

# I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN

## 2021 (FIRST) Regular Session

### VOTING RECORD

Resolution No. 121-36 (LS) As amended on the Floor.		Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building August 6, 2021				
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator V. Anthony Ada	✓					
Senator Frank Blas Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator James C. Moylan	✓					
Vice Speaker Tina Rose Muña Barnes					✓	✓
Senator Telena Cruz Nelson	✓					
Senator Sabina Flores Perez	✓					
Senator Clynton E. Ridgell	✓					
Senator Joe S. San Agustin	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Senator Jose "Pedro" Terlaje	✓					
Speaker Therese M. Terlaje	✓					
Senator Mary Camacho Torres	✓					

**TOTAL**

**14**

**0**

**1**

**1**

Aye

Nay

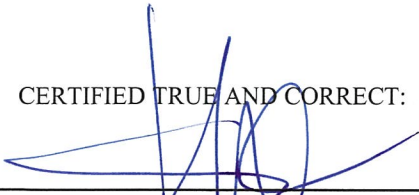
Not  
Voting/  
Abstained

Out  
During  
Roll Call

Absent

Excused

CERTIFIED TRUE AND CORRECT:



RENNÆ V. C. MENO  
Clerk of the Legislature

I = Pass

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

**Resolution No. 121-36 (LS)**

As amended on the Floor.

\*

Introduced by:

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 extend eligibility to the survivors of decedents who had passed away after the filing deadline of June 20, 2018.**

1        **BE IT RESOLVED BY *I MINA'TRENTAI SAIS NA LIHESLATURAN***

2        ***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 during World War II, President Harry S.  
6 Truman signed Public Law 79-224, the Guam Meritorious Claims Act (GMCA), which  
7 authorized 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; and this six (6) month period was inadequate to meet the needs of the war  
11 survivors who were still undergoing recovery from the disasters of the war and, thus,  
12 resulted in missed deadlines for eligible residents; and

13           **WHEREAS**, the Hopkins Report, conducted in 1947 by a three (3)-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 the U.S. Congress with several suggested  
26 amendments to statutes and 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 (Act). The Act  
4 authorizes the Foreign Claims Settlement Commission (Commission) to review and  
5 adjudicate the claims filed by Guam WWII survivors and survivors of decedents alive  
6 upon 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 deadline was set for  
8 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  
12 forced labor or a personal injury are entitled to compensation of Twelve Thousand  
13 Dollars (\$12,000); war survivors who suffered forced marches, internment, or hiding to  
14 evade interment are entitled to compensation of Ten Thousand Dollars (\$10,000); and  
15 Twenty-five Thousand Dollars (\$25,000) shall be distributed to the survivors (parent,  
16 spouse, child) of decedents living as of December 23, 2016, the date of enactment of  
17 the Act; and

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

23           **WHEREAS**, when payments were first distributed in the beginning of 2020, over  
24 two hundred (200) survivors lined up at the Guam War Claims Processing Center, with  
25 elderly men and women lining up from early morning to late afternoon. Those who were  
26 unable to attend due to physical ailments or disabilities were left to call in their

1 application inquiries during a time when the center was experiencing a high volume of  
2 calls. This resulted in missed deadlines and application inquiries made by several war  
3 survivors; and to date, there are over seven hundred (700) WWII survivors and their  
4 descendants petitioning for federal compensation for the atrocities faced as a result of  
5 the war; and

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

13 **WHEREAS**, historically, Congress has provided reparations to various survivors  
14 of historical injustice. The Hawaiian Homes Commission Act of 1920 provided a  
15 ninety-nine (99) year homestead lease at an annual rental of One Dollar (\$1.00) for  
16 individuals with fifty percent (50%) Hawaiian blood. The homestead leases were then  
17 extended to one hundred ninety-nine (199) years in 1990. In 1988, President Ronald  
18 Reagan passed the Civil Liberties Act of 1988, granting Twenty Thousand Dollars  
19 (\$20,000) to Japanese-Americans who were wrongfully interned, evacuated, or  
20 relocated during World War II. In January of this year, Congresswoman Sheila Jackson  
21 Lee introduced H.R. 40, which would explore reparations that address the injustices,  
22 cruelties, brutalities, and inhumanities of slavery; and *I Liheslaturan Guåhan* implores  
23 that Guam's World War II victims and their families be considered with the same  
24 compassion and capacity for action; and

25 **WHEREAS**, all war survivors present during the occupation have the right to  
26 war reparations regardless of time of death; and

1           **WHEREAS**, it is the intent of *I Liheslaturan Guåhan* to provide, protect, and  
2 preserve the rights of Guam’s *månamko*, or elderly, who underwent personal and social  
3 trauma that can never truly be compensated. Guam’s remaining war survivors are not  
4 only fighting against the mental and physical aftermath of the war but are also  
5 contending with the threat of time. With this year marking seventy-seven (77) years  
6 since the liberation from the Imperial Japanese military’s occupation of Guam, we want  
7 to ensure that Guam’s remaining war survivors receive the compensation that has long  
8 been overdue; and respectfully draw upon Guam’s continued allyship with the United  
9 States to provide these long-deserved war reparations; now therefore, be it

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

17           **RESOLVED**, that the Speaker certify, and the Legislative Secretary attest to, the  
18 adoption hereof, and that copies of the same be thereafter transmitted to the Honorable  
19 Michael F.Q. San Nicolas, Guam’s Delegate to Congress; to the Honorable Nancy  
20 Pelosi, Speaker of the United States House of Representatives; to the Honorable Patrick  
21 Leahy, Senator and President Pro Tempore of the United States Senate; to the  
22 Honorable Joseph R. Biden, Jr., President of the United States of America; and to the  
23 Honorable Lourdes A. Leon Guerrero, *I Maga'hågan Guåhan*.

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

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**THERESE M. TERLAJE**  
**Speaker**

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**AMANDA L. SHELTON**  
**Legislative Secretary**