- Willens: What course did you study at this time?
- Guerrero: Basically educational leadership.
- Willens: Did you find it useful upon your return?
- Guerrero: In a lot of senses yes. When I was transferred down, it was towards the tail-end of the transitional government, and I was helping the Director of Education. His Deputy was away at school, so I was assuming also the deputy's position and whenever the Director was off-island I assumed the directorship. So it helped. And then I think like two years later the constitutional government was in place, so I was there for the constitutional government, helping the department, trying to set it up with the transition of the department from the Marianas District to the constitutional government department.
- Willens: That's a point at which I've heard some comment as to the difficulty in making that transition. There were efforts to develop a transitional plan. For more than a year and one-half there had been efforts to do social and economic planning, to develop a governmental structure, and to develop a legislative program and to do a variety of things that were designed to be helpful to the new constitutional government once it took office. I've heard on the other hand that most of that was not used and that when the Commonwealth government did take hold in January 1978, there was a very considerable set of problems in organizing itself and executing its responsibilities. What is your judgment about the state of preparation for the Commonwealth government and secondly, how well in its first months or years do you think it functioned?
- Guerrero: First of all, we have to understand that during the transition period also there was what we call the Office of Transition and Planning. I think that the whole set-up was that they were going to do the planning for the entire government.
- Willens: That's what I was referring to.

- Guerrero: Yes. And then in reality we do have the existing structure, governmental structures. So that was the problem. I'm not sure that after the constitutional government began and that Transition Office ceased to exist, I don't think that there was enough time to educate the incoming administration to adopt the plans.
- Willens: Let's be very specific about the department that you worked in and knew the best. You were functioning under a Marianas District transitional government, and then one day in January 1978 it became the Commonwealth Department of Education.
- Guerrero: There wasn't really much of a change other than ....
- Willens: That's my question. Was there much of a change, and what change did you feel, if any?
- Guerrero: The only change that we noticed at first was that the Director had submitted his courtesy resignation, which the Governor accepted. And then pursuant to the constitutional government, I think that they need to appoint the Board of Education. I believe they were also transitional. They would just carry on until such time much later. And I don't know. I cannot give you much further, but the biggest concern of the board at the time was to appoint a Commissioner, at the time they called them the Superintendent of Education. That was the main focus of the department, is to ensure that there's a head of the department.
- Willens: Did the Superintendent serve as director of your department?
- Guerrero: Yes. But they had to recruit somebody from the outside. So the first superintendent that was appointed by the Board of Education pursuant to the constitution is someone from the outside, and I helped the Board publicize the requirements and the position vacancy and not just here but in Guam and the mainland. There was the Council of Chief Executives, I think, of Education. It's an organization in Washington, D.C. So, apparently it was disbanded. We had a lot of applications, so the Board narrowed it down to someone with experience in a small district within the U.S. and someone from Minnesota. It was just by coincidence that the person's name was Loren Koprowski.
- Willens: How do you spell that?
- Guerrero: Koprowski. K-O-P-R-O-W-S-K-I.
- Willens: Do you think that the studies and plans that were undertaken by the Office of Transitional Planning may not have taken into account sufficiently the way in which the actual governmental agencies were operating?
- Guerrero: I don't think they educated the department. I think looking back retrospectively, I'm not sure that they have educated the department per se or the leaders. So there's nothing, it just sort of carries on from the transition to the constitutional government with that mandate, the constitutional mandate of how to select the superintendent and how to select the Board of Education and that was it. Contrary to the plan that was drafted up by the Planning Office.
- Willens: Is it your recollection that the new Governor did ask for and take the resignations of most of the incumbent directors of the agencies?
- Guerrero: I believe Canham requested all directors to submit their courtesy resignations.
- Willens: And did the new Governor accept them?
- Guerrero: Yes.
- Willens: For the most part?

- Guerrero: I believe so. In fact, I think all of them.
- Willens: As I understand the situation, the new Administration had a Democratic Governor, but the Legislature was controlled by the opposing party.
- Guerrero: Yes.
- Willens: Do you have any judgment now looking back as to how effectively the first Commonwealth government assumed its new responsibilities?
- Guerrero: A lot of it I believe is trial and error, and I think we can look at that when Camacho first came in. When he started executing a lot of executive orders. That I think sort of created some problems initially with the Commonwealth.
- Willens: Did the executive orders that he issued dealt with matters that perhaps should have been the subject of legislation?
- Guerrero: I think that's the point that was a problem with the Legislative Branch, that he was organizing the government through an executive order rather than through legislative process.
- Willens: Did he have any previous governmental experience?
- Guerrero: Camacho's experience was predominantly limited to working at the hospital. He was one of those that were trained in Fiji and also probably got a masters degree in health education at the University of Hawaii.
- Willens: Were you active politically in the campaign for the new Commonwealth government?
- Guerrero: Not that I am active as a member of a political party. I wanted at the time to keep my independence and basically that's how I functioned. My parents were at the time Territorial as well as most of the Tenorio clan were members of the Territorial Party.
- Willens: Your [middle initial] T is for Tenorio?
- Guerrero: Yes.
- Willens: One of the comments I heard, and it wasn't from someone unsympathetic to the first Administration, was that there simply was a lack of knowledge as to how to get a piece of paper from the governor's office to the director's office to the bureau's office where it was supposed to be implemented. That there was a certain lack of familiarity with the nuts and the bolts of operating the government. But on the other hand, as you recall, your department remained essentially the same except for the different rules that governed the selection of a superintendent and the role of the board.
- Guerrero: Yes. I think it took a while, and to tell the truth, I can only talk up to about 1979 because at that time, that's the time I joined Eddie [Pangelinan] at his office in Washington. I think that's when they were getting a lot of good people that had worked with the Trust Territory government that had more knowledge about certain government operations as well as dealing with the federal government and federal agencies.
- Willens: You think there came a time at least before you went to Washington, when the new Administration was bringing in needed expertise to assist the government?
- Guerrero: Oh, definitely. I think they needed that. The Office of Transition and Planning, they have reports done, and I believe a lot of them are very good reports. It's just that when it's finished, it is dumped on the Governor. I think somebody should have tried to help the Governor to push ahead and implement a lot of those programs or ideas.



- Willens: The problem with planning as many people summarize it is that the adoption of a plan imposes some degree of rigor on your thinking and limitations on your actions. To adopt the plan is to suggest that in the future you are going to follow it or else be criticized for not following the plan. Some people have suggested that the natural political course of action for anyone—Democrat or Republican—would be to put aside the plan and just continue to do things on an ad hoc basis as had been done before. What's your reaction to that?
- Guerrero: For me a plan is just a guideline and I think it's subject to changes. Let's look at the MPLC. I think it is mandated by the constitution to come up with master plans for land uses here in the Commonwealth, and I think they are constantly changing it. I think there was more resistance to the plan primarily because of political reasons more than anything else in the early stage. I think there were also personality differences. The Governor and the Director of Transition and Planning don't see eye-to-eye on how to implement things, so ultimately the Governor prevails on this.
- Willens: The Governor, I think, sort of removed the head of the Office of Transitional Planning who was ....
- Guerrero: There was friction.
- Willens: ... Pedro A. Tenorio, and he was replaced by I believe Manny A. Sablan in some ongoing responsibility under the new Governor.
- Guerrero: It was. I think it [the OTSP] was basically dismantled and moved to the office of the Governor. I don't know whether that has just to do with personality or what. But I think, and it's understandable, Pete has always been a strong-willed person. The new Governor at the time, this is a very strong personality person also. So that clashes. Yes, you're right. I remember that there was a big argument between those two offices. I think basically the Governor just got rid of it and put it under Manny Sablan's responsibility.
- Willens: Was Manny A. Sablan a political appointee at the time?
- Guerrero: Yes. He was ....
- Willens: Affiliated with the Democratic Party?
- Guerrero: That's correct. Then he was the Special Assistant for Planning and Budgeting, so he convinced the Governor that it should be moved under his supervision.
- Willens: How did it come to be that you went to Washington to work in the Office of the Washington Representative?
- Guerrero: I remember Eddie was coming back to the islands I think once every four to six months, and I wanted to gather additional knowledge in terms of how the federal government works, and at the time I was handling a lot of federal programs within the Department of Education. I approached Eddie about working in his office like on sabbatical for one year and still be paid by the Department of Education. It turns out that he said that's not necessary because he is looking for another person to work in his office, someone from the island. I asked him if he could consider me and he said that's no problem. That's how I got into working for Eddie. I approached him because I wanted to get more exposure in terms of federal programs and other things and at the time Eddie says he's opening a new position for someone from the island.
- Willens: How many people did he have on his staff at the time?

- Guerrero: Besides himself, he had three people. At the time he had Nancy Kilpatrick, the secretary Linda Whitney handling the federal programs, and Bob Garland. That was it.
- Willens: Did you then leave the payroll of the Commonwealth Department of Education?
- Guerrero: That's correct. Eddie kept insisting that I come early, but I was working closely with the Board of Education to hire the superintendent, so once I accomplished that, I was en route to the States and the superintendent was en route to Saipan. We met in Honolulu and I gave him a briefing on the department.
- Willens: And you were on your way to the East Coast for your new position?
- Guerrero: Yes.
- Willens: I see. How long did you then stay in Washington?
- Guerrero: I stayed there until January 1990.
- Willens: So it was from approximately 19 ....
- Guerrero: 1979.
- Willens: To 1990. Eleven years you were there.
- Guerrero: Ten years. No. Eleven.
- Willens: So you worked then for Mr. Pangelinan for several years and then for Mr. Froilan Tenorio?
- Guerrero: I worked for Eddie for four years and then for Froilan for six years.
- Willens: Six years. And did you spend any years working for the incumbent, Mr. Babauta.
- Guerrero: No.
- Willens: You left as he came in?
- Guerrero: In fact I came back and I ran against him, but a lot of people don't know me. Who I was. I was gone for so long that they didn't know me. They knew all my brothers and sisters, but they couldn't figure out where I fit into the family.
- Willens: What is your conception of the way in which that [Washington Rep] office has functioned or did function during the ten years that you were there? What do you think were its principal accomplishments, and what do you think were its principal shortcomings or problems?
- Guerrero: The principal accomplishment I think in the early stages of that office was the fact that everything was going through that office with Eddie. It has worked very well, as it was intended originally by the Constitution to represent the Commonwealth in a unified voice in Congress. The Commonwealth learned real fast when they first went to testify in Congress. I think the first year when they went over there and they didn't have any budget to submit or any written testimony because they thought that the Covenant does not require that.
- Willens: You recall that they were told by influential members of Congress or staff that they should go and prepare a budget and present it the next day? Was this in fact as early as 1979? Is it your impression it was the very first time that Commonwealth political figures were asked to come to the Hill to testify on this subject?
- Guerrero: I think so. I think that was the first time that they were testifying. The money was guaranteed under the Covenant. I wasn't there. It was just after this thing happened that

I came on board. But I heard that the Commonwealth was excused from the hearing because for one thing, there's differences of opinion between the legislative branch over here and the executive branch and they were sort of fighting, arguing I think. They have a disagreement during the hearing and basically were told by the chairman of the committee that you go out and get your act together and come back with a budget presentation.

Willens: Did they do that?

Guerrero: I believe that's what they did, and then they learned real quick, so the following year they came with a budget submission.

Willens: Is it your recollection, then, that after that initial start that the Commonwealth did master the technique of coming before Congress at least once a year to explain what it was doing here with the Covenant and other funds?

Guerrero: Yes. The chairman of the committee at the time is saying that, you know, they don't have to justify the Covenant funds, but anything in excess of it they need to justify, even if it's just a penny. So, and I think over the years they have developed the budget submission in a very good format that even the other chairmen are recommending it to the other insular areas.

Willens: Who developed the format?

Guerrero: To tell the truth, I don't know, but I think with the efforts probably of Interior also.

Willens: Now, is it your recollection that during the years you were there in Washington, that the Washington Representative's Office was fully engaged in helping to put these papers together and in presenting the material to the Congressional committees?

Guerrero: Basically, what it has done in the past is that the budget submission is channeled through the Washington office and it will be packaged and sent to the appropriate Congressional committees, as well as providing also a courtesy copy to the Department of Interior.

Willens: Could you elaborate on what you think the performance of that office has been over the years you were there, for example, in dealing with people on the Hill and dealing with the Executive agencies.

Guerrero: I think the success is much more obvious with working with Congress. At the time, the late Congressman Phil Burton has sort of taken the Northern Marianas as the baby in the family, sort of nurturing it along the way, and making sure that the needs of the Commonwealth are met and pursued in a lot of ways both financially and other areas.

Willens: Can you think of any specific examples in the early 1980s before Congressman Burton died that you would say are directly attributable to his personal involvement in the affairs of the Northern Marianas?

Guerrero: I think in a lot of the appropriation measures are attributed to Burton. He has given money to the Northern Marianas for water lines over here, replacements of existing water lines over here. The other aspect was to allow the Northern Marianas to consolidate Federal funds that they are receiving from specific departments or agencies of the U.S. Let's take an example. The Department of Education, because of population of the Commonwealth is small, it allows the Department the discretion to consolidate all of its grants that are coming to the Northern Marianas and put them under a single application rather than the Commonwealth applying for 20 different grants.

Willens: Was that something the Congressman was instrumental in getting about?

- Guerrero: That was very instrumental of the Congressman, and also I think at the time waiving the matching requirement for the Northern Marianas. Primarily because he felt that it's kind of ridiculous for the Northern Marianas to match any programs, any funding matching, because we're using the Covenant funding.
- Willens: Were there problems between the Washington Representative's Office and the Department of Interior during the years that you were in that office?
- Guerrero: Well, at the time, the Department of Interior was undergoing changes. I think during the Carter Administration, or the tail-end of the Carter Administration, the office was being elevated to an Assistant Secretary position and that's when they appointed Wallace Green as the first Acting Assistant Secretary. He was a Special Assistant to James Joseph at the time, the Undersecretary of the Interior. But the office basically worked with Interior. We understand that Interior doesn't always have the leeway in terms of helping the Northern Marianas or any of the insular areas because their hands are always tied by OMB or the White House, so we communicate with them, we presented the Northern Marianas concerns to them, but we normally try to go directly to Congress.
- Willens: Did you have any basis for evaluating whether the Department of Interior personnel were aware of the respects in which the Covenant defined a relationship that was different from that of Guam or the Virgin Islands?
- Guerrero: My recollection is that they would rather treat the Northern Marianas just like any other [territory], like they would treat Guam or the Virgin Islands. Just carry on a day-to-day basis what they're doing. There were not really any significant changes other than you have an additional entity to deal with. And also I think there was just a lot of, at the time, also trying to figure out what does the Covenant mean.
- Willens: Can you think of any specific issues that came up along that line?
- Guerrero: I'm trying to remember, because I remember reading a lot of the legal opinions that came out.
- Willens: Maybe it will occur to you. Now, beginning in 1983, there was a Republican Executive Branch here in Saipan, and a Democrat, then, was that when Froilan Tenorio went in, or was Eddie elected again? I forget. There came a time when there was a Republican Executive Branch here, and Froilan Tenorio was a Washington Representative, as a Democrat, and from time to time, as you well know, there has been discussion about whether the Washington Representative was supposed to be the sole voice of the Commonwealth in Washington or in any event, what kind of relationship is that office supposed to have with the Governor and the Lieutenant Governor. What is your thinking on that issue?
- Guerrero: At the time, I think that was the issue that Froilan brought up with the Governor, and that was Governor Tenorio at the time. Pursuant to the Constitution as well as the existing law, before they go to Congress, they have to consult the Washington Representative and so forth. There was also the issue at that time that the Governor was planning on opening an office over there and he did hire Eddie to represent him but that was rescinded.
- Willens: That was early in the administration of Governor...
- Guerrero: Tenorio. Yes. Froilan basically challenged the Governor that he cannot open an office over there.
- Willens: How did that all end up working out, given that particular dispute and their different

political allegiances? Did there come a point at which there was some accommodation and they worked together for the interest of the Commonwealth?

Guerrero: At one point it was a little bit tense between the Governor and Froilan in terms of the role of that office and whether the Governor can bypass that office to deal with the federal agencies. I think that once that sort of quieted down, there was some sort of mutual understanding that the Governor was going to go through Froilan and basically he did. He did inform the various departments and agencies to inform and to provide any copy of correspondences to the Washington office as required by Northern Marianas law.

Willens: Was there in fact a law that required that?

Guerrero: Yes, under the establishment of that office that they were supposed to, not only that but in other provisions of the Commonwealth Code that requires departments and agencies to furnish the Washington Representative a copy of everything that was sent to the federal agencies.

Willens: To some extent the agency would use the Washington office if they felt the Washington office had something useful to provide them with, either in terms of expertise or personal relationships or judgment. Isn't that true?

Guerrero: It is, but it was getting to the point, and this was my experience when I was there, that a lot of the agencies, federal agencies, are calling up the office....

Willens: The Washington office.

Guerrero: Yes, and asking about the specific correspondence and so forth, and it has certainly put us in an awkward situation when we don't have a copy of the correspondences that they are referring to, and we politely say let us check on this one and review it and we'll get back to it. You know, the diplomatic route. But the whole setup was that that office, at least when I was there, we have established a close working relationship with a lot of the agencies, the federal agencies. They were depending on us to transmit various information and documents to the NMI. Also requesting for information, statistics and so forth, they call up our office or they ask about specific letters that the Governor wrote or something like that. Sometimes we don't get all the correspondences, so it's embarrassing to try to discuss something. Or they're trying to get a clarification why the Governor refuses to apply for a certain program. Because of the time differences between here and Washington, by using the Washington office they can get information, at least when I was there, faster than for them to write to communicate directly with Saipan. I was channeling everything through the Governor's office to get various information and keeping the Governor informed on a lot of things.

Willens: So you believe, based on your experience, that using the Washington office as a communicator with the federal agencies is one of its important functions.

Guerrero: And educating.

Willens: And educating the agencies ....

Guerrero: The agencies.

Willens: ... about the Commonwealth.

Guerrero: The agencies as well as various people even from the state government, they call up.

Willens: Who has the responsibility in the Commonwealth to find out what kinds of federal programs, for example, might be advantageous? Is that the responsibility of the people

back here in the agencies to become familiar with the possibility of federal programs? Or is that a responsibility of the Washington office?

Guerrero: We try to give them as much information as possible, whatever we find we give to the agencies [in the Marianas] and let the agencies make the determination. They are the people who are going to implement the programs. They are the ones that should have final say so. And ultimately, the Governor must decide whether he likes the programs or not. I remember one time they were trying to get the Commonwealth to apply for this homeless program, and the Governor refuses to apply for it. At the time I think there was only one person we might consider homeless, but he was staying at somebody's house and he was being fed and everything, so we don't consider him homeless. But I have to argue with the federal agencies for a good half hour why we don't want it. And I said why are you telling me, you already read what the Governor said. And they said yes, but Congress says you have to take it, and I say no we don't. The Governor doesn't want to implement the program.

Willens: So what happened?

Guerrero: I finally convinced the person that she should give the money to Guam.

Willens: Were you involved in the discussions that led to the terms on which the Commonwealth received a second seven-year funding commitment from the United States?

Guerrero: I don't think the Washington Representative participated in the negotiation. They sort of briefed us whenever they came to town in terms of what's being done and what is being negotiated, but we didn't participate actively in it.

Willens: In your opinion is that the kind of important Commonwealth task that the Washington Representative's office should be involved in?

Guerrero: Well, it is in a sense I think afterwards, but the fact that the Covenant gave the Governor the authority to appoint the special representative, and that might be a little bit in conflict with probably the role of that office. My sense at the time was that I think even Froilan had some reservation about the agreement, the final agreement that was passed, or at least concluded by both sides. I think that was one of the rationale behind it, that the U.S. Congress did not adopt the entire agreement, they adopted the amount and certain provisions.

Willens: I was not involved and am not knowledgeable about that agreement. I remember hearing at the time that the Commonwealth had to make certain commitments with respect to audit responsibilities and supervision by the federal authorities in order to obtain the funds that it wished. Is that your understanding as well?

Guerrero: Well, there are provisions in there I think, for the audit requirements as well as, I believe, some sort of reduction in government. That I believe was never accomplished by the current administration. That's part of the deal, I believe, and I think something has to do with the CUC, the cost of recovery for the actual cost of running CUC.

Willens: With the campaign behind you, what is your thinking on the merits with respect to the advantages or disadvantages of having the office transformed into a non-voting delegate's position?

Guerrero: I think that the question you are asking is whether we should have a non-voting delegate. I still think that whether we have one or not, we still need an office, an office of the Governor in Washington, to represent the interests of the [Marianas] government over there. This is primarily because of my observation and also my conversation with the various staffs of

Congress. Looking from what happened with Guam, I think, when Governor Ada came into office, Delegate Blas was successful in having the office eliminated in Washington, or closed down in Washington. Then a year later they found out that they do need that office because the Congressional staffers were going directly to Guam to ask for the position of the administration because they felt they cannot depend on Ben Blas to represent the position of Guam because he is a member of Congress. So there's a conflict as well, where he stands and where the government [executive branch] of Guam stands are two different issues. We should have one in Washington, probably, a non-voting delegate. But the question also in terms of eliminating that office I think there's a need for a small office to represent the positions of the [executive branch of the] government over here.

Willens: I see. That makes some sense. That certainly is an interesting aspect of it that is new to me. One certainly would want to explore the experiences of Guam and the Virgin Islands I think in seeing how well the staff of the non-voting delegate serves the functions that you would want to have the Washington office perform.

Guerrero: But even the Virgin Islands do have an office. The Governor has an office, a small office in Washington.

Willens: So you would eliminate the conflicting difficulties that would arise by having a Washington representative of a different political party than the Executive Branch here [in the Marianas].

Guerrero: I think the only way that can work is for the Governor and the Washington Representative also to be included under one ticket. That if the Governor wins, then the Washington Representative also wins so you still are under the same party system. On the other hand, even if it's the same party, looking at the current administration, my conversation with the Washington Representative on this issue is that he's not being accorded that opportunity to run that office. The Governor tends to bypass him. Granted that he has not tried to straighten this thing out, he's sort of let things run their own natural course rather than trying to ensure that everybody goes through his office. Still, that could pose a problem. But either way, if it's going to be elected you need to tie it in to the gubernatorial [election], that if you checkmark the gubernatorial [choice] then automatically it checkmarks the Washington representative. I don't know whether that is possible. I don't know how Puerto Rico does it. But it's something and it's a new idea that might be looked at or even [the Washington Representative office might be] downgraded to just a Governor appointee.

Willens: Yes. That's exactly right. That if you were to have a non-voting delegate, that would be a position that the political party would focus on here, and it would be appear not to be too sensible to also have an election for a Washington representative. You'd want to have a Washington representative that was perhaps appointed by the Governor to serve in such office if you had a non-voting delegate. Are you going to run for the office in the near future?

Guerrero: Most likely I'm trying to get the Third Constitutional Convention passed and then I'll probably try to run for that one.

Willens: You were in the last constitutional convention?

Guerrero: I was the president of it.

Willens: Did you come back and serve in that responsibility?

Guerrero: I was given an administrative leave for about two months.

- Willens: So you ran to be a delegate.
- Guerrero: Yes.
- Willens: Did that constitutional convention operate under a timetable like the first one did?
- Guerrero: I don't know how long the first one did.
- Willens: Fifty days.
- Guerrero: Fifty days. This one was only for 30 days. There was something I think that we should have corrected during the Second Constitutional Convention, but I think it probably should have been in the First Constitutional Convention, is to never have a constitutional convention during an election year. It's an attempt to put political issues or a political agenda and political provisions in the constitution that I think could have been handled legislatively.
- Willens: I've heard that. The Second Constitutional Convention was in 1985?
- Guerrero: Yes, and that was also the election year, and it was getting too close, so people were just introducing things for political purposes.
- Willens: What were the principal issues, as you understood them, that prompted the holding of a constitutional convention?
- Guerrero: It was posed to the people, because in the original constitution it says that not more than ten years, or I think eight years at the time, the question shall be put to the people.
- Willens: And it's been put to the people again. But whenever the question is put to the people, it's more likely than not they are going to vote yes whether or not there are any particular issues that need to be addressed in a constitutional convention. Maybe every eight or ten years there are always going to be issues. What were the principal issues that you addressed in the Second Constitutional Convention?
- Guerrero: The principal issues. Everything was up. They wanted to amend everything. I think this is the drawback of having a constitutional convention. I don't know whether you, as a counsel to the First Constitutional Convention, whether you have thought about the consequences of posing such a question every eight years or ten years. I think we changed it from eight to ten. I think it should have been probably a longer period, like 25 years or something. And the fact also I think, because anything that is presented to the people it tends to be passed. There is no mechanism in terms of educating the people in place. Nobody has been given that responsibility to educate, whether posing that question or even legislative initiatives, nobody's given that authority to educate the public. Also, I think we need to extend that period at the same time that the convention should not be held during an election year and it should not be posed to the people during a general election. It should be different. I know it's going to cost a little money, but people are not interested in initiatives, especially during their gubernatorial election. That was the problem during the Second Constitutional Convention.
- Willens: That would have been when Governor Tenorio ....
- Guerrero: Tenorio's second term, yes. I think it was bad because we were hoping that by having 44 amendments they have a choice to decide, but most of them don't care about those. A lot of the ballots, they were just put back in, with no mark whatsoever.
- Willens: This was ultimately the referendum on the proposed amendments?



- Guerrero: Because they were more interested in the gubernatorial election, so people just don't have the time to choose among the proposed amendments.
- Willens: So the convention was held in 1985, and the proposed amendments that emerged from it were put to the people at the same time as the gubernatorial election in 1985.
- Guerrero: Yes.
- Willens: And you say that you recall there were 44 ....
- Guerrero: Amendments.
- Willens: ... amendments.
- Guerrero: Some of them were minor.
- Willens: Which of them do you regard as being the most important, substantively?
- Guerrero: Well, the land issue, you know, I think was brought up again.
- Willens: Extension of the lease time?
- Guerrero: The extension of the lease time. As well as changing the definition of corporation. Extending also the life of the MPLC, although we forgot to be more specific in terms of what happens if it's nothing, if it's not transferred. Whether you just transfer it to the Executive Branch, maintaining the impact of the fundamental policy, and whether the Legislature if you transfer to the Executive Branch where they'd have certain authorities to go in. Because correctly, I think it's very limited in terms of what the Legislature can do on the land issues.
- Willens: Is it the next step now to enact a law authorizing the holding of a constitutional convention?
- Guerrero: That's correct.
- Willens: Now that the people have voted in favor of it, the Commonwealth Legislature is obligated presumably to pass some kind of legislation to fund and to come to terms on how delegates are to be elected and so forth.
- Guerrero: Yes.
- Willens: And so it's your view it should be done in a non-election year.
- Guerrero: Non-election year. And I think it's next year.
- Willens: Next year. So the time of year to some extent, people would go in that direction. Are there, in your opinion, a handful of issues that are important enough to be considered seriously at a constitutional convention?
- Guerrero: You know, there are different opinions. Some want to reduce the number of legislators; other want to lift the cap on the legislative spending.
- Willens: Lift the cap?
- Guerrero: Yes.
- Willens: The cap was one of the amendments put on at the second constitutional convention.
- Guerrero: Yes. Because at the time the Legislature was getting out of hand.
- Willens: I know. I read about that back in Washington, that that was a real sign of political maturity.

- Guerrero: I think we have learned now we don't need that, but at the time it was a million dollars every year, the budget of the Legislature increased, that's a lot of money. But that is something that they are looking at, and I think the other thing is the land. I mean the Public Land Corporation, what to do with it. I think there are still members that would like to see, instead of being put directly into the Executive Branch, I think give it a little autonomy with some sort of greater oversight by the Legislature.
- Willens: Is there still a continued need to have a public land corporation?
- Guerrero: Well, I'm sure there is. There is still a lot of public land here in the Commonwealth. Probably not so much over here, but there is still a lot in Rota and Tinian, as well as the islands north of Saipan.
- Willens: The original concept, of course, was to try to create a semiautonomous entity that wouldn't be subject to some of the temptations and possible abuses as if it were being run out of the Executive Branch or by the Legislature. I've heard a lot of complaints about it.
- Guerrero: Unfortunately there are a lot of complaints with it right now. And there are other people that they say they would rather repeal the entire 44 that was approved last time.
- Willens: So it's just going to open up again.
- Guerrero: I don't know whether we can limit it.
- Willens: Actually that is a very difficult issue.
- Guerrero: And I hope, I honestly hope, that the Legislature doesn't tinker with this constitutional convention and funds it adequately so that we can have people with good backgrounds and constitutional lawyers, not like what they did the last time.
- Willens: Did the Attorney General's office provide lawyers for the last Convention?
- Guerrero: Yes, but what they did is that they had two people that were on island already but they were not on board. I think they're still here, Eric Smith and Joe Guthrie. We had to pay their salary out of the Convention funds. I'm not too sure what was Eric Smith's background, but he hasn't been on island like two weeks and he was already being put on something like that. It was like a mockery of the whole system, and I think there are still a lot of ambiguities in what was done during the Second Constitutional Convention that I think probably need to be either repealed or fine tuned to provide better guidelines. And throw out things that can be legislated rather than put in the Constitution.
- Willens: Herman, in concluding the interview, I would appreciate your candid judgment as to how well you think the Commonwealth, under the Covenant and its Constitution, has worked out over the last 15 years.
- Guerrero: I think overall it works well. I think there are things that probably need to be ironed out. The whole idea of what does self-government mean in the Covenant. And how should the Northern Marianas be treated by the federal government. Are we just the same as they would treat Guam? I think that issue has never been resolved. I believe Congressional staffers, as well as the U. S. executive branch, would like to treat us no different than they treat Guam. And if that's the case, what is the Covenant? I think there are certain things I'd like to see negotiated again in the Covenant. Probably certain provisions like that catch-all phrase provision that laws that are applicable to Guam will be made applicable to the Northern Marianas. I don't know if that really is a very good phrase that should have been in there or should have been deleted, or limited in scope. I think the issue also of immigration needs to be clarified once and for all, whether giving the NMI, putting that

provision of controlling immigration in the NMI under the mutual consent rather than just unilateral.

Willens: You think there's a real risk now that the federal government may act to impose the federal immigration law on the Commonwealth?

Guerrero: There's always that possibility and the fact that they can do it, it adds, the ante is higher than if it has [the protection of] that mutual consent provision.

Willens: What do you think about the performance of the Commonwealth government now, given its relations with the federal government? Do you think the Commonwealth government has done all that it should do in trying to improve relations with the federal government?

Guerrero: I think the overall performance of the Commonwealth, we can say it has been good. I think our relationship with the United States has been good. I think what happened during the last four years is not much to be desired, but it is something we can look to for improvement. I think also that the Commonwealth has certain responsibilities under the Covenant and it needs to live up to its commitment and part of the bargain. It needs to do certain housecleaning.

Willens: Are you optimistic that that's going to happen?

Guerrero: I am. I think it's not good to be optimistic about the whole thing. I think that's why people voted for a new governor.

Willens: It's not good to be optimistic?

Guerrero: Yes, it's not good to be optimistic. That's not the most correct way of saying it. What I'm saying is that it's good to be optimistic about this whole thing but the people have decided they need a new leadership in the Commonwealth to address some of these issues. And if there are abuses and if there is inequity, then I think we need to correct those. On the other hand, I think we need to do things that are good for the islands, not because somebody else is telling us to do it. I think ultimately it will be to the satisfaction of both parties, and I think also we're still undergoing maturity in this government, you know, the last 15 years compared to the U.S. government that has been around for the last 200 years. Whether we're being forced to mature faster or accelerate than most places, I think you learn from your mistakes. Why don't you look at Guam and learn from their mistakes. I think there's more to be said in terms of learning from your mistakes. I think when the Covenant was first implemented, that's what everybody said. Look at Guam and learn from their mistakes. No, I think what we did was we want to learn it, we want to experience the same mistakes. No matter how painful and costly, I think that is what we are doing. And I think it's a matter of maturing, and I think we're moving at a faster pace than probably other areas of the world. But this maturity comes with I think much more educated people. People with college degrees and so forth, I think with more education, advanced education, I think people are maturing faster over here. And it's changing.

Willens: All right, on that optimistic note, we will end. Thank you very much.