







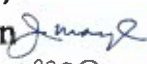

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
RESOLUTIONS

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Adopted	Date Referred	Referred to	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
121-36 (LS)	Telena Cruz Nelson Amanda L. Shelton Tina Rose Muña Barnes Therese M. Terlaje Joe S. San Agustin Sabina Flores Perez James C. Moylan Frank Blas Jr.	Relative to respectfully requesting that President Joseph R. Biden, Jr. act within his administrative authority to remove the deadline to file a claim with the Foreign Claims Settlement Commission under the Guam World War II Loyalty Recognition Act and to further extend the Act's eligibility to the survivors of decedents who had passed away after the initial filing deadline of June 20, 2018.	6/28/21 2:42 p.m.							

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Resolution No. 121-36 (LS)

Introduced by:

Telena Cruz Nelson 
Amanda L. Shelton 
Tina Rose Muña Barnes 
Therese M. Terlaje 
Joe S. San Agustin 
Sabina F. Perez 
James C. Moylan 
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Relative to respectfully requesting that President Joseph R. Biden, Jr. act within his administrative authority to remove the deadline to file a claim with the Foreign Claims Settlement Commission under the Guam World War II Loyalty Recognition Act and to further extend the Act's eligibility to the survivors of decedents who had passed away after the initial filing deadline of June 20, 2018.

1 **BE IT RESOLVED BY THE COMMITTEE ON RULES OF I**
2 ***MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN:***

3 **WHEREAS, on December 8, 1941, the United States declared war on Japan**
4 **following the attack on Pearl Harbor. Three (3) days later, over three thousand (3,000)**
5 **soldiers from the Imperial Japanese Navy invaded the shores of Guam, beginning a**
6 **thirty-one (31) month-long occupation that resulted in personal and national trauma and**
7 **injury; and**

1 **WHEREAS**, during the occupation, nearly twenty thousand (20,000) individuals
2 were subjected to forced marches, forced labor, internment, property damage, severe
3 personal injury, and in extreme cases, rape and death; and

4 **WHEREAS**, on November 15, 1945, in an effort to provide immediate relief for
5 the victims of the attack and occupation of World War II, President Harry S. Truman
6 signed Public Law 79-224, the Guam Meritorious Claims Act (GMCA), which
7 authorizes the Secretary of the Navy to adjudicate and settle claims for property
8 damage, death, or personal injury. Claimants were given a period of one (1) year to file,
9 however, the period for filing a claim began after May 6, 1946 and ended on December
10 1, 1946. This six (6) month period was inadequate to the needs of survivors who were
11 still undergoing the disasters of the war and, thus, resulted in missed deadlines for
12 eligible residents; and

13 **WHEREAS**, the Hopkins Report, conducted in 1947 by a three-member
14 committee and chaired by Dr. Ernest M. Hopkins, evaluated the U.S. Navy's execution
15 of the GMCA. The report concluded that there was a lack of parity in the amounts
16 compensated to the residents of Guam. The committee further found that the Navy's
17 handling of the process was too slow, and residents were not given ample opportunity
18 to file a claim under the GMCA due to inadequate dissemination of information during
19 the hectic post-war period. To address these inequities, the review committee provided
20 several recommendations for improvement; and

21 **WHEREAS**, among the critical findings and recommendations of the Hopkins
22 report, the committee suggested the addition of further awards for Guam residents and
23 advocated for congressional action that would acknowledge both the suffering of the
24 People of Guam and their loyalty to the United States during Japan's occupation of the
25 island. The report was submitted to Congress with several suggestions to statute and
26 Naval regulations, but many were not adopted; and

1 **WHEREAS**, on December 23, 2016, in an effort to provide further reparations
2 for the horrors of the war and the mishandling of the GMCA, President Obama signed
3 Public Law 144-328, the Guam World War II Loyalty Recognition Act (“the Act”). The
4 Act authorizes the Foreign Claims Settlement Commission to review and adjudicate the
5 claims filed by Guam WWII survivors and survivors of decedent alive during its
6 enactment. The law further cites a deadline of one (1) year to apply once the
7 Commission publishes their public notice for claimants to file. The initial deadline was
8 set for June 20, 2018; and

9 **WHEREAS**, as outlined in the Act, war survivors who suffered rape or severe
10 personal injury, such as the loss of a limb, dismemberment, or paralysis are entitled to
11 compensation of fifteen thousand dollars (\$15,000). War survivors who suffered forced
12 labor or a personal injury are entitled to compensation of twelve thousand dollars
13 (\$12,000). War survivors who suffered forced marches, internment, or hiding to evade
14 interment are entitled to compensation of ten thousand dollars (\$10,000). Twenty-five
15 thousand dollars (\$25,000) shall be distributed to the survivors (parent, spouse, child)
16 of decedents living as of December 23, 2016, the enactment of the Act; and

17 **WHEREAS**, the most updated report from the Foreign Claims Settlement
18 Commission, dated April 9, 2021, showed a total of three thousand seven hundred
19 ninety-eight (3,798) claims filed. About sixty percent (60%) have been adjudicated with
20 over thirty million dollars (\$30,000,000) expended from the Guam World War II Claims
21 Fund, or “Claims Fund,” provided by the Secretary of the Treasury; and

22 **WHEREAS**, when claim checks were first distributed in the beginning of 2020,
23 over two hundred (200) survivors were lined up at the Guam War Claims Processing
24 Center, with elderly men and women lining up from early morning to late afternoon.
25 Those who were unable to attend due to physical ailments or disabilities were left to
26 call in their application inquiries during a time when the center was experiencing a high
27 volume of calls. This resulted in missed deadlines and application inquiries by several

1 survivors. To date, there are over seven hundred (700) WWII survivors and their
2 descendants petitioning for federal compensation for the atrocities faced as a result of
3 the war; and

4 **WHEREAS**, *I Liheslaturan Guâhan* respectfully requests that President Joseph
5 R. Biden act within his administrative authority to remove the deadline for filing a claim
6 with the Commission in order to adequately accommodate survivors and their
7 descendants who may have missed the initial filing deadline of June 20, 2018. *I*
8 *Liheslaturan Guâhan* further requests that the Act be amended to extend its eligibility
9 to the survivors of decedents who have since passed away after the initial filing deadline
10 of June 20, 2018; and

11 **WHEREAS**, historically, Congress has provided reparations to various survivors
12 of historical injustice. The Hawaiian Homes Commission Act of 1920 provided a
13 ninety-nine (99) year homestead lease at an annual rental of one (1) dollar for
14 individuals with fifty percent (50%) Hawaiian blood. The homestead leases were then
15 extended to one hundred ninety-nine (199) years in 1990. In 1988, President Ronald
16 Reagan passed the Civil Liberties Act of 1988, granting twenty thousand dollars
17 (\$20,000) to Japanese Americans who were wrongfully interned, evacuated, or
18 relocated during World War II. In January of this year, Congresswoman Sheila Jackson
19 Lee introduced H.R. 40, which would explore reparations that address the injustices,
20 cruelties, brutalities, and inhumanities of slavery. *I Liheslaturan Guâhan* implores that
21 our World War II victims and their families be considered with the same compassion
22 and capacity for action; and

23 **WHEREAS**, it is the intent of the *I Liheslaturan Guâhan* to provide, protect, and
24 preserve the rights of our *mānamko*, or elderly, who underwent personal and social
25 trauma that can never truly be compensated. Our remaining survivors are not only
26 fighting against the mental and physical aftermath of the war but are also contending
27 with the threat of time. With this year marking 77 years of liberation from the Imperial

1 Japanese military's occupation of Guam, we want to ensure that our remaining survivors
2 receive the compensation that has long been due. We respectfully draw upon our
3 continued allyship with the United States to provide these deserved reparations; now
4 therefore, be it

5 **RESOLVED**, that the Committee on Rules of *I Mina'trentai Sais Na*
6 *Liheslaturan Guåhan* does hereby, on behalf of the people of Guam, affirm the need for
7 President Joseph R. Biden to act within his administrative authority to remove the
8 statutory deadline of one (1) year to file a claim with the Foreign Claims Settlement
9 Commission under the Guam World War II Loyalty Recognition Act claims program
10 and to extend eligibility for WWII reparations to the survivors of decedents who have
11 passed away after June 20, 2018, the initial filing deadline; and be it further

12 **RESOLVED**, that the Speaker and the Chairperson of the Committee on Rules
13 certify, and the Legislative Secretary attest to, the adoption hereof, and that copies of
14 the same be thereafter transmitted to Congressman Michael F. Q. San Nicolas, Guam's
15 Delegate to Congress; Speaker Nancy Pelosi, Speaker of the United States House of
16 Representatives; Senator Patrick Leahy, President Pro Tempore of the United States
17 Senate; President Joseph R. Biden, Jr., President of the United States of America; and
18 to the Honorable Lourdes A. Leon Guerrero, *I Maga'hågan Guåhan*.

**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON RULES OF
I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN ON THE _____ DAY
OF _____ 2021.**

THERESE M. TERLAJE
Speaker

TINA ROSE MUÑA BARNES
Chairperson, Committee on Rules

AMANDA L. SHELTON
Legislative Secretary