

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2007 (FIRST) Regular Session

Resolution No. 52(LS)

As amended.

Introduced by:

A.R. Unpingco
R. J. Respicio
J. A. Lujan
Frank T. Ishizaki
Frank F. Blas, Jr.
Judith P. Guthertz
A. B. Palacios, Sr.
David L.G. Shimizu
Ray Tenorio
Edward J.B. Calvo
James V. Espaldon
Mark Forbes
Tina Rose Muña Barnes
v. c. pangelinan
J. T. Won Pat

Relative to endorsing H.R. 1595, introduced by the Guam Delegate to Congress, relative to implementing the recommendations of the Guam war claims review commission.

1 **BE IT RESOLVED BY *I MINA'BENTE NUEBI NA LIHESLATURAN***
2 ***GUÅHAN*:**

3 **WHEREAS,** Guam is the only existing United States territory that was
4 occupied by Imperial Japanese forces during World War II; and

5 **WHEREAS,** except for a brief period during the War of 1812, no United
6 States territory has ever been occupied by enemy forces; and

1 **WHEREAS**, during World War II, the people of Guam were enslaved
2 and tortured and over one thousand (1,000) *Chamorros* died or were executed
3 by the Imperial Japanese forces; and

4 **WHEREAS**, as a result of the occupation by Imperial Japanese forces
5 and the Liberation by the United States forces in 1944, Guam's capital city of
6 Hagåtña was completely destroyed, as were most of the homes and ranches
7 throughout the island; and

8 **WHEREAS**, recognizing the suffering, death and destruction of
9 property wrought by the War, the United States Congress, in November of
10 1945, enacted Bill No. S. 1139 as Public Law 79-224, known as the "Guam
11 Meritorious Claims Act"; and

12 **WHEREAS**, the Guam Meritorious Claims Act authorized the creation
13 of a Land and Claims Commission to determine and award claims of less than
14 Five Thousand Dollars (\$5,000.00); and

15 **WHEREAS**, the Guam Meritorious Claims Act required Congressional
16 approval of and appropriation for any award over Five Thousand Dollars
17 (\$5,000) and all death benefit awards; and

18 **WHEREAS**, as a result of a large number of complaints about the Land
19 and Claims Commission's actions and the implementation of the Guam
20 Meritorious Claims Act, the Secretary of the Navy issued a directive on
21 January 8, 1947 appointing a three (3) member committee to evaluate the
22 Navy's handling of these responsibilities; and

1 **WHEREAS**, this committee, known as the “Hopkins Committee,”
2 conducted extensive interviews and investigations and issued a highly critical
3 report; and

4 **WHEREAS**, the “Hopkins Report” resulted in some positive changes
5 and prompted further criticism of Claims Act implementation; and

6 **WHEREAS**, though the United States Congress passed legislation to
7 address some of the concerns posed by Guam residents and the Hopkins
8 Report, said amendments were never considered adequate; and

9 **WHEREAS**, Guam’s Delegates to Congress have introduced numerous
10 bills to address the inadequacy of previous laws to address claims resulting
11 from the Japanese occupation; and

12 **WHEREAS**, on September 21, 1983, the first Guam Delegate to
13 Congress, the Honorable Antonio B. Won Pat, introduced the first bill to
14 establish a “commission to review the facts and circumstances surrounding
15 *Guamanian* losses caused by the occupation of Guam by the Japanese Imperial
16 forces in World War II”; and

17 **WHEREAS**, Guam’s second Delegate to Congress, retired Marine Corps
18 General Ben Blaz, introduced four (4) similar bills during his four (4) terms;
19 and

20 **WHEREAS**, on April 18, 1989, at the request of the Twentieth Guam
21 Legislature, Delegate Blaz introduced H.R. 2024 to provide compensation to
22 any eligible Guam resident who received an injury as a result of World War II;
23 and

1 **WHEREAS**, after a hearing and extensive discussions between House
2 and Senate leaders, a substitute bill was proposed by Senator Daniel Inouye,
3 Delegate Don de Lugo and Congressman Lagomarsino; and

4 **WHEREAS**, the Guam War Reparations Commission and *I Liheslaturan*
5 *Guåhan* (the Guam Legislature) recommended substantial changes to the
6 proposed substitute bill which materially changed the bill's intent, thereby
7 causing said bill to die in committee; and

8 **WHEREAS**, the Honorable Guam Delegate to Congress Robert
9 Underwood introduced five (5) similar bills during his five (5) terms, the last
10 being the "Guam War Claims Review Commission Act", enacted into law on
11 December 16, 2002 as Public Law 107-333; and

12 **WHEREAS**, the statutory duties of the Review Commission are set out
13 as follows:

14 (1) review the facts and circumstances surrounding the
15 implementation and administration of the Guam Meritorious Claims
16 Act and the effectiveness of such Act in addressing the war claims of
17 American nationals residing on Guam between December 8, 1941, and
18 July 21, 1944;

19 (2) review all relevant Federal and Guam territorial laws, records
20 of oral testimony previously taken, and documents in Guam and the
21 Archives of the Federal Government regarding Federal payments of war
22 claims in Guam;

23 (3) receive oral testimony of persons who personally experienced
24 the taking and occupation of Guam by Japanese military forces, noting

1 especially the effects of infliction of death, personal injury, forced labor,
2 forced march and internment;

3 (4) determine whether there was parity of war claims paid to the
4 residents of Guam under the Guam Meritorious Claims Act as
5 compared with awards made to other similarly affected U. S. citizens or
6 nationals in territory occupied by the Imperial Japanese military forces
7 during World War II;

8 (5) advise on any additional compensation that may be necessary
9 to compensate the people of Guam for death, personal injury, forced
10 labor, forced march, and internment;

11 (6) not later than nine (9) months after the Commission is
12 established, submit a report, including any comments or
13 recommendations for action, to the Secretary of the Interior, the
14 Committee on Resources and the Committee on the Judiciary of the
15 House of Representatives, and the Committee on Energy and Natural
16 Resources and the Committee on the Judiciary of the Senate; and

17 **WHEREAS**, on September 10, 2003, Secretary of the Interior Gale
18 Norton appointed five (5) individuals to serve on the Commission; and

19 **WHEREAS**, the Commission held its first public hearing on Guam on
20 December 8 and 9, 2003, to receive testimony from survivors and descendants
21 of *Guamanians* killed or injured during World War II; and

22 **WHEREAS**, the Commission also conducted hearings in Washington,
23 D.C.; Long Beach, California; San Diego, California; Sacramento, California;
24 Hayward, California; Las Vegas, Nevada; and Seattle, Washington; and

1 **WHEREAS**, pursuant to its statutory mandate, the Guam War Claims
2 Review Commission published its “Report on the Implementation of the
3 Guam Meritorious Claims Act of 1945”; and

4 **WHEREAS**, after extensive research, review, discussion, and analysis,
5 the Review Commission made the general finding that our national
6 government has a moral obligation to pay compensation for war damages in
7 order to ensure, to the greatest extent possible, that no individual or group of
8 individuals bears more than a just part of the overall burden of war; and

9 **WHEREAS**, the United States Congress recognized this obligation with
10 respect to Guam as evidenced by its prompt enactment of the Guam
11 Meritorious Claims Act of 1945 (the “Guam Act”), within weeks after the
12 termination of World War II; and

13 **WHEREAS**, the Review Commission affirms that the United States
14 Government is not obligated as a matter of law to pay such compensation;
15 and

16 **WHEREAS**, the Review Commission finds that the compensation paid
17 to claimants under the Guam Act, some Eight Million Dollars (\$8,000,000.00),
18 was a substantial measure of compensation in redress of the losses sustained
19 by the residents of Guam during and after World War II; and

20 **WHEREAS**, the Review Commission further finds that the Japanese
21 occupation of Guam was particularly cruel, oppressive, and brutal, and that
22 the loyalty and steadfastness shown by the people of Guam in the face of the
23 atrocities inflicted on them by their Japanese occupiers was all the more
24 extraordinary under the circumstances in which they were forced to live; and

1 **WHEREAS**, the Review Commission further finds that the U. S.
2 Congress was misinformed when it excluded Guam from coverage for World
3 War II property damage and loss claims under Title II of the War Claims Act
4 of 1948, amended in 1962, because it incorrectly assumed that all of the claims
5 of residents of Guam had been adequately resolved under the Guam Act,
6 leaving a number of claims that had not been timely filed under the Guam Act
7 due to lack of notice and a short, truncated filing period; and

8 **WHEREAS**, in April 1990, after the hearing of former U. S.
9 Congressional Delegate Ben Blaz's bill (H.R. 2024) to pay additional
10 compensation to *Guamanians*, the bi-partisan leadership of the Subcommittee
11 on Insular and International Affairs, along with Senator Daniel Inouye,
12 offered to introduce an amendment in the nature of a substitute to H.R. 2024,
13 which is strong evidence that there was U. S. Congressional willingness to
14 provide additional compensation; and

15 **WHEREAS**, the Review Commission considers it regrettable that *I*
16 *Liheslaturan Guåhan* (the Guam Legislature) did not respond positively to the
17 Inouye/De Lugo/Lagomarsino substitute proposal, which was made after
18 consultation with the Administration, in 1990; and

19 **WHEREAS**, in the intervening fifteen (15) years, many claimants who
20 would have been included under the legislation and compensated thereby
21 have died; and

22 **WHEREAS**, it is now over sixty (60) years since the Japanese occupation
23 and the people of Guam cry out for closure; and

1 **WHEREAS**, the Review Commission further finds that it would be
2 appropriate to limit eligibility for any further compensation for suffering
3 during the Japanese occupation of Guam to individuals who were alive as of
4 1990 and their descendants, because that year represents the last time that the
5 Administration, the leadership of the U. S. Congress, and the leadership of *I*
6 *Liheslaturan Guåhan* were close to agreement on claims legislation; and

7 **WHEREAS**, the Review Commission further finds that the U. S.
8 Congress and the Navy should have adopted the 1947 Hopkins Report's
9 recommendations, including raising the ceiling on the amounts of claims,
10 abandoning the complicated procedures used and calculating amounts due in
11 death and personal injury claims; and

12 **WHEREAS**, the Review Commission further finds that there was parity
13 with respect to the types of claims covered by the Guam Act as compared
14 with the types of claims covered by the Philippines Rehabilitation Act of 1946,
15 in that the latter did not cover claims for personal injury, death, or loss of use
16 of real property; and

17 **WHEREAS**, the Review Commission further finds that, although the
18 Micronesian Claims Act and Claims Program, enacted twenty-six (26) years
19 after the Guam Act, did not involve war claims of United States citizens or
20 nations, there was parity that the Micronesian Claims Act did not provide
21 greater amounts of compensation for wartime losses than did the Guam Act;
22 and

23 **WHEREAS**, the Review Commission further finds that there was lack of
24 parity between the Guam Act and the Aleutians Act, in that the Aleutians Act

1 authorized higher compensation than did the Guam Act, and also provided
2 for compensation to be paid in a single, uniform lump sum to each claimant;
3 and

4 **WHEREAS**, the Review Commission further finds that there was lack of
5 parity with respect to the types of claims covered by the Guam Act as
6 compared with the types of claims covered by the War Claims Act of 1948, in
7 that the Guam Act did not cover claims for civilian internment by the enemy;
8 and

9 **WHEREAS**, the Review Commission further finds that there was lack of
10 parity with respect to the filing period provided for in the Guam Act as
11 compared to all of the other claims statutes covered in its report, with the
12 exception of the 1962 Wake Island Amendment to the War Claims Act of 1948,
13 in that the Guam Act effectively provided for only a seven (7) month period
14 for filing of claims, due to the delay between the enactment of the Guam Act
15 on November 15, 1945 and the Secretary of the Navy's promulgation of the
16 Implementing Regulations on May 3, 1946; and

17 **WHEREAS**, the Review Commission further finds that all other
18 statutes, except for the Wake Island Amendment, provided for a filing period
19 of at least one (1) year; and

20 **WHEREAS**, the Review Commission further finds that as a result of
21 inaccurate dissemination of information regarding claims eligibility by some
22 local village "commissioners" (mayors) in informing the people of the Guam
23 claims program, a number of the residents of Guam were erroneously

1 dissuaded from filing claims under the Guam Act during the filing period;
2 and

3 **WHEREAS**, the Review Commission further finds that the U. S. Navy
4 made vigorous good-faith efforts to address the war damage and loss claims
5 of the residents of Guam beginning as early as January 1945, but that it was
6 hampered by the lack of modern communications media on island; by the
7 ongoing build-up of forces on the island in preparation for the Allied assault
8 on Japan; by the frequent turnover of Navy personnel, as evidenced by the
9 fact that before 1950, a total of seven (7) Land and Claims Commissions were
10 successively appointed; and by the fact that while the Navy was handling
11 claims, it was also conducting a large-scale land acquisition program, under
12 which the U. S. Government eventually came to occupy nearly three-fourths
13 (3/4) of the island; and

14 **WHEREAS**, the Review Commission further finds that there was lack of
15 parity with respect to the composition of the Land and Claims Commission
16 established by the Guam Act as compared to the Commissions established by
17 the Philippines Act and the Micronesian Claims Act, in that the latter statutes
18 provided for inclusion of a Filipino Commissioner and of two (2) Micronesian
19 Commissioners, respectively, while the Guam Act required that the Land and
20 Claims Commission be composed exclusively of uniformed officers of the U.S.
21 Navy or Marine Corps; and

22 **WHEREAS**, the Review Commission recognizes that, at the time claims
23 were considered, the Navy Department was charged with administration of

1 Guam and that hostilities continued during the early period of
2 implementation of the program by the Navy; and

3 **WHEREAS**, the Review Commission further finds that there was lack of
4 parity with respect to the prosecution of the claims filed under the Guam Act
5 as compared to the claims under the other statutes covered by its report, in
6 that claimants under the Guam Act could not obtain private counsel to
7 represent them before the Navy's Land and Claims Commission due to the
8 lack of private attorneys in practice on Guam in the 1940's; and

9 **WHEREAS**, the Review Commission further finds that there was lack of
10 parity with respect to payment of interest on claims, in that residents of Guam
11 did not receive interest payments on claims for property loss and damage that
12 arose after the securing of Guam by the U. S. Military on August 10, 1944,
13 while claimants under Title II of the Micronesian Claims Act with claims for
14 property losses arising after the secure dates of the various Micronesian
15 islands did receive such interest payments; and

16 **WHEREAS**, the Review Commission further finds that there was parity
17 with respect to the finality of claims and availability of appeal under the
18 Guam Act as compared to the other statutes covered by its report, in that both
19 the Guam Act and the other statutes provided that the determinations on
20 claims were final, conclusive, and not subject to any outside review; and

21 **WHEREAS**, the Review Commission knew of no comparable situation
22 to that on Guam, where virtually the entire population was either interned, in
23 hiding, or subjected to forced march while under Japanese occupation during
24 World War II; and

1 **WHEREAS**, the Review Commission further finds that there was lack of
2 parity for the residents of Guam under the Guam Act as compared to the War
3 Claims Act of 1948, because the latter covered only claims of persons who
4 were U. S. citizens during World War II and did not cover loyal *Guamanians*,
5 who had the status of U. S. nationals at that time, nor was the War Claims Act
6 made retroactive when the residents of Guam were granted United States
7 citizenship under the Guam Organic Act in 1950; and

8 **WHEREAS**, the Review Commission further finds that there was lack of
9 parity with respect to claims for property loss and damage under the Guam
10 Act as compared to claims filed under the other statutes covered by its report,
11 in that, unlike those other statutes, the Guam Act included a Five Thousand
12 Dollar (\$5,000.00) ceiling on payments while claims exceeding this amount
13 required Congressional approval, which produced pressure on some
14 claimants with valid property claims of over Five Thousand Dollars
15 (\$5,000.00) to reduce their claims in order to obtain payment quickly; and

16 **WHEREAS**, the Review Commission is satisfied that there was parity
17 with respect to the payment of *Guamanians'* claims for wartime loss and
18 damage of real and personal property under the Guam Act as compared with
19 awards made for claims under the Philippines Act, the War Claims Act of
20 1948, and the Micronesian Claims Act, in that the awards made for wartime
21 property losses under all of the latter were only paid pro rata, while the
22 awards made under the Guam Act were paid in full; and

23 **WHEREAS**, the Review Commission is satisfied that there was parity
24 with respect to the payment of *Guamanians'* claims for loss and damage of real

1 and personal property under the Guam Act as compared with awards made
2 in similar claims under Title II of the War Claims Act, added in 1962; and

3 **WHEREAS**, the Review Commission further finds that there was lack of
4 parity with respect to death claims under the Guam Act as compared to death
5 claims under the War Claims Act of 1948, in that the maximum that could be
6 claimed under the Guam Act was Four Thousand Dollars (\$4,000.00) while
7 the maximum that could be claimed under the War Claims Act was Seven
8 Thousand Five Hundred Dollars (\$7,500.00), with the Guam Act requiring
9 Congressional approval of such claims; and

10 **WHEREAS**, the Review Commission further finds that there was lack of
11 parity with respect to death claims under the Guam Act as compared to death
12 claims under Title II of the Micronesian Claims Act since the maximum that
13 could be claimed under the Guam Act was Four Thousand Dollars (\$4,000.00)
14 and the maximum that could be claimed under Title II of the Micronesian
15 Claims Act was Five Thousand Dollars (\$5,000.00), with the Guam Act
16 requiring Congressional approval; and

17 **WHEREAS**, the Review Commission further finds that the most
18 appropriate method for apportioning compensation for death claims is to
19 grant one (1) single uniform lump-sum amount covering all death claims; and

20 **WHEREAS**, the Review Commission further finds that there was lack of
21 parity with respect to the personal injury awards issued to residents of Guam
22 under the Guam Act as compared to the personal injury awards issued to
23 American citizens or other American nationals resulting from the occupation
24 by Japanese Imperial Forces during World War II, in that the amount that

1 could be awarded for the loss of prospective earnings to a resident of Guam
2 and the amount that could be awarded to a civilian American citizen were
3 grossly disparate; and

4 **WHEREAS**, the Review Commission further finds that there was lack of
5 parity with respect to personal injury awards issued to residents of Guam
6 under the Guam Act as compared to personal injury awards issued to
7 American citizens or American nationals resulting from the occupation by
8 Japanese Imperial Forces during World II, in that under the Navy's Guam Act
9 Implementing Regulations, a claim based on the death of a person that
10 resulted from an injury for which compensation had previously been
11 awarded was expressly barred, while survivor(s) of a person who died as the
12 result of an injury for which compensation had been awarded under Section 5
13 (f) of the War Claims Act of 1948 could claim additional compensation of up
14 to Seven Thousand Five Hundred Dollars (\$7,500.00) based on the person's
15 death; and

16 **WHEREAS**, the Review Commission further finds that there was lack of
17 parity between the Guam Act and the War Claims Act of 1948 in that the
18 wage level used for claims for personal injury and death under the Guam Act
19 was limited to the average wage paid to a claimant or decedent between
20 January 1 and November 30, 1941, up to a maximum of Fifty Dollars (\$50.00)
21 per month, while under the War Claims Act of 1948, the wage level was
22 specified to be Thirty-Seven Dollars and Fifty Cents (\$37.50) per week; and

23 **WHEREAS**, the Review Commission further finds that due to the
24 passage of time since the 1944 Liberation of Guam and the loss of relevant

1 records, it is virtually impossible to differentiate among the survivors of the
2 Japanese occupation of the island as to the types of harm they suffered—
3 whether it was personal injury (including rape and malnutrition), internment
4 (including hiding to avoid capture), forced labor, or forced march—or the
5 extent of the harm suffered in each case, concluding that the best method for
6 apportioning compensation would be to grant one (1) uniform lump-sum
7 amount covering all categories of harm, regardless of how many types of
8 harm a person may have suffered; and

9 **WHEREAS**, the Review Commission further finds that, from the
10 testimony given at the public hearings held on Guam, a significant number of
11 the survivors of the Japanese occupation of the island continue to suffer
12 psychologically from their experience; and

13 **WHEREAS**, the Review Commission recommends that the U. S.
14 Congress acknowledge both the suffering of the *Guamanians* during the
15 Japanese occupation of Guam in World War II and the loyalty shown by the
16 *Guamanians* to the United States during the war; and

17 **WHEREAS**, the Review Commission recommends that Congress
18 provide funding sufficient to pay compensation in a single lump-sum total
19 amount of Twenty-Five Thousand Dollars (\$25,000.00) to those identified and
20 defined as eligible claimants in the Review Commission’s Report [limited to a
21 spouse, child or children, or parents, respectively, in this order of priority,
22 who constitute the classes of survivors identified as eligible successor
23 claimant(s) in Subsection 5(d) of Title I of the War Claims Act of 1948, as
24 amended (50 U.S.C. App. 2004(d)]; and

1 **WHEREAS**, the Review Commission recommends that the
2 compensation figure of Twenty-Five Thousand Dollars (\$25,000.00) is
3 comparable to the Twenty Thousand Dollars (\$20,000.00) in compensation to
4 which the eligible survivors of decedents killed by Japanese forces would
5 have received under the 1990 substitute to the proposed legislation, H.R. 2024,
6 as well as other proposed legislation, and if adjusted forward from the 1940's,
7 is comparable to the Seven Thousand Five Hundred Dollars (\$7,500.00) to
8 Fifteen Thousand Dollars (\$15,000.00) for death which eligible *Guamanians*
9 would have received under Subsection 5(f) of the War Claims Act of 1948, had
10 they not been excluded from its coverage, and that at least one thousand
11 (1,000) deaths have been identified, requiring funding of at least Twenty-Five
12 Million Dollars (\$25,000,000); and

13 **WHEREAS**, the Review Commission recommends that the U. S.
14 Congress provide funding sufficient to pay compensation in a single lump-
15 sum amount of Twelve Thousand Dollars (\$12,000.00) to each person who
16 was a resident of Guam during the Japanese occupation and who personally
17 suffered one or more of the types of harm in question, or to the eligible
18 survivors of such individual who were alive the year 1990 and to those who
19 were living in 1990 but who are no longer living, with said compensation
20 limited to claimants who are a spouse, children, or parents, respectively, in
21 said order of priority, who constitute the classes of survivors identified in the
22 War Claims Act of 1948, as amended (50 U.S.C. App. 2004(d)); and

23 **WHEREAS**, the Review Commission recommends that, after
24 adjustment forward from the 1940's, the compensation figure of Twelve

1 Thousand Dollars (\$12,000.00) is comparable to the compensation of up to
2 Nine Thousand Four Hundred Twenty Dollars (\$9,420.00) that the eligible
3 survivors of the Japanese occupation of Guam or their eligible successors
4 would have been entitled to for thirty-two (32) months of internment (Sixty
5 Dollars (\$60.00) per month or One Thousand Nine Hundred Twenty Dollars
6 (\$1,920.00), and up to Seven Thousand Five Hundred Dollars (\$7,500.00) for
7 either personal injury or death authorized under the War Claims Act, had
8 they not been excluded from its coverage; and

9 **WHEREAS**, the Review Commission finds that, based on the 1990
10 Census figures, there are eight thousand five hundred fifty-one (8,551)
11 survivors on Guam, which requires funding of approximately One Hundred
12 One Million Dollars (\$101,000,000); and

13 **WHEREAS**, the Review Commission recommends that before
14 compensation is said for a claim for Death or Injury, there should be deducted
15 therefrom any amount of compensation previously paid under the Guam Act
16 of 1945 of One Thousand Dollars (\$1,000.00) or more for Death claims, or Five
17 Hundred Dollars (\$500.00) or more, on Injury claims; and

18 **WHEREAS**, the Review Commission recommends that the FCSC
19 should be charged with creating a sub-commission modeled after the
20 Micronesian Claims Commission and that this new commission be composed
21 of some *Guamanian* and some non-*Guamanian* commissioners; and

22 **WHEREAS**, the Review Commission recommends that a period of one
23 (1) year should be established for the filing of claims and that said one (1) year

1 period should commence on the effective date of any required implementing
2 regulations; and

3 **WHEREAS**, the Review Commission recommends that objections to
4 and appeals of the new Commission's decisions should made be to the
5 Commission, and upon a rehearing, the decision should become final and not
6 subject to review by any court or agency; and

7 **WHEREAS**, the Review Commission recommends that acceptance of
8 payment by an eligible individual should constitute full satisfaction of all his
9 claims arising from the Japanese occupation of Guam and that no interest
10 should be paid on the amounts awarded; and

11 **WHEREAS**, the Review Commission recommends the establishment of
12 a Trust Fund for scholarship, medical facilities, and other public purposes to
13 benefit the people of Guam; and

14 **WHEREAS**, the Review Commission further recommends that, within
15 ninety (90) days after the end of the one (1) year period for filing of claims, the
16 Board of Directors of the Trust Fund be authorized to submit a claim to the
17 Guam Commission, on behalf of the Trust Fund, for any person who, while
18 eligible as a Category I or Category II claimant, failed to file a claim for
19 compensation. All awards issued for such claims would be deposited in the
20 Trust Fund; and

21 **WHEREAS**, the Review Commission further recommends that, if an
22 individual refuses in writing to accept an award and files his refusal with the
23 Board of Directors of the Trust Fund, the amount of his award would pass to
24 the Fund. Additionally, credit for uncashed checks that become stale after the

1 normal one (1) year period should be transferred to the Fund and the check
2 should be reissued to the payee; and

3 **WHEREAS**, the Review Commission recommends that operations of
4 the Trust Fund should be modeled after those of the fund established under
5 the Aleutian and Pribilof Island Trust Fund to sponsor research and
6 educational activities, so that the wartime occupation and liberation of Guam,
7 as well as the loyalty of the people of Guam, will always be remembered, and
8 so that the causes and circumstances of this and other wartime events may be
9 illuminated and better understood; and

10 **WHEREAS**, House Resolution 1595, introduced by Guam's Delegate to
11 the United States Congress, the Honorable Madeleine Z. Bordallo, would
12 enact the recommendations of the Guam War Claims Commission, provide an
13 Authorization of Appropriations of One Hundred Twenty-six Million Dollars
14 (\$126,000,000), and prioritize payments to first compensate surviving Guam
15 residents who were injured in the War, to second compensate the survivors of
16 those residents who died during the War, and to third pay the survivors of
17 those residents who were injured during the War but died subsequently; now,
18 therefore, be it

19 **RESOLVED**, that *I Mina'Bente Nuebi na Liheslaturan Guåhan* does
20 hereby, on behalf of the people of Guam, express its unequivocal
21 endorsement of the Guam War Claims Review Commission's "Report on the
22 Implementation of the Guam Meritorious Claims Act of 1945" and the
23 findings and recommendations contained therein; and be it further

1 **RESOLVED**, that *I Mina'Bente Nuebi na Liheslaturan Guåhan* does
2 hereby, on behalf of the people of Guam, express its unequivocal
3 endorsement of House Resolution 1595, relative to enacting the
4 recommendations contained in the report of the Guam War Claims Review
5 Commission; and be it further

6 **RESOLVED**, that *I Mina'Bente Nuebi na Liheslaturan Guåhan* does
7 hereby, on behalf of the people of Guam, petition the United States Congress
8 to expedite passage of H.R. 1595, enacting the Recommendations contained in
9 the Report of the Guam War Claims Review Commission; and be it further

10 **RESOLVED**, that *I Mina'Bente Nuebi Na Liheslaturan Guåhan* does
11 hereby, on behalf of the people of Guam, petition the President of the United
12 States, the Honorable George W. Bush, to support the findings and
13 recommendations made by the Guam War Claims Review Commission by
14 directing the relevant federal officials to make and expedite favorable
15 comments on the Report and corresponding legislation; and be it further

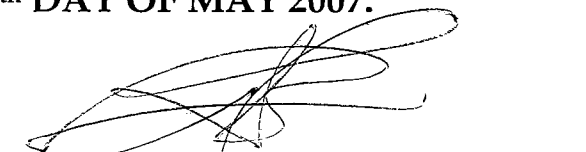
16 **RESOLVED**, that the Speaker certify, and the Secretary of the
17 Legislature attest to, the adoption hereof, and that copies of the same be
18 thereafter transmitted to Mauricio J. Tamargo, Chairman, Foreign Claims
19 Settlement Commission; to Rob Portman, Director of the Office of
20 Management and Budget; to Dirk Kempthorne, Secretary of the Interior; to
21 Alberto R. Gonzales, Attorney General of the United States; to Condoleezza
22 Rice, Secretary of State; to Nick J. Rahall II, Chairperson of the House
23 Committee on Natural Resources; to John Conyers Jr., Chairperson of the
24 House Committee on the Judiciary; to Patrick J. Leahy, Chairperson of the

1 Senate Committee on the Judiciary; and to the Honorable George W. Bush,
2 President of the United States of America; to the Honorable Madeleine Z.
3 Bordallo, Member of Congress, U. S. House of Representatives; and to the
4 Honorable Felix P. Camacho, *I Maga'lahaen Guåhan*.

**DULY AND REGULARLY ADOPTED BY I MINA'BENTE NUEBI NA
LIHESLATURAN GUÅHAN ON THE 4th DAY OF MAY 2007.**



MARK FORBÉS
Speaker



RAY TENORIO
Senator and
Secretary of the Legislature