

INTERVIEW OF HENRY U. HOFSCHEIDER

by Howard P. Willens and Deanne C. Siemer

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- Siemer: We are at the offices of the Third Constitutional Convention in Saipan with Henry U. Hofschneider, who has graciously agreed to an interview with respect to the First Constitutional Convention. Mr. Hofschneider, to start off would you tell us your full name and a little bit about your family background?
- Hofschneider: My name is Henry Untalan Hofschneider and I was born on March 21, 1953. I come from a large family. My great-grandfather was pure German who landed on Yap and married a Yapese. They only had one son and his name is Henry. He had eight children. And one of them is my father. I come from a family of ten boys and three girls. I am the second oldest. My oldest brother, John, passed away in 1991. He was a former Senator, one of the first Senators in the first election of the Constitutional Government. He had died due to illness. There are four families staying here in Saipan. Dr. Hofschneider is the first Tinian doctor. My other brother owns several outlet stores, tourist stores. My sister owns a shop. My other brother has been living here ever since he got out of high school. The rest are all on Tinian except for one, Richard, who is in Washington, D.C., attending Catholic University Law School. Both my parents are still alive. I married in 1980. I wasn't married then in 1976 [during the first Constitutional Convention], then in 1980 I got married, and I've got a beautiful wife and one daughter and four boys. They are all healthy children and keep me going everyday.
- Siemer: How did the Hofschneider family first come to Tinian?
- Hofschneider: Actually, the Hofschneider clan was one of the few groups of Chamorros that migrated to Yap way back in the early 1800's due to religious purposes. They were faithful to their Catholic religion, and at that time, its the Spanish time, priests are very strong in selecting a number of people to serve them in different areas. So the Hofschneider family was there in Yap, the Untalan [family] where my mom comes from came from Guam so that's how they established themselves in Guam. The Yapese, who are still known to be very strong in culture, after the war felt that this Yap district belongs to the Yapese people. A lot of Chamorros who were born there decided to migrate some place else. At that time my grandfather, Henry Hofschneider, was leading the group of Chamorros. He was a very intelligent person. He never went to a normal regular school but he knows how to speak eight languages. And he was working for the high ranking officers on the boat for the Japanese and then the Americans. They chose him to lead four or five groups of elders, people of the Chamorro clan looked upon to lead them in Yap, and they were brought over to Tinian in 1947. The Navy decided to pull out of Tinian, so there's a lot of surpluses, houses, materials and all that. People there would be able to survive just by coming in because there's a lot of surplus materials and there was land availability which is very important. So they can settle down in Tinian. So in 1948, in April, the Chamorros boarded an LST and they all traveled I think six or seven days to Tinian. And upon landing they were very surprised because there were brand new jeeps and brand new trucks, brand new houses and things like that. They were spoiled at that time because they had everything they need for establishing a settlement. So that's how they moved to Tinian.
- Siemer: How many of them were there at that time?

Hofschneider: I cannot exactly recall, but I know that there families like Villagomez, Cruzes, Flemings, Hofschneiders, some of Palacios, they are all from there. And immediately after coming in, my grandfather was elected to be sort of like the Mayor, every two years. And he has been doing that and later became what they called a District Administrator. He was appointed to community jobs. He passed away in 1965. He was still working then, he was working the office, when he went home and just had a heart attack. That's how the people of Tinian migrated from Yap. However, they found a few Chamorros, very few Chamorros already on Tinian. The Borja family; they are still in Tinian. Some of the Borjas, maybe one or two of them, were born in Aguiguan island which is next to Tinian which is now not habitated. It is just used for conservation and all those things.

Siemer: What did you father do?

Hofschneider: My father was a very intelligent person but he is very reserved. He takes after his mother side, that's the Villagomez family. He works as a self-trained professional mechanic. He is an expert. He was working on his agricultural farm and he works for the power firm, power and utility firm before he retired. He didn't actually fully retire, he's 65 so they have to retire. But he is still doing fine and still working.

Siemer: Where did you go school?

Hofschneider: I spent seven years in Guam, the rest in Tinian. I never came to Saipan.

Siemer: What school did you go to in Guam?

Hofschneider: I went to St. Francis Elementary School, John F. Kennedy High School, and the University of Guam.

Siemer: How many years did you go the University?

Hofschneider: I did it on a staggered term because I was working then and the only time I could do it is through an educational leave, three and one-half years I finished my bachelor's degree.

Siemer: What is your degree in?

Hofschneider: In education.

Siemer: Where were you working at the time?

Hofschneider: In the public school system. I used to work at the public school system. To begin with I came to Tinian in 1970 out of high school. Then I took several extension courses and decided to go on campus in the years 1976, 1977. However, in January of 1977, they needrd me back in Tinian so I went back. And I went back again [to Guam] in the 1980s and I finished everything.

Siemer: Were you teaching at the time?

Hofschneider: Yes, I was teaching at an elementary school.

Siemer: How long did you stay as a teacher?

Hofschneider: Close to eight years.

Siemer: And then what job did you have after that?

Hofschneider: When the first Commonwealth Mayor of Tinian was elected in 1978, he appointed me to be his first Special Assistant. It was very difficult—in fact, it was the father of former Mayor, James Mendiola—because he didn't understand a word of English. So everything is in English, and I had to do all the translations, all the writings. But it racks my brains a little bit, too, because I had to work with the Legislature and even the first Governor.

Although he is the first Governor, I am not very pleased with the way he served his term. Then after two years, I was appointed to be the first Marianas Public Land Corporation administrator for Tinian. And I served in that office for five years.

Siemer: What years?

Hofschneider: 1979 to 1984. Then in 1984, then Lieutenant Governor Pete A. Tenorio asked if I could be of service to the school and I said what kind. He said, we need a person locally to run the school. They put in a person from Saipan, but they found that it is ineffective because of the frequent traveling, all this stuff, you know family things, they have to take care of. I accepted the job in 1984 and I stuck to it. I told him you hire me but send me so I can finish my Bachelor's Degree, and they did. So I finished it in a year and a half I think and then I came back in the middle of 1988, March of 1988. They reclassified my position to act as the head of the public school system and to process the transition of separating the high school and the elementary school. It took about a year and a half to do it but now Tinian has a full fledged high school and a full fledged elementary school, in addition to the pre-school programs and early childhood programs.

Siemer: So you have been the head of the system while the new high school was built?

Hofschneider: Yes. I was very involved in the planning since 1987.

Siemer: And so that is where you still are?

Hofschneider: Yes, I am still now with the administrative side of the office. I am sort of like the Chief of the Administrative Service Center for all non-instructional and other management work. And the high school is almost done. They say that is expensive, but nothing is expensive if it is quality education. I decided to run back then in 1976 because the number of candidates were five and I felt that this is an important document that needs to be formulated for the benefit of the Commonwealth. I wanted to be part of it and I know that I am better off, probably more knowledgeable, than some of the candidates. Also, having that experience at the time I know that I can probably do a better job.

Siemer: You were a teacher at the time?

Hofschneider: Yes, I was a teacher. And I won. I took number one spot in 1976 and fortunately after running again in 1995, I am number one again.

Siemer: Back in 1976 when the Constitutional Convention election came up, did the existing political parties in Tinian get together to decide who the candidates should be?

Hofschneider: In a sense, yes. And to my surprise, the First Constitutional [Convention] and the Second Constitutional [Convention] election are both politically motivated. They have candidates on one side and candidates on the other side.

Siemer: An agreed slate that they were going to try to have just five people to run?

Hofschneider: No, both parties had their own candidates. In the first election, for the First Constitutional Convention, I remember I was the Territorial Party, I was the only Republican then. In the second they had five, I mean four Republicans, four Democrats. And this election, when I look at the petition, there's four Republicans and four Democrats. But, however, [back then] it was not so politically motivated. All we did was go and campaign individually at a few gatherings and we all stood at one gate and shook hands, all eight candidates for all voters coming in. And people were surprised, and it did change some of the minds of the people—the way you hold and hug, see and that's some of the feelings I learned after the election. That, you know, you never came to my house, but when you held me and

hugged me and said can you help me, it changed my mind. So that's the unique thing about this Third Constitutional Convention, its different from the First and Second.

Siemer: In the First Constitutional Convention, how did the Territorial Party on Tinian go about selecting the people who were going to run for delegate?

Hofschneider: Nobody wants to run. I was the only one. I gathered in my own group. Its more expensive then to run in the First, Second than in Third. Because people are more mindful about the fact that there's a lot of misunderstanding or misinterpretation of how the government should be run. Maybe we should put people [in as convention delegates] with experience and with education, those you can guarantee would not turn around without a debate or anything and give somebody the decision to make without their approval. [We wanted] full debate on the floor before they came to a position.

Siemer: So Joe Cruz and Larry Diaz were Popular Party candidates?

Hofschneider: Even then, Ben Manglona and Steve King. Because I remember I was the only one campaigning on one side. While they were all campaigning together. And this Antonio Borja, a highly respected man who has been a Mayor, too, and a Councilman from Tinian and still....

Siemer: He lost?

Hofschneider: He lost, yes.

Siemer: How did you campaign in those days?

Hofschneider: I used the strategy of being more knowledgeable on issues than some of their candidates. That's basically what I did. I tell people then that a Constitution is an important document and we did need to be assured of good representation and so forth. And, you know, I regret to say this, but God bless his soul, the late Joe R. Cruz made it too political. Even after the election, he forced the majority of the members, not me, to appoint him the Chairman of the delegation. When I came to Saipan, only two or three days before the ConCon, and its like you said we received our documents, and we don't have time to read then. We had conferences late in the morning, I mean early mornings, like 1 o'clock, 2 o'clock in the morning. We wake up delegates from Tinian from their beds, you know, 11 o'clock, 12 o'clock at night. We have to talk about this leadership thing because the opposition to Larry Guerrero then was very aggressive. He tried to run for the President and I think it was Olympia Borja or Camacho was running for President. And I still don't like him [Camacho]. You can quote me for that, I still don't like him. And that's basically what we did. We managed to convince the other three delegates, Diaz, King and Manglona, to follow our group and put Larry there [as President].

Siemer: Lets just go back to how the Hofschneiders became a part of the Chamorro community. You told us that your great-grandfather married a Yapese and then your grandfather married who?

Hofschneider: A local person, Villagomez from Guam, but they were in Yap for a long time.

Siemer: So at that point the family became a part of the Chamorro community and then your father married another Chamorro woman, an Untalan from Guam?

Hofschneider: Yes, the family was from Guam but they were in Yap. No, I think what you are trying to ask me is how did my grandfather become a Chamorro?

Willens: That is a good question.

Hofschneider: He never was.

- Willens: He never was!
- Hofschneider: He grew up with Chamorros. Like I said he never went to school, but he learned eight different languages.
- Siemer: He learned Yapese
- Hofschneider: He learned Yapese, Palau, Marshallese, German, English, Chamorro, Japanese, I think Chu'ukese also, and Spanish.
- Siemer: So he had a real facility for languages and for learning languages.
- Hofschneider: Yes, that's true. He was never a Chamorro.
- Willens: Well, that is a fantastic story and I am glad that we spent time on that.
- Hofschneider: I am glad also because I never thought of it.
- Willens: And I gather from what you say is that the Fleming families were one of those families that
- Hofschneider: They were Germans. I think they came from the Marshalls, and then went to Yap.
- Willens: I was always surprised the first time I went to Tinian to see that Fleming had the only store, or the small hotel at the time, 20 plus years ago. And I remember wondering how Mr. Fleming ever arrived in Tinian.
- Hofschneider: My uncle who died last year, in December, has the postcards that came from Germany way back then in the 1800s. At one time, one of local people married a German lady and she came over and translated some of the communication between them and all of us, you know. To our surprise in 1975 one of our aunties came from the States, a Hofschneider. So they told us not to spell Hofschneider with one "F", but two. Now some of my cousins are putting two "F's".
- Willens: Well, that is the kind of material that ought to end up in the Commonwealth Archives. It could be something of a wonderful story about the families that have been so important in the history of the Marianas. Let me just ask you a few questions about the Covenant. Although it may be that because of your schooling in Guam that you were not involved even indirectly. Do you any recollection of the negotiations between the Marianas Political Status Commission and the United States Delegation that went on during the 1972-1975 time period?
- Hofschneider: I have some, very few. Frankly, I was anti-Covenant.
- Willens: Were you on Guam for most of that time being educated?
- Hofschneider: No, I was teaching here in Saipan, I believe. I was assigned here to take courses in the teacher's training.
- Willens: In the early 1970s'?
- Hofschneider: Yes, and all through those years I had been reading and also expressing my views on Tinian about [the Covenant]. The only disagreement that I had at that time was the fact that Tinian would be giving away two-thirds of the island for the military. And that the option of becoming part of the United States is rather moving too fast. I mean, we could have done it slower. The young people at that time thought maybe that Guam, where we went for education, school was not in a good shape with the military being there and our perception was that, oh, boy, Tinian is going to have a lot of military personnel right there. So that's how we envisioned this event that is going to happen. And we thought that by putting pressure on our leaders at that time to sort of slow this establishment of a

working relationship for a commonwealth government with the United States we could make progress but at a very slow pace. At that time, I think the leadership of the Popular Party,—former Chairman Santos and a lot of his followers—everybody would stand up at the microphone and say that they want to be part of the United States. Because why do I want to part of Micronesia? We thought maybe that what Palau did now is far better off if we do it slowly than what we are getting now. Actually we aren't getting anything now from what I am hearing based on the Covenant funding, everything is gone.

Willens: The representatives from Tinian on the Marianas Political Status Commission were Herman Manglona, now Mayor, and Frank Hocog to begin with, both of them were replaced by Bernard Hofschneider and Joe Cruz. Bernard is a relative of yours?

Hofschneider: Yes, my father's brother.

Willens: He is a uncle of yours. I have talked to him, incidentally, trying to ask him to be interview and I have had some difficulty in arranging an appointment....

Hofschneider: Its always been difficult to talk to him.

Willens: One of the comments we have heard from several people on Tinian was that they did not feel that during the negotiations that they were being kept informed by their representatives.

Hofschneider: But there was no need at that time. There's no need at that time. Because people looked up at the Popular Party, people looked up at the old folks, the culture, their respect to the elderly were more strong at that time and voicing against the elderly was very impolite for the community. So even if you go on the side of the wall and talk about the status and the Covenant, when you face these people you have to be nice to them, so that's the problem.

Willens: Well, you raise an interesting point. Because there was a meeting, a public meeting that Ambassador Williams had over in Tinian to explain the U.S. proposal for the two-thirds of Tinian and at that time to relocate San Jose village.

Hofschneider: I was there.

Willens: Were you at that meeting?

Hofschneider: I was there.

Willens: Some of the reports of that meeting say there was a difference of views between the younger people that were there and some of the older people. What is your recollection of who spoke up and what they said?

Hofschneider: I think at that time our spokesperson was Florine Hofschneider, now my sister-in-law, and James Mendiola's sister, and Martin San Nicolas, and this guy who came from Hawaii, Carl Young, I think, has been very active at a time when we are trying to sell the idea that a military economy is not as good as anybody else's. Its not as good as having your own independent industrial base and so forth. And he was very influential with the young people.

Willens: Did you speak up at the meeting?

Hofschneider: I didn't speak up at the meeting. Actually the meeting was not an open forum. I believe that selected people, in fact, I remember one person, Mr. Antonio S. Borja . . .

Willens: Whose was Mayor at the time?

- Hofschneider: I think so, yes. He was a Mayor. I said, he wants to stand for the people, for the relocation.
- Willens: Was he a supporter of the U.S. request for relocation of the village?
- Hofschneider: Yes, he was a supporter. And there's one guy I remember who I didn't think about earlier, who was residing in Guam but he's a Tinian resident. He came and he testified to the Chamorro people at that time, I think it was Federico Dela Cruz. He said, there's nothing you really can do because this military planning is 25 years ahead of our thinking. Which is true, you know, in a sense. The guys that were at the podium, people don't know exactly who they are, the people lack the respect for them because sometimes, he talks, talks, talks. When somebody talks, talks, talks and it doesn't make sense to you, you don't pay attention.
- Willens: How did you feel that Ambassador Williams performed that day?
- Hofschneider: I think the U.S. people, the Ambassador, especially him, I think he was just doing what he has to do. I think he was in charge, he was given the responsibility to inform the people of the Northern Marianas and the people of Tinian specifically of what the U.S. wants in terms of a previous decision to become part of the Commonwealth in a give and take situation. And regardless of what pre-decision took place, I think the Ambassador was very fair. He just said, "This is it, this is what we want, this is what you want, and I think all you people should agree with us." In fact, at the plebiscite, that's one thing I remember, the people who worked for the Covenant had all these good speakers, microphones and organization because they have the Administration behind them, see. While those who were anti-[Covenant] they would gather in one place, sometimes only with a torch or something because they don't have anything. So, it was to their disadvantage. From time to time, especially nowadays, older folks say, "Oh, my God this American system is so, so . . ." this is what we wanted back in 1976 but this [where we are now] is not what we want, its what your family wanted. But we wanted to be part of it, so there's nothing we can do now.
- Willens: The original U.S. proposal did involve the relocation of the village and many of the people seemed attracted by the prospect of new homes, and so forth. Then later on the United States changed its proposal so that the village did not need to be moved away from the harbor.
- Hofschneider: No, actually what happened was because of the, what do you call this, a lot of people think of the fence. You know how when the military provides housing they put fence around it, that's why a lot of people were against it.
- Siemer: I don't understand.
- Hofschneider: Well, whenever the military viewed houses for relocation especially for a base, normally they put fence on the boundaries and that was it.
- Willens: The people thought it was going to be sort of like an interment area?
- Hofschneider: Yes, and its going up the hill. We are going to be looking down at the harbor and cannot go down to the ship or at least that's what they thought. Its like I said, its lack of education. A lot of it has to do with lack of education, political education for the people.
- Willens: Were you personally prepared to support the Covenant if the United States reduced its request for land from two-thirds to one-third?
- Hofschneider: I would.

- Willens: You would have thought that a good deal?
- Hofschneider: I would. We were thinking, take Goat Island, go to Northern Islands and develop it. Why [build the base] over here [on Tinian]. When there's people living on Saipan, the potential of it having a joint economic prosperity in the future very close to Saipan, you know, we would have all the opportunities of Tinian growing, maybe outgrowing Saipan in some manner. Go to another island for this, where there are no people and develop it since you have all the money. You are offering us this money, [because] you want to come into an airport that's already abandoned, but [it is better to] build a new one or whatever. Go to the Northern islands, or use Goat Island.
- Willens: What do you think prompted the Popular Party leadership to led so strongly that being part of the U.S. was a desirable objective?
- Hofschneider: It was, I think, a problem between members of the Marianas delegation to the Congress of Micronesia and the other Congress of Micronesia representatives and the High Commissioner. There was a funding problem. Then they introduced the legislation to secede from the Trust Territory. Because that was the second option. See, the first option was to integrate with Guam, but in 1969 the Guamanians turned it down. So the second option (after having this funding problem), like I said, but I can't recall the details—you could have to have ask senior people—was to secede away from the TT.
- Willens: Did you and others on Tinian have any sense that you would be better off as part of an integrated Micronesia that would include all the districts?
- Hofschneider: That's what we thought.
- Willens: You did think that?
- Hofschneider: Yes, I thought it was better, you know.
- Willens: Why?
- Hofschneider: At that time my line of thinking was that any place in the world that has not developed would then in the future become a place that had a lot of potential for what could happen, okay. What I mean is look what happened now, even though, we never seceded from the Trust Territory, I am very positive that Saipan or the Marianas would develop more than any of the districts. Because of our geographical location. And that the intelligence of the people has to open up, Guam is next door and people travel and the Far East is very close. There's a lot of potential businesses that can be established here as compared to going down to the other Micronesian islands.
- Willens: That's why a lot of the Saipan leaders thought that it would be better to break off from the other districts so that you could develop at your own pace.
- Hofschneider: Yes, because of the cultural philosophy then. It is more stronger down there than over here.
- Willens: Stronger where?
- Hofschneider: In other districts than over here. Even now, it is still strong. I think they have a House of Chiefs, and things like that. While here we don't. We just want to become part of the United States. That's the funny thing about the Chamorros. Whenever they don't like something from the U.S., they say we are the Chamorros, we own this place. They forgot about happened already, about what benefits they already received.
- Willens: That's human nature. I don't think its limited to the Chamorros.

Hofschneider: Well, I think so too. It something that I been thinking, you know. No offense to any Americans, but there's one thing that I feel inside and maybe some of my friends feel the same is the manipulation of Americans to overcome whatever the indigenous people have. Land is very limited here. And I don't know how the United States practiced their homestead [program] or [used] their land. But when you look at the number of indigenous people here, if we are going to carry on the land program, within 10-15 years time there will be no more land for even the Chamorros themselves. That's one thing I am still having my mind. Why can't the American people or even people from Guam think about that. Because the land is very limited, the people of the Northern Marianas should be given the first opportunity to own land. Not because of a U.S. person staying over here, paying taxes and all this stuff. Well, you were here because you know you have the privilege to come here and work. You have the privilege to come here and to be recognized as a good lawyer, especially all these law firms that recently established themselves. Wherever (or what State) they came from, maybe [the people there] don't even know they exist, see, but over here they exist. It is a privilege to come here and earn good money from people here in the Northern Marianas. We don't want it to be like the Indians. When their entities [tribes] lose out, you know what they are, facing in the States, we want the American people to practice human rights and we are the indigenous people so they should extend that type of objective about human rights to the Chamorro people, the Carolinian people. They should respect what we have in our culture. I go to the States and I respect your culture, I don't say: "Don't do this" over there. So when you come over here, we expect you to guys to do likewise, respect our culture, the way we live and things like that. That's some of the things that I have in mind when I say any person staying or migrating to the Northern Marianas for living purposes is only here because of the privilege to be here and probably the money they can earn. They can earn a lot of profits, and they should respect the people of the Northern Marianas, be it the Carolinians or the Chamorros. They should respect whatever they have. You came from a place where you live in apartments and hotels, so stay in apartments over here. Don't fight for our Chamorro land and the Carolinian land.

Willens: You do think then that the past 20 years stateside Americans have become political?

Hofschneider: Everybody wants to do that. They want the chance to become elected, they want the chance to phase out Article 12, land alienation. Americans love to litigate. Boy, I tell you that's true. They say, hey this is not right, this is not right [and then litigate to get what they want]. I didn't invite you here. You came here. Whatever are our rights here, you should be more respectful of the people here. I would do the same if I was in the States. I can't go there and say don't do that because I am here. I follow what you want me to do over there. I would do the same as the American ways over there. But over here, at least give us that identity of respect to the culture and customs, to the land. It's very precious. That's the way I feel.

Willens: When Ambassador Williams visited Tinian on at least two occasions, there were younger protesters holding up signs telling him to go home or take only one-third of our land. Did you personally hold up any signs and demonstrate?

Hofschneider: I don't think I went and held any signs but I think I preached at some of the signs.

Willens: Did you?

Hofschneider: Yes.

Willens: There was certainly, got a lot of attention in the newspaper and back at the State Department.

- Hofschneider: In fact, those two or three days that I mentioned the pictures are still there. Their pictures are there.
- Willens: And then when it came to vote on the Covenant, I gather from what you said earlier, that you thought that the tendency was to follow the leadership.
- Hofschneider: You see, the Americans are smart because its a popularly elected plebiscite. I don't care if there are 300 votes in Tinian and everybody said, "No." If Saipan said, "Yes," forget it. So its not like nowadays when we define Tinian and Rota rights to vote on any Constitutional issue or leadership for that matter.
- Willens: How did you feel about that, the guarantee that was built into the Covenant that Tinian and Rota would be equally represented?
- Hofschneider: At least we got that. And now look 10 years later, people of Saipan are complaining.
- Willens: Does that surprise you?
- Hofschneider: No, because they have been doing that to us 10 years prior to 1976 and they never felt anything. Now they are feeling the heat. Look what happened, we have a casino in Tinian. This morning there's going to be the official grand opening right over here. Now everybody wants a casino, they know its money making. Give us something to survive on.
- Siemer: After you were elected for the First Constitutional Convention did you get together on Tinian with other delegates before you came over to Saipan for the Convention?
- Hofschneider: Briefly. Joe Cruz was given the honor to coordinate as the chairperson with the other three, other groups. I had nothing to say at this point.
- Siemer: What were the ideas about what Tinian should be doing at the Constitutional Convention? Were there particular things that Joe Cruz wanted?
- Hofschneider: We briefly discussed on the formulation of the Constitution and how we should be able to convince people [that Tinian should] have good representation in the government. Because actually you know by having the bicameral Legislature, it is something that was already locked in the Covenant, and we would have to work on the balance after that. I think the other issue is the mayorship. I still think that the state government, is a state government and not the local government. This was addressed at the Constitutional Convention. It was better off then back in 1976, the Constitution. Even Governor Camacho failed to yield to the idea of giving responsibilities to former Mayor Felipe Mendiola because of the fact that the Rota mayor was a Republican. He didn't want anything to be extended to Tinian that could be extended to the other island.
- Siemer: When the delegation came to Saipan did Larry Guerrero contact you about the presidency?
- Hofschneider: Only me first. He contacted me first, and then he convinced me. I know Larry and I respect him. He is a very determined person. Although he is very politically active, he is very nice to work with. He doesn't make decisions solid as a rock. He will give in sometimes.
- Siemer: And then did you turn around and talk to some of other delegates about supporting Larry?
- Hofschneider: Yes.
- Siemer: Whom did you talk to?

- Hofschneider: Ben Manglona, Steve King and Larry Diaz.
- Siemer: And you were successful?
- Hofschneider: I was. I didn't talk to Joe Cruz at the outset. He is very smart, I give him that respect.
- Siemer: Were there any meetings at that time before the Constitutional Convention got underway between the Rota and Tinian delegates?
- Hofschneider: I know there was a meeting, but I can't recall where it was because Larry called the meeting.
- Siemer: Did Benjamin Manglona have an agenda of things that he wanted at the time before the Convention ever go underway?
- Hofschneider: I don't recall. I think Ben Manglona and the late Joe Cruz had the same agenda.
- Siemer: Had they gotten together before?
- Hofschneider: I think so. I think that's way they didn't sign the Constitution.
- Siemer: But there wasn't a meeting that you were in where they were talking about what they wanted to get out of the Convention before ...?
- Hofschneider: Some of the meetings, but not all of them.
- Siemer: When Benjamin Manglona brought the proposal for the three Lieutenant Governors to the floor of the Convention, had you seen that before he did that?
- Hofschneider: Yes, Joe Cruz discussed it with me, and I went against it. Let's be realistic. I don't think that is going to happen. I don't think the people of Saipan would buy that. Even up to now, with the Lieutenant Governor Manglona philosophy of local government, I don't think the delegates from Saipan will back that idea. I think we should run local issues locally so as not to interfere with the State. Let the bicameral legislature and the Governor run the State.
- Siemer: Is that the way you felt about it back then as well?
- Hofschneider: Yes, that's how I felt and still do.
- Siemer: During the time that the Convention was going on did the Tinian delegates get together to talk about what they wanted to do or things like that?
- Hofschneider: Yes, under Ben Manglona. Because he won the Second Vice President [position].
- Siemer: The delegates had a long series of discussions about the size of the Lower House, and finally it came down to whether there would be two delegates for Rota or just one. What was your position on that at the time?
- Hofschneider: I felt that it shouldn't be that big. I think the position was to have three in the Senate, each senatorial district. And I think the House was more difficult at that time because it was the thinking of the leadership they had more than 20 Northern Marianas Legislature members [the unicameral district legislature] at that time. And they wanted to carry that type of system over into the new legislature.
- Siemer: They wanted to have about the same size?
- Hofschneider: Yes, but I was against a bigger house, I was for the smaller house.
- Siemer: Once there was the equal representation in the Senate from a political standpoint only, what difference did it make whether there were two representatives from Rota or one representative from Rota if Rota had equal power in the Senate? I have never understood

why that issue was important enough for Benjamin Manglona to walk out of the Convention.

Siemer: I didn't think he walked out for that one particular reason. I think he walked out because of the mayor issue. He wanted the Lieutenant Governor status. I believe at that time they were three representatives in the unicameral legislature from Rota, if I am not mistaken.

Siemer: That's right. That's what was the original . . .

Hofschneider: So they wanted assurance that there is somebody in the House, you know from Rota and Tinian. We have only two from Tinian. Somehow, coming from Tinian, generally speaking, the entire people of Tinian are very reasonable people. You can argue with them but they will come to good terms. I cannot speak for Rota, but from what I am learning from them, they are entirely different. Very aggressive, intelligent people. They had a lot to accomplish and they accomplish it now.

Siemer: In this case the Tinian delegates to the Constitutional Convention accepted having only one representative.

Hofschneider: Yes, because of the fact that if the [standard] deviation of the population within each Congressional district did go through the original proposal we will never have one, see, for a long time. Then we have to settle for one. I agree that Rota should get one.

Siemer: Because the delegates from Rota wanted two, and they wanted the Tinian delegates to insist on that for them.

Hofschneider: But we didn't agree because I think Saipan wanted to downsize the membership, not to increase. And then Rota would want two based on the population, then Saipan would have a bigger amount and they didn't want it that way.

Siemer: Had you heard about a plan to walk out of the Convention to bring it to halt before it occurred?

Hofschneider: Yes, there was a plan to walk out. But President Guerrero was a very fair person. First he came and talked to us, those who were willing to listen. Mr. Manglona and Mr. Cruz, they don't want to listen. They were hurting since the beginning of the organization, the organization of the Constitution.

Siemer: What do you mean?

Hofschneider: They were backing a different candidate. Joe was the chairperson and we were supposed to have the First Vice President. But then he turned around the first day of the Constitutional Convention. So he was hurting ever since. We had our office in the Intercontinental Hotel at that time. He never came to that.

Siemer: So Larry Guerrero tried to talk to the Rota and Tinian delegates to prevent any walk out?

Hofschneider: Not to prevent any walk out, but to have a Constitution. Because it is very limited. It is part of the deal of becoming part of the United States. So he had to do it.

Siemer: And he felt strongly about that?

Hofschneider: Oh, yes. The leadership at that time, yes.

Siemer: When Benjamin Manglona actually did get up and walk out, Steven King seemed to go along with him and then he came back. What happened to cause him to come back?

Hofschneider: I cannot recall the reason. I know that he walked out and then came back. But, Steve King is a very distinctive person. We know what he wants because he will say that. But he easily

changes his mind. He will compromise, but I am surprised that he came back. Because even up to now he still remains the same type of personality, person. He never changed. It is probably because of Joe Cruz.

Siemer: Were efforts made by other Tinian delegates to get Joe Cruz to come back?

Hofschneider: Not that I know of. Probably it was done by Ben Manglona, our Ben Manglona from Tinian went and talked to him. I remember him one time at the time that we walked out of the session hall, you know and he had a lot of good backers from Tinian. He would start criticizing me in front of everybody and I would look over, I don't want to pay attention to that. I mean during recess time. But its part of the game. I don't mind. I can't recall why Steve came back, or what prompted him. I think it was Ben Manglona from Tinian who talked to him. I think it was him.

Siemer: What was your view about the land issues back then? The definition of who would qualify as a person of Northern Marianas descent and the idea about how to deal with public land.

Hofschneider: I think the public land corporation was formulated as a result of a Secretarial Order. There was a Secretarial Order. There were also land issues that were addressed in the Covenant. Mostly, who was entitled to land. I highly respect the older folks at that time, especially Dr. Palacios, Mr. Olympio Borja, to name a few, then why they emphasized the article or the clause in the section of the Covenant that states a person who is Northern Marianas descent will be entitled for land here in the CNMI. And I think, based on some of my readings, there's reference that you guys made to the Eskimos and I think the Hawaiian Homestead Act things like that. I can still remember that. I felt pretty confident that the thing would go through. The timing that confused me at that time was the corporation article. Right now I think for me personally, I don't know about the rest of the delegates, I would reduce the ownership section to make it available to more people from the CNMI. Right now when you look at the 51 percent clause I think that's only like four or five people that can afford that here in the CNMI. If you reduce down to 20% you probably would have more young businessmen locally that can be part of the corporation.

Siemer: You were comfortable with the homestead plan that allowed one village homestead, and one agricultural homestead?

Hofschneider: Yes, at that time.

Siemer: Was that important on Tinian?

Hofschneider: Oh, yes. Up to now they are still fighting for I think land, as the Pacific Islanders state, is part of the culture. In the beginning from my older folks they said that land is one of the most precious things that person could have. And that it should not be sold. It is quite different nowadays.

Siemer: What did you expect back then when homesteads were granted? Did you think that people would sell them?

Hofschneider: That's one of the reason why we put in the 10-year clause.

Siemer: So, you thought even back then that people might sell?

Hofschneider: Of course, because at that time I was hearing stories about Cal-Pacific, and some of the prominent families then having a lot of power, a good portion of land around the beach and all those things. I learned a little from that.

- Siemer: How about the proposals with respect to the Executive Branch? There were a number of debates about whether, for example, whether the Governor's salary should be included in the Constitution. Do you remember any of that?
- Hofschneider: Yes. I originally went against it. But I think it was mostly political.
- Siemer: In what way?
- Hofschneider: Because everybody in the Popular Party wins at that time, and the majority of the ConCon delegates are the Territorial Party so they didn't want to have good salaries being paid to the new governor. And I think that is what happened. So last night, former Governor Camacho and I were talking about this annuity, how much he is getting. In fact, when former Governor Guerrero came in he reduced it in half. It should be out now, I mean, if you don't like the Governor, vote him out. A lot of intelligent people now are running for Congress. At that time also if you have a lot of money you won.
- Siemer: Do you think campaigning more expensive back then?
- Hofschneider: Oh, yes. There are eight of us from this Constitutional Convention. From the eight of us, I think only one spent a lot. I think I spent \$1,000 or less.
- Siemer: What do you think you spent back in 1976?
- Hofschneider: Parties, meetings. I have to foot all the bills. I spent a lot.
- Siemer: Part of the Executive Branch discussion centered around the special assistant for Carolinian Affairs. What was your view of that back then?
- Hofschneider: It is a compromise issue. And if I am not mistaken, ever since they had the Northern Marianas District Legislature and the Congress of Micronesia, they had only one [person of] Carolinian descent becoming an elected official. So Territorial Party up to now, Republican, the major faction of their Carolinians descent are there. So they want to be recognized in that fashion. They want to be given cultural respect.
- Siemer: Did any of the Carolinians come to talk to you about it?
- Hofschneider: Yes, delegates, the delegates themselves. I am thinking differently now.
- Siemer: When you say a Special Assistant gave the Carolinians respect, I mean if it is a set-aside office and you have to put a Carolinian in, was your view back then that would help the Carolinians in some way?
- Hofschneider: Yes, look what happened to the office. Back then we know Carolinians are different from Chamorros. I know then that they have one advantage over us and that they speak Chamorro and English. While we speak Chamorro and English, we cannot speak their language. Having a person there at that time gives assurance to any governor that whatever grants are important or representations in any political commission that the Carolinian people would be given also the opportunity to be represented.
- Siemer: Politically, was there a problem in getting the Constitution approved if the Carolinians were not given something like this?
- Hofschneider: No, no.
- Siemer: How about politically in parties running for governor? Would the Carolinian vote swing one way or another depending upon what had happen?
- Hofschneider: Carolinians are known for their beliefs in their race. That's one of the reasons why we had six or seven Carolinian descents in the Constitutional Convention. Because from my knowledge, they vote with solidarity.

- Siemer: All of the Carolinian vote goes to a Carolinian candidate?
- Hofschneider: Yes.
- Siemer: I wanted to ask you about the proposals that were made, that you made and others made. One of them is Proposal No. 78 that provided for capital punishment. Do you remember that one?
- Hofschneider: What?
- Siemer: This has your name on it but it appears as if you may have not had signed it.
- Hofschneider: I didn't like it.
- Siemer: What was it that was attractive about capital punishment to your colleagues?
- Hofschneider: I don't recall what they wanted, but I know I was against it.
- Siemer: Another one, Number 76 which deals with the availability of documents used in legislative meetings and open meetings things like that. That one you did support. Was there a practical problem at the time that caused you to want to do this?
- Hofschneider: Yes, because like the Covenant [negotiations], a lot of people were not aware of what's doing on. A lot of the Northern Marianas Legislature's issues involved granting funds for Saipan and not Tinian. A lot of the privileges of scholarships, there were the scholarships granted to people from Saipan and not to Tinian. Look how many prominent graduates are people here in Saipan versus Tinian.
- Siemer: At the time back in those days the meetings were closed, so people didn't know about them?
- Hofschneider: They were not closed. Actually they didn't have the urge to go to Tinian and do some of these things. They just thought maybe that once they decided on Saipan, everything is okay for us, which it is not. That was one of the reasons.
- Siemer: One of the really quite important proposals that you made with some others is Number 139 which you submitted with Manny and John Tenorio and Oscar Rasa. It provided for a part-time legislature and very small annual salaries. Did John or Oscar come to you with this proposal?
- Hofschneider: No, I think we were sitting around the table, John Tenorio and Manny Tenorio and Oscar Rasa, they are all highly educated from the mainland. I felt at that time that the Legislature were over abusing their authority. They were so powerful. I feel as though the people that are with my signature are the people that are supposed to be in the Legislature and none of those people are in the Legislature. And it is justifiable. Had we put that into an amendment, I mean into an article, it would be one of the best articles. At that time it was very reasonable to have a part-time legislature. You don't need a full-time legislature.
- Siemer: This proposal caused very long discussion and a very heated discussion about how the Legislature ought to be done and at the end of the day you and Manny and John Tenorio and Oscar Rasa deferred to those who wanted a full-time legislature. You had, you had quite a few votes as I recall.
- Hofschneider: Yes.
- Siemer: What persuaded you to defer?
- Hofschneider: I think we had a delegation meeting. In the delegation meeting the majority of our members wanted me to do it that way. At the time, everybody was free to make their own proposals.

- Siemer: It was the kind of proposal that really caused people to stop and think about what it was that they should do?
- Hofschneider: I could bring this to the present delegates and they would say this is the best idea.
- Siemer: Another one that you proposed is No. 103. This has to do with conflicts of interest. I wondered how that one came about?
- Hofschneider: I think a lot of elected officials were very prominent people. Then-Governor Guerrero was the only person here who has an interest in a business but yet did not have the chance to expand. And then recently he was in this super company when he pulled out. And of all the people that have signed here, none of them are prominent businessmen. We thought maybe that if people who are in business for a long time and have the chance to run for an elected office that self-interest would be more important to their agenda than the public [interest]. This is one of the reasons why we introduced this one.
- Siemer: It is a subject that has been....
- Hofschneider: Its funny because I think, there's a lot of things like this that are happening now.
- Siemer: It was a subject that was somewhat hard to formulate in the First Constitutional Convention. The Second Constitutional Convention tried another tack with this. The idea of legislating ethics in a constitution is a hard one. Its hard to get a precise formulation that covers everyone and at the same time is effective. The compromise with respect to this back then was to leave it up to the legislature. Back then, were you satisfied with that compromise?
- Hofschneider: No, because I still feel that it should there. It should be stronger. Look what happens now. They are not following, they are not doing it.
- Siemer: Let me show you Proposal 85, do you recall where that one came from?
- Hofschneider: If I am not mistaken either Rasa or Villagomez. I think it was Rasa or Villagomez. I am not sure, but I think its one of them.
- Siemer: What did you think at the time about whether that was likely to work?
- Hofschneider: You know it just provides checks and balances of elected officials and government agencies. Somebody is there to check independently on the accounting and things like that.
- Siemer: What is your view about how it had actually worked now?
- Hofschneider: Now.
- Siemer: Yes.
- Hofschneider: Too political. It's not working.
- Siemer: This is the public auditor.
- Hofschneider: Yes, it's not working.
- Siemer: Back then, when you were thinking about this provision, were there other options that people were thinking about as how to do, how to have a check and balance?
- Hofschneider: Elected, but no campaign or anything. See if you get appointed by a Governor then you have to try to persuade the majority of the legislature to vote for you [for confirmation]. Nothing is free nowadays.
- Siemer: I want to ask you about one more which is Number 92 and it has to do with the funds generated by natural resources.

- Hofschneider: Oh, yes I remember this.
- Siemer: What natural resources did you have in mind and what was the background of this proposal?
- Hofschneider: Well, I was thinking in terms of development, land development. I think at that time we were trying to use the funds for local operations.
- Siemer: Was there particular mining of natural resources or things like that you had in mind?
- Hofschneider: Well, like any place where you see blooming of structures, like coral, you can get all the royalties to the local municipality or for that matter maybe submerged lands too, close by things like that.
- Siemer: Did the delegates talk much about the submerged lands, the value of submerged lands back then?
- Hofschneider: Yes, I think we addressed that, but I think it was you, Howard, you said, "I don't think we have that much jurisdiction over it", am I correct?
- Willens: You are correct.
- Hofschneider: But I feel as a delegate that I think now that we should have put it in. Look at what happened to the treasure that was found here. The guy was doing it for three months and he left, he only gave us like that much. And its only like a few feet from Saipan.
- Willens: There are some differences about the definition of submerged lands, and if you go out about two or three miles there is no problem. But if you go out farther than that, there is a problem.
- Hofschneider: I know about that, but if we had addressed that matter things like would be the property of the CNMI.
- Siemer: Are there other things that you remember from the First Constitutional Convention that we should include as a part of the record here?
- Hofschneider: I personally believe that the First ConCon after formulating it I felt that it should not have been amended periodically. I think I made a discussion at that time to have it like every 25 years. That's one thing that should have been done. And secondly, I didn't foresee the opportunity of some of the elected officials at that time who were delegates becoming future leaders here on my island. The Governor Camacho, the Lieutenant Governor Manglona, Governor Guerrero, the senator, the congressman.
- Willens: Did you find that the briefing papers useful even though they were delivered very late?
- Hofschneider: From time to time, you know, during the Convention when we were discussing it or when you read over it, yes, but I think that is too much to read.
- Siemer: Were people ill at ease back in those days about having stateside lawyers working for the Convention?
- Hofschneider: No, because you were working with the Covenant and I don't think anything was addressed as to that concern because you went through the Constitution. That's one of the reason maybe why people don't have any objection to that. And especially Pete A. Tenorio being appointed the head of the OSTP at that time by the Government of the United States. And he was making the recommendation that everybody go forward, so establishing the Commonwealth as soon as possible. They don't want any delay.
- Siemer: After the Constitutional Convention was over, did you work on the education campaign with respect to the Constitution?

Hofschneider: No. I think it was Pete Tenorio and Pete Atalig's job to do that.

Siemer: Thank you very much. We appreciate your time.

Hofschneider: It's good. By now my mind has lost some of the details. I needed some kind of interrogation for that a long time ago.

Willens: All right. Thank you very much.