

*I Mina'trentai Singko Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
<b>181-35 (COR)</b> As substituted on the Floor	Tina Rose Muña Barnes Amanda L. Shelton William M. Castro	AN ACT TO ADD A NEW ARTICLE 13 TO CHAPTER 1, DIVISION 1 OF TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO COMPENSATING ADJUDICATED CLAIMS OF THE GREATEST GENERATION OF GUAM FOR THE ATROCITIES SUFFERED DURING THE WORLD WAR II OCCUPATION OF GUAM.	7/18/19 3:00 p.m.	7/18/19	Committee on General Government Operations, Appropriations, and Housing	8/2/19 2:00 p.m.	8/15/19 12:13 p.m.	Request: 7/18/19  8/13/19	12/18/19 As substituted on the floor
	<b>SESSION DATE</b>	<b>TITLE</b>	<b>DATE PASSED</b>	<b>TRANSMITTED</b>	<b>DUE DATE</b>	<b>PUBLIC LAW NO.</b>	<b>DATE SIGNED</b>	<b>NOTES</b>	
	12/18/19	AN ACT TO ADD A NEW ARTICLE 13 TO CHAPTER 1 OF DIVISION 1, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CREATING A GUAM WAR CLAIMS FUND TO COMPENSATE ADJUDICATED CLAIMS OF THE GREATEST GENERATION OF GUAM FOR THE ATROCITIES SUFFERED DURING THE WORLD WAR II OCCUPATION OF GUAM.	12/20/19	12/23/19	1/3/20	35-61	1/3/20	Received: 1/3/20 Mess and Comm. Doc. No. 35GL-20-1379.	

LOURDES A. LEON GUERRERO  
MAGA'HAGA • GOVERNOR



JOSHUA F. TENORIO  
SIGUNDO MAGA'LÄHI • LIEUTENANT GOVERNOR

HAND-DELIVERED

January 3, 2020

**HONORABLE TINA ROSE MUÑA BARNES**

Speaker

*I Mina'trentai Singko Na Liheslaturan Guåhan*

35<sup>th</sup> Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

35GL-20-1379  
Speaker Tina Rose Muña Barnes

JAN 03 2020

Time 11:31  AM () PM

Received By: [Signature]

**Re: Substitute Bill No. 181-35 (COR) – An Act to *Add* a New Article 13 to Chapter 1 of Division 1, Title 5, Guam Code Annotated, Relative to Creating a Guam War Claims Fund to Compensate Adjudicated Claims of the Greatest Generation of Guam for the Atrocities Suffered During the World War II Occupation of Guam**

Dear Madame Speaker:

Over 75 years ago, our people suffered unspeakable harm from Imperial Japanese military forces. After 75 years of waiting, our Greatest Generation can now begin to heal old wounds.

Their loyalty is recognized, their courage is honored, and, soon, a memorandum of agreement with the Department of Treasury can begin the process of healing old wounds.

Signing this bill into law is more than just paying long overdue debt; it acknowledges the pains of the past, is symbolic of the peace of the present, and is about making our Greatest Generation whole.

This meaningful work could not have been accomplished without your courage and tenacity and the partnership you forged on the floor of the 35<sup>th</sup> Guam Legislature. While a small chorus of cynics have questioned this measure's motive or timing, each of us recognized that those directly impacted by this bill no longer had time to wait.

1379

2020 JAN -3 AM 11:58 KC

To: Speaker Tina Rose Muña Barnes  
Fr: Governor of Guam  
Date: January 3, 2020  
Re: Bill No. 181-35 (COR)

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With the enactment of this law, the long struggle of our *manâmkô* will finally be fully recognized.

While the creation of this local program is essential for those running out of time, this Administration maintains its support for the passage of H.R. 1365. Passage of H.R. 1365 is vital to the payment of all claims adjudicated under federal law.

It is with my deepest honor that I sign Bill 181-35 into **Public Law 35-61**.

*Senseremente,*



**LOURDES A. LEON GUERRERO**

*Maga'hågan Guåhan*

Governor of Guam

Enclosure(s): Substitute Bill No. 181-35 (COR) *nka Public Law 35-61*

cc via email: *Sigundo Maga'låhen Guåhan*  
Compiler of Laws

**I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN**  
**2019 (FIRST) Regular Session**

**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN**

This is to certify that **Substitute Bill No. 181-35 (COR)**, "AN ACT TO ADD A NEW ARTICLE 13 TO CHAPTER 1 OF DIVISION 1, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CREATING A GUAM WAR CLAIMS FUND TO COMPENSATE ADJUDICATED CLAIMS OF THE GREATEST GENERATION OF GUAM FOR THE ATROCITIES SUFFERED DURING THE WORLD WAR II OCCUPATION OF GUAM," was on the 20<sup>th</sup> day of December 2019, duly and regularly passed.

**Tina Rose Muña Barnes**  
**Speaker**

Attested:

**Amanda L. Shelton**  
**Legislative Secretary**

This Act was received by *I Maga'hågan Guåhan* this 23<sup>rd</sup> day of Dec, 2019, at 11:43 o'clock A.M.

Assistant Staff Officer  
*Maga'håga's Office*

APPROVED:

**Lourdes A. Leon Guerrero**  
*I Maga'hågan Guåhan*

Date: 1/03/2020

Public Law No. 35-61

***I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN***  
**2019 (FIRST) Regular Session**

**Bill No. 181-35 (COR)**

As substituted on the Floor.

Introduced by:

Tina Rose Muña Barnes  
Amanda L. Shelton  
William M. Castro  
Régine Biscoe Lee  
Kelly Marsh (Taitano), PhD  
James C. Moylan  
Louise B. Muña  
Telena Cruz Nelson  
Sabina Flores Perez  
Clynton E. Ridgell  
Joe S. San Agustin  
Telo T. Taitague  
Jose "Pedo" Terlaje  
Therese M. Terlaje  
Mary Camacho Torres

**AN ACT TO *ADD* A NEW ARTICLE 13 TO CHAPTER 1 OF DIVISION 1, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CREATING A GUAM WAR CLAIMS FUND TO COMPENSATE ADJUDICATED CLAIMS OF THE GREATEST GENERATION OF GUAM FOR THE ATROCITIES SUFFERED DURING THE WORLD WAR II OCCUPATION OF GUAM.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** During World War II, on  
3 December 8, 1941, the Imperial Japanese Military invaded and occupied Guam for  
4 nearly three (3) years. During the period of the island's occupation, approximately

1 twenty thousand (20,000) of its residents comprised largely of *CHamoru* ancestry,  
2 suffered and were subjected to death, rape, severe personal injury, personal injury,  
3 forced labor, forced march, or internment.

4 On July 21, 1944, U.S. military forces returned to Guam and liberated the  
5 island from Japanese occupation. On November 15, 1945, the U.S. Congress passed  
6 the Guam Meritorious Claims Act, which was signed into law by President Harry S.  
7 Truman as U.S. Public Law 79-224. The Guam Meritorious Claims Act authorized  
8 the Secretary of the Navy to grant immediate relief to the residents of Guam by  
9 adjudicating and settling claims for property damage, death, or personal injury.  
10 Claims in excess of Five Thousand Dollars (\$5,000) needed additional congressional  
11 approval and, unlike most claims for property damage, residents of Guam did not  
12 receive adequate settlements.

13 In 1947, Dr. Ernest M. Hopkins chaired a committee appointed by the  
14 Secretary of the Navy to evaluate the U.S. Navy's execution of the Guam  
15 Meritorious Claims Act. The report generated by the committee, known as the  
16 "Hopkins Report," determined that the implementation of the Guam Meritorious  
17 Claims Act was not sufficient and payments of claims were made too slow. The  
18 Hopkins Report recommended to Congress that changes were necessary to address  
19 the inefficiencies; however, Congress failed to adopt any of the recommendations in  
20 future war claims legislation.

21 On December 23, 2016, nearly seventy-two (72) years after the passage of the  
22 Guam Meritorious Claims Act, the Guam World War II Loyalty Recognition Act  
23 was signed into law as U.S. Public Law 114-328. U.S. Public Law 114-328  
24 recognizes the suffering and loyalty of the people of Guam during the Japanese  
25 occupation and authorizes the Foreign Claims Settlement Commission to accept and  
26 adjudicate claims, and further directs the U.S. Secretary of the Treasury to make  
27 payments of adjudicated claims.

1 In 2019, which is the seventy-fifth (75<sup>th</sup>) year anniversary commemorating the  
2 Liberation of Guam, *I Maga'hågan Guåhan* and *I Liheslaturan Guåhan* learned that  
3 additional congressional action is necessary to fully implement U.S. Public Law  
4 114-328; and, while congressional action is pending, the remaining survivors of  
5 Guam's World War II occupation with adjudicated claims continue to wait for  
6 payment of their awards.

7 Therefore, it is the intent of *I Maga'hågan Guåhan* and *I Mina'trentai Singko*  
8 *Na Liheslaturan Guåhan* to do right by our war survivors.

9 **Section 2. Creating a Guam War Claims Fund.** A new Article 13 is  
10 hereby *added* to Chapter 1 of Division 1, Title 5, Guam Code Annotated, to read as  
11 follows:

12 **“ARTICLE 13**

13 **GUAM WAR CLAIMS FUND**

14 **§ 11301. Fund Structure and Administration.**

15 (a) There is hereby established the Seventy-fifth (75<sup>th</sup>) Guam Liberation  
16 War Claims Fund (Fund), which *shall* be administered by the Department of  
17 Administration.

18 (b) The purpose of the Fund is to receive deposits to pay for certified claims  
19 to Compensable Guam Victims, as defined in Section 1704(c)(2) of U.S. Public Law  
20 114-328, by the Foreign Claims Settlement Commission, as referenced in Section  
21 1705 of U.S. Public Law 114-328.

22 (c) *I Maga'hågan Guåhan* is authorized to transfer such sums as are  
23 available from the General Fund to pay adjudicated claims as of the passage of this  
24 Act from the General Fund appropriations contained within Public Law 34-116 and  
25 Public Law 35-36 for the purposes outlined in Subsection (d) of this Section.

26 (d) Any funds transferred to the Fund *shall only* be used to pay  
27 Compensable Guam Victims with certified claims by the Foreign Claims Settlement

1 Commission and such use *shall* be consistent under a Memorandum of Agreement  
2 between the Guam Department of Administration and the U.S. Department of the  
3 Treasury. This Fund *shall* be exempt from the Governor's transfer authority; and,  
4 any funds remaining *shall* be subject to legislative appropriation.

5 (e) All money reimbursed to the Government of Guam for payment of  
6 claims as authorized in Subsection (d) of this Section *shall* be deposited in the Fund.

7 (f) The Department of Administration and the Bureau of Budget and  
8 Management Research *shall* submit a report every six (6) months to *I Liheslaturan*  
9 *Guåhan* and *I Maga'hågan Guåhan* on the status of payments and reimbursements  
10 to Compensable Guam Victims pursuant to this Article until all payments and  
11 reimbursements of claims are exhausted. Information provided by the United States  
12 Government to the Government of Guam concerning the identity of war survivors  
13 and their application for war claims *shall* be protected and *shall not* be part of the  
14 public record.”

15 **Section 3. Effective Date.** This Act *shall* be effective upon the execution of  
16 a Memorandum of Understanding between the United States Government and the  
17 Government of Guam which sets out the administrative process that must be adhered  
18 to for the Government of Guam to pay awards; provided, that this Memorandum of  
19 Understanding must be filed with *I Liheslaturan Guåhan* prior to any funds being  
20 transferred for the payment of claims.

21 **Section 4. Severability.** If any provision of this Act or its application to any  
22 person or circumstance is held invalid, the invalidity *shall not* affect other provisions  
23 or applications of this Act that can be given effect without the invalid provision or  
24 application and to this end the provisions of this Act are severable.