

***I MINA'TRENTAI SINGKO NA LIHESLATURAN GU'AHAN***  
**RESOLUTIONS**

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Adopted	Date Referred	Referred to	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
36-35 (COR)	Amanda L. Shelton Régine Biscoe Lee Tina Rose Muña Barnes	Relative to expressing <i>I Mina'Trentai Singko na Liheslaturan Gu'ahan's</i> unwavering support for the payment of war claims to our <i>manàmkò</i> and the support of Congressman Michael San Nicolas's H.R. 1141, as well as Governor Lou Leon Guerrero in finding an Administrative solution to authorizing the U.S. Department of Treasury to begin issuing war claim payments.	2/13/19 3:18 p.m.			2/13/19	To Author.	3/6/19 10:00 a.m.	3/19/19 3:32 p.m.	



# The Office of Senator Amanda L. Shelton

*Legislative Secretary & Chairwoman*

Committee on Higher Education and the Advancement of Women, Youth and Senior Citizens

*I Mina'trentai Singko Na Liheslaturan Guahan*

35<sup>th</sup> Guam Legislature

March 15, 2019


The Honorable Telen Cruz Nelson

Acting Speaker

*I Mina'trentai Singko na Liheslaturan Guahan*

163 Chalan Santo Papa

Hagåtña Guam, 96910

VIA: The Honorable Regine Biscoe Lee   
Chairperson, Committee on Rules

RE: Author's Report on Resolution 36-35 (COR)

*Hafa Adai* Acting Speaker Nelson:

Transmitted herewith is the Author's Report on Resolution 36-35 (COR) - *Relative to expressing I Mina'Trentai Singko na Liheslaturan Guahan's unwavering support for the payment of war claims to our manamko' and the support of Congressman Michael San Nicolas's H.R. 1141, as well as Governor Lou Leon Guerrero in finding an Administrative solution to authorizing the U.S. Department of Treasury to begin issuing war claim payments which was referred to the Author.*

Sincerely,

Senator Amanda L. Shelton



2019 MAR 19 PM 3:32 KC



# The Office of Senator Amanda L. Shelton

*Legislative Secretary & Chairwoman*

Committee on Higher Education and the Advancement of Women, Youth and Senior Citizens

*I Mina'trentai Singko Na Libeslaturan Guåhan*

35<sup>th</sup> Guam Legislature

## AUTHOR'S REPORT

### Resolution No. 36-35 (COR)

Amanda L. Shelton / Régine Biscoe Lee / Tina  
Rose Muña Barnes

Relative to expressing *I Mina'Trentai Singko na Liheslaturan Guåhan's* unwavering support for the payment of war claims to our *manåmko'* and the support of Congressman Michael San Nicolas's H.R. 1141, as well as Governor Lou Leon Guerrero in finding an Administrative solution to authorizing the U.S. Department of Treasury to begin issuing war claim payments.



Senator Amanda L. Shelton,  
Vice Chairperson

Speaker Tina Rose Muña Barnes,  
Member

Vice Speaker Telenia Cruz Nelson,  
Member

Senator Kelly Marsh (Taitano), Ph.D.,  
Member

Senator Sabina Flores Perez  
Member

Senator Clynton E. Ridgell  
Member



**COMMITTEE ON RULES**  
**SENATOR RÉGINE BISCOE LEE, CHAIR**  
*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
**35<sup>TH</sup> GUAM LEGISLATURE**

Senator Joe S. San Agustin  
Member

Senator Jose T. Terlaje,  
Member

Senator Therese M. Terlaje,  
Member

Senator James C. Moylan,  
Member

Senator Mary Camacho Torres,  
Member and  
Chair, Subcommittee on Protocol

February 13, 2019

# MEMO

**To:** **Rennae Meno**  
Clerk of the Legislature  
**Attorney Julian Aguon**  
Legislative Legal Counsel

**From:** **Senator Amanda L. Shelton**  
Acting Chairperson, Committee on Rules

**Re:** **Referral of Resolution No. 36-35 (COR)**

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*Buenas yan Håfa adai.*

As per my authority as Acting Chairperson of the Committee on Rules, I am forwarding the referral of **Resolution No. 36-35 (COR)**.

Please ensure that the subject resolution is referred, in my name, to **Senator Amanda L. Shelton, author of Resolution No. 36-35 (COR)**.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

**Senator Amanda L. Shelton**  
Acting Chairperson, Committee on Rules



**I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN**  
**RESOLUTIONS**

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Office of Senator Shelton Guam Legislature  
<officeofsenatorshelton@guamlegislature.org>

## FIRST NOTICE of Public Hearing - March 6, 2019

Office of Senator Shelton Guam Legislature  
<officeofsenatorshelton@guamlegislature.org>  
To: phnotice@guamlegislature.org

Tue, Feb 26, 2019 at 5:00 PM

February 26, 2019

### MEMORANDUM

To: All Senators, Stakeholders and Media  
From: Senator Amanda L. Shelton  
Legislative Secretary and Chairperson, Committee on Higher Education and the Advancement of Women, Youth and Senior Citizens

Subject: FIRST NOTICE of Public Hearing - March 6, 2019

*Håfa Adai!*

Please be advised that the Committee on Higher Education and the Advancement of Women, Youth and Senior Citizens will convene a public hearing on **Wednesday March 6, 2019** beginning at **10:00AM** in *I Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, *Hagåtña*).

On the agenda are the following items:

Resolution No. 36-35 (COR) - Amanda L. Shelton / Régine Biscoe Lee / Tina Rose Muña Barnes

Relative to expressing *I Mina'Trentai Singko na Liheslaturan Guåhan's* unwavering support for the payment of war claims to our *manåmko'* and the support of Congressman Michael San Nicolas's H.R. 1141, as well as Governor Lou Leon Guerrero in finding an Administrative solution to authorizing the U.S. Department of Treasury to begin issuing war claim payments.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via *I Liheslaturan Guåhan's* live feed. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to Senator Amanda L. Shelton. Testimonies may be submitted via hand delivery to the Office of Senator Amanda L. Shelton at the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam or via email to [officeofsenatorshelton@gmail.com](mailto:officeofsenatorshelton@gmail.com). In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Amanda Shelton at (671) 969-2574 or by sending an email to [officeofsenatorshelton@gmail.com](mailto:officeofsenatorshelton@gmail.com).

We look forward to your attendance and participation.

Si Yu'os Ma'åse

John Paul Manuel  
Policy Analyst



## REVISED - FIRST NOTICE of Public Hearing - March 6, 2019

2 messages

Office of Senator Shelton Guam

Legislature <officeofsenatorshelton@guamlegislature.org>

To: phnotice@guamlegislature.org

Wed, Feb 27, 2019 at 10:02 AM

February 26, 2019

### MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Amanda L. Shelton

Legislative Secretary and Chairperson, Committee on Higher Education and the Advancement of Women, Youth and Senior Citizens

Subject: FIRST NOTICE of Public Hearing - March 6, 2019

*Håfa Adai!*

Please be advised that the *Office of Senator Amanda Shelton* will convene a public hearing on **Wednesday March 6, 2019** beginning at **10:00AM** in *I Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, *Hagåtña*).

On the agenda are the following items:

**Resolution No. 36-35 (COR)** - Amanda L. Shelton / Régine Biscoe Lee / Tina Rose Muña Barnes

Relative to expressing *I Mina'trentai Singko na Liheslaturan Guåhan's* unwavering support for the payment of war claims to our *manåmko'* and the support of Congressman Michael San Nicolas's H.R. 1141, as well as Governor Lou Leon Guerrero in finding an Administrative solution to authorizing the U.S. Department of Treasury to begin issuing war claim payments.

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We look forward to your attendance and participation.

Si Yu'os Ma'åse

--



**John Paul Manuel**  
*Policy Analyst*

Office of the People •  
Senator Amanda L. Shelton  
*Legislative Secretary & Chairwoman* Committee on Higher Education and  
the Advancement of Women, Youth and Senior Citizens  
35th Guam Legislature  
*I Mina'trentai Singko na Liheslaturan Guåhan*

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Office of Senator Shelton Guam Legislature  
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## SECOND NOTICE of Public Hearing - March 6, 2019

Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org> Fri, Mar 1, 2019 at 6:54 AM  
 To: phnotice@guamlegislature.org

February 26, 2019

### MEMORANDUM

To: All Senators, Stakeholders and Media  
 From: Senator Amanda L. Shelton  
 Legislative Secretary and Chairperson, Committee on Higher Education and the  
 Advancement of Women, Youth and Senior Citizens

Subject: SECOND NOTICE of Public Hearing - March 6, 2019

*Håfa Adai!*

Please be advised that the Office of Senator Amanda Shelton will convene a public hearing on **Wednesday March 6, 2019** beginning at **10:00AM** in *I Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña).

On the agenda are the following items:

Resolution No. 36-35 (COR) - Amanda L. Shelton / Régine Biscoe Lee / Tina Rose Muña Barnes

Relative to expressing *I Mina'Trentai Singko na Liheslaturan Guåhan's* unwavering support for the payment of war claims to our *manåmko'* and the support of Congressman Michael San Nicolas's H.R. 1141, as well as Governor Lou Leon Guerrero in finding an Administrative solution to authorizing the U.S. Department of Treasury to begin issuing war claim payments.

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We look forward to your attendance and participation.

*Si Yu'os Ma'åse*

--

**John Paul Manuel**  
 Policy Analyst



*I Mina'trentai Singko Na Liheslaturan Guåhan*

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*I Mina'trentai Singko Na Liheslaturan Guåhan*

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*I Mina'trentai Singko Na Liheslaturan Guåhan*

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Updated as of 3.11.19



# The Office of Senator Amanda L. Shelton

*Legislative Secretary & Chairwoman*

Committee on Higher Education and the Advancement of Women, Youth and Senior Citizens

*I Mina'trentai Singko Na Libeslaturan Guåhan*

35<sup>th</sup> Guam Legislature

## Public Hearing Agenda

Wednesday March 6, 2019

10:00AM

Guam Congress Building Public Hearing Room

Resolution No. 36-35 (COR) - Amanda L. Shelton / Régine Biscoe Lee / Tina Rose  
Muña Barnes

Relative to expressing *I Mina'Trentai Singko na Liheslaturan Guåhan's* unwavering support for the payment of war claims to our *manåmko'* and the support of Congressman Michael San Nicolas's H.R. 1141, as well as Governor Lou Leon Guerrero in finding an Administrative solution to authorizing the U.S. Department of Treasury to begin issuing war claim payments.







# The Office of Senator Amanda L. Shelton

Author of Resolution No. 36-35

*I Mina'trentai Singko Na Liheslaturan Guåhan*  
35<sup>th</sup> Guam Legislature

## Public Hearing Tuesday, March 6, 2019 Sign In Sheet

NAME	AGENCY OR ORGANIZATION	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
* <i>San Diego DIAZ</i>	<i>Retired (War Survivor)</i>			<i>727-8001</i>	
* <i>Rosa Quinto</i>	<i>Retired (War Survivor)</i>			<i>477-9678</i>	
* <i>AGNES Perez-Umpingao</i>		<i>Support</i>	<i>War survivor</i>	<i>477-2333</i> <i>482-3030</i>	
* <i>Vicente C. Arceo</i>	<i>War Survivor</i>	<i>In Support</i>		<i>477-5049</i>	
* <i>Jesusa R. Arceo</i>	<i>" "</i>	<i>In Support</i>		<i>477-5049</i>	
* <i>R. FRANQUEZ</i>	<i>survivor</i>	<i>in support</i>	<i>no</i>	<i>489-6117</i>	<i>none</i>
* <i>Jose U. Garrido</i>	<i>survivor</i>	<i>✓</i>	<i>✓</i>	<i>686-9075</i>	
<i>Ben Angaco</i>	<i>survivor</i>				

Page 1 of 2



# The Office of Senator Amanda L. Shelton

Author of Resolution No. 36-35

*I Mina'trentai Singko Na Liheslaturan Guåhan*  
35<sup>th</sup> Guam Legislature

**Public Hearing**  
**Tuesday, March 6, 2019**  
**Sign In Sheet**

NAME	AGENCY OR ORGANIZATION	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
Vicki Lauer	Guam P	—	✓	472-2229	vickibaby@yahoo.com

Page 2 of 2

Vigil 472-2229



# The Office of Senator Amanda L. Shelton

*Legislative Secretary & Chairwoman*

Committee on Higher Education and the Advancement of Women, Youth and Senior Citizens

*I Mina'trentai Singko Na Liheslaturan Guåhan*

35<sup>th</sup> Guam Legislature

## AUTHOR REPORT DIGEST

### I. OVERVIEW

The Office of Senator Amanda Shelton convened a public hearing on Wednesday, March 6 at 10:00 AM in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of Resolution 36-35 - Relative to expressing *I Mina'Trentai Singko na Liheslaturan Guåhan's* unwavering support for the payment of war claims to our *manamko'* and the support of Congressman Michael San Nicolas's H.R. 1141, as well as Governor Lou Leon Guerrero in finding an Administrative solution to authorizing the U.S. Department of Treasury to begin issuing war claim payments.

#### Public Notice Requirements

Notices were disseminated via e-mail to all senators and all main media broadcasting outlets on February 26, 2019, and again on March 1, 2019.

#### Senators Present

Senator Amanda L. Shelton, Author  
Senator Kelly G. Marsh (Taitano), Ph.D.  
Senator Regine Biscoe Lee  
Senator Jim Moylan

### II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing was Called-to-Order at 10:00 AM/PM.

Senator Amanda Shelton: *"We will now begin to hear testimony on Resolution 36-35 and as the author, I will provide an opening statement. We are celebrating the 75<sup>th</sup> anniversary of Liberation this year and our manamko' have been waiting and fighting for war claims all that time. This resolution expresses our continued support for the fight and hope that a Congressional or Administrative solution may finally bring resolution."*

*On November 15, 1945, Congress passed Public Law 79-224, "The Guam Meritorious Claims Act." This Act authorized the Secretary of the Navy to adjudicate and settle claims for a period of only one year for property damage occurring on Guam during the Japanese occupation. The period for filing a claim began after May 6, 1946 and ended on December 1, 1946. This gave residents of Guam a little more than six months to file a claim at a time when Guam was still devastated by the war and occupation and people were still struggling to simply survive.*

*On January 8, 1947 the Secretary of the Navy appointed a three-member committee to evaluate the Navy's handling of its reconstruction and rehabilitation responsibilities, on Guam and American Samoa and to submit its report containing recommendations for improvement. Dr. Ernest M. Hopkins, former President of Dartmouth College, chaired the committee. The Hopkins Committee was critical in its findings and determined that the Navy's process*



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of settlement and payment was too slow. The committee recommended several changes in both the claims statute and Navy regulations on this matter but many of the committee's recommendations were not adopted by Congress.

The US signed the Treaty of Peace with Japan in 1951, waiving its reparation claims against Japan which included claims made by people of all its territories, making the US responsible for paying the claims. Department of Defense challenged the right of the people of Guam to war claims in the 1950's because (and I quote) "General Counsel opinion to the effect that the people of Guam prior to the passage of the Organic Act were not citizens of the United States."

On July 1, 1971, the US enacted Public Law 92-39, "The Micronesian Claims Act" which gave World War II compensation to the people of Pacific Trust Territories - the Northern Mariana Islands, Micronesia, Palau and the Marshall Islands. This despite the fact that the people of the Trust Territories were not citizens of the United States, the previous objection of the federal government.

Beginning in 1977 Guam Congressional Delegates Antonio Won Pat, Ben Blaz, Robert Underwood and Madeleine Bordallo have proposed legislative action in Congress for the US to provide war claims and justice to the people of Guam who suffered under the Japanese occupation during World War II. A total of fourteen Congressional bills were introduced into Congress to resolve war claims through the years. In the 101st US Congress in 1990, Guam had a golden opportunity to resolve War Claims through H.R. 2024. That was the first time where Congress had bipartisan effort to jointly develop a substitute resolution on war claims for Guam. Congress sent a request to the Guam Legislature seeking its support through resolution. Sadly, the Guam Legislature never officially responded to Congress.

While War Claims were finally approved by Congress in the 2016 with the National Defense Authorization Act, the Department of Treasury is requiring additional language to release war claim payments. Congressman San Nicolas introduced H.R. 1141 to add the U.S. Treasury Departments requested appropriation language. He subsequently introduced H.R. 1365 to resolve this issue through the House Natural Resources committee instead of the Appropriations committee, a process which advisors have said may be a faster route to war claim payments. [Copies of H.R. 1365 made available to the public]

Jose Garrido: "Good morning, my name is Jose Ulloa Garrido. I am a young WWII survivor. I was born under Japanese occupation in 1944, and I survived the US invasion to recapture Guam and I was glad that I survived the war. Although there are other manamko' here who suffered more just because they have already attained the age of comprehension that war was all around then and I was a baby. Though I could have been killed without knowing what war is.

[Long Pause] Sorry. Maybe silence is my testimony. I thought I would be able to say my story. [Long Pause] Dispensa [Long Pause] When we speak about this, our history, by the way I fully support the resolution, and I fully support whatever the government, the legislature and the governor Lou Leon Guerrero and Mr. Congressman San Nicolas to do whatever take to find resolution to this war reparations. I'm not completely satisfied with the settlement that was settled. And I know there has been a lot of conversation about the manner in which the war reparations is to be compensated, ie through the Section 30 money. I am probably one of the few people who think that became so because we had no other choice. We had actually reached the point where we had to do whatever it takes to conclude the war reparation of our people. I don't necessarily disagree that we should use the Section 30, what bothers me a lot there's less conversation with regards to the disqualification of our entire family who passed away before December 2016. I cannot find in my heart to accept that kind of settlement. Our legislature, our government, and Guam should find some other solution to include those who passed away and disqualified based on

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this settlement. My entire family for instance, has passed away from 2016, the people who really suffered through the war. But they were disqualified because they died before the settlement was settled. That's one of the issues I'd like to bring up. I'm not here to rebut the resolution, but maybe just maybe I represent my family that passed away and the many thousands who will not be compensated based on this settlement. We gotta find a way. It's not gonna end with my testimony, that will be my lifelong pursuit to bring justice which has been pursued since the end of World War II. For many the war is not over yet. I'm very young I don't purport to be a spokesman for all WWII survivors, I'm pretty sure they suffered more than me. But I too could have died, because of the war environment that causes hardship. Mannengon for example the march to Mannengon, our 4 year in Mata Talofofo, it was hard and we basically survive on nothing, subsistence. That's the thing my issue is that Section 30, yes will be used because we're basically forced to do it. It looks like we're paying ourselves with our own money. But if that's the honor we can give our people who really deserve this war reparation, I'm for it. But I am asking the legislature, that in the future should there be any time as soon as possible that those that were forgotten in this settlement be also included in this war reparation because they are also in fact the victims of war. And it's not our family's fault the passed away before this was settled. I remember all the hardship. I remember even my young sister who, just waiting to be, we build a casket for her. I'm just glad she didn't die. But it's those untold stories that really hurt. Maybe by crying a little this morning, the people that I represent in speaking today at least they have someone to speak for them. Because they can't speak for themselves. I'm sorry. Any way. If I could change a little bit of the language here. I don't necessarily like using the word payment, I like using the word reparation and I like to use the word compensation. That could be interchangeable throughout the context of the resolution that the Chamorro people actually deserve war reparation and that perhaps throughout the context wherever there is the word payment, reparation be used or compensation. Actually war reparation is a human right, a human right is something that human deserves without anybody giving it to them, the same as your human right all people have human right. The human right of war reparation of our people is that innocent victims of war. I'm glad that we're trying to find the resolution of the WWII reparation for our people. I fully support this resolution. And I'm repeating that those we are about to forget and we find some other law that this legislature can pass to remember those that were disqualified so that they can also receive compensation even if they passed away. Thank you very much for having this resolution this morning."

"I put a couple of points I forgot to mention. It's really significant in the resolution that there are 3,000 people who filed but there were 21,000 people on Guam during WWII. 3,000 out of the 21,000 more or less. That's really a significant record and we should never forget that. That's 18,000 people who will not be getting any war reparation. One more recommendation, that 5% administrative cost, I would hope that the intention of bringing up that cost, my suggestion the 5% should not be applicable to the war reparation of the Chamorro. Don't touch that war reparation find that 5% somewhere else I would recommend if it's not already, I would recommend that the war reparation is actually similar to a combat pay if you can draw that logic, that people in combat get their pay and not taxed. The Chamorro people were in a combat zone, it's an untaxable payment of war crimes. And everyone should be compensated who are here."

Senator Shelton: "Thank you that is in Congressman San Nicolas's bill and we will make a note of that and let him know"

Senator Kelly Marsh (Taitano): "I want to add to what Senator Shelton has said and say si yu'os ma'ase and for all the years you've stood up for yourself, your family and the Chamorro people and I know it's not easy and it takes sacrifice and bravery to do all those things. Truly I thank you for that. I myself have not liked the fact that it's Section 30 money, because it feels like instead of the responsibility being squarely taken on by the federal government it's us paying ourselves, money that was always coming to the people of Guam. I'm so appreciative of the point you made, that war survivors deserve the dignity of being treated equal or same manner as people who



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went through the same suffering. And it's so true that the war is still alive for so many, there's still so much to rectify. I want to add, I think that the war survivors and the people of Guam deserve an apology. For this taking so long, for so many passing away, and for being denied in the first place."

Senator Regine Lee: "...another one and I know you had mentioned it before you have blanket support for reparations, and this resolution notes the Congressman's Bill 1141, are you also in support of Bill 1365?"

Joe Garrido: "Yes. Even though I know the only way to close this history will be everyone to pass away because there will be no one else to tell that story. It will never be resolved, there's still too many of us alive."

Viqui Gayer: "Thank you for being here out of the 15, it really is important and I hope the other Senators that aren't here today that couldn't make it really listen to this. I have some questions. One of my questions is how is it that the U.S. Government, I'm told they told the Japanese government that they didn't have to make the reparations and that America was going to do the reparations. How did this happen can someone explain this to me?"

Senator Shelton: "Yes in my opening statement I mentioned the Treaty of Peace with Japan in 1951 which waived the reparation claims against Japan which included claims made by peoples of the US territories and the US took on responsibility for these claims."

Viqui Gayer: "They probably felt bad about what they did in Hiroshima and they decided to take on the debt. That's good the people of Guam suffered greatly. I'd like to also say my father, well I'll start out my mother's fiance was from Los Angeles, he died here on Guam fighting the Japanese. His best war buddy was my father who never met my mother and as he was dying he told him to take care of my mother and go back and take care of her. My father was injured from shrapnel and a lot of emotional scars.

I don't think a day ever went by that he didn't remember the horrors of what he experienced here during the war fighting to liberate Guam from the Japanese. He had post traumatic stress before it was ever called that and we got no help from the government when I was child we wouldn't have food every day.

There's no reparations for, he had scars on his body from his experience on Guam. My parents got divorced because of his post traumatic stress problem from the war. I just wanted everyone to know that people in America that are paying this also suffered from this war. I'm a Guamanian, I've lived here for 46 years and I would like to support this bill and I would like to thank Congressperson San Nicolas for finally getting this through. Hopefully we can get this now. I do not fault Congresswoman Bordallo for not accepting the terms of Senator McCain which was to not give the children of the survivors when they did not live anymore."

The public hearing was adjourned at 10:58AM

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


Resolution No.

36 -35 (COR)

Introduced by:

Amanda L. Shelton  
Régine Biscoe Lee  
Tina Rose Muña Barnes

Relative to expressing *I Mina'Trentai Singko na Liheslaturan Guåhan* 's unwavering support for the payment of war claims to our *manåmko*' and the support of Congressman Michael San Nicolas's H.R. 1141, as well as Governor Lou Leon Guerrero in finding an Administrative solution to authorizing the U.S. Department of Treasury to begin issuing war claim payments.

2019 FEB 13 PM 3:18  


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

3        **WHEREAS**, Guam was occupied by Japanese Imperial forces during World War  
4        II causing great harm and suffering to the Chamorro people. Since that time other  
5        communities in the Pacific and in the United States have been recognized and  
6        compensated for the hardships and suffering they endured during World II while the  
7        people of Guam continue to await the same recognition and compensation;

8        **WHEREAS**, the United States signed the Treaty of Peace with Japan in 1951  
9        waiving its World War II reparation claims against Japan which included claims made  
10       by people of all its territories to include Guam; and

11       **WHEREAS**, in 1971 the US enacted Public Law 92-39, the Micronesian Claims  
12       Act giving recognition and compensation to the people of the Northern Mariana Islands

1 and other US Trust Territories of Pacific Islands for the suffering the endured during  
2 World War II. This Act however did not include the people of Guam; and

3 **WHEREAS**, the 2017 National Defense Authorization Act included a provision  
4 to finally authorize the payment of war claims to the people of Guam using Section 30  
5 funds. Section 30 funds are authorized by the Organic Act of Guam, an act of the U.S.  
6 Congress, which states that all customs, duties and federal income taxes derived from  
7 Guam and all proceeds of all taxes of collected under the internal revenue laws of the  
8 United States of products produced or consumed on Guam and any other tax Congress  
9 may levy on the inhabitants of Guam must be remitted to the Government of Guam.  
10 Congress has since garnished a portion of these funds for the payment of war claims;  
11 and

12 **WHEREAS**, nearly 3,000 people on Guam have filed timely war claim  
13 applications with U.S. Department of Justice's Foreign Claims Settlement Commission  
14 which continue to be adjudicated. However, the United States Treasury has informed  
15 Guam that while original language in the National Defense Authorization Act provided  
16 an authorization for the payment of war claims, it did not provide a necessary  
17 appropriation of these funds; and

18 **WHEREAS**, Congressman Michael San Nicolas has introduced H.R. 1141 in the  
19 116<sup>th</sup> Congress to provide the necessary appropriation language to pay out Guam war  
20 claims. Governor Lou Leon Guerrero has also pledged to seek an administrative  
21 solution with the U.S. Department of Treasury and the U.S. Department of the Interior,  
22 therefore be it

23 **RESOLVED**, that the Committee on Rules of *I Mina'trentai Singko Na*  
24 *Liheslaturan Guåhan* does hereby, on behalf of *I Liheslaturan Guåhan* and the people  
25 of Guam, wholeheartedly support Congressman Michael San Nicolas's H.R. 1141 and  
26 urge the United States Congress swiftly pass H.R. 1141 to appropriate funds already

1 authorized in law to make such payments. *I Liheslaturan Guåhan* and the people of  
2 Guam also support the efforts of Governor Lou Leon Guerrero to seek an administrative  
3 solution with the U.S. Department of the Interior and U.S. Department of the Treasury  
4 on this issue and finally pay war claims to the people of Guam who have waited seventy  
5 four years to see this through; and be it further;

6 **RESOLVED**, that the Speaker and the Chairperson of the Committee on Rules  
7 certify, and the Legislative Secretary attest to, the adoption hereof, and that copies of  
8 the same be thereafter transmitted to Congressman Michael San Nicolas, Rep. Nita  
9 Lowey, Chairwoman of the House Committee on Appropriations, Rep. Kay Granger,  
10 Ranking Member of the House Committee on Appropriations, Sen. Patrick Leahy, the  
11 Chairman of the Senate Committee on Appropriations, Sen. Richard Shelby, Chairman  
12 of the Senate Committee on Appropriations, Steven Mnuchin, the Secretary of the U.S.  
13 Treasury, David Bernhardt, the Acting Secretary of Interior, and to the Honorable  
14 Lourdes Leon Guerrero, *I Maga'hågan Guåhan*.

**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON RULES OF  
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN ON THE DAY  
OF 2019.**

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**TINA ROSE MUÑA-BARNES**  
Speaker

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**RÉGINE BISCOE LEE**  
Chairperson, Committee on Rules

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**AMANDA L. SHELTON**  
Legislative Secretary

116TH CONGRESS  
1ST SESSION

# H. R. 1141

To make technical corrections to the Guam World War II Claims Fund.

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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2019

Mr. SAN NICOLAS introduced the following bill; which was referred to the  
Committee on Appropriations

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## A BILL

To make technical corrections to the Guam World War II  
Claims Fund.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. APPROPRIATION OF FUNDS FOR GUAM WORLD**  
4 **WAR II CLAIMS FUND.**

5 For purposes of carrying out sections 1704 and 1705  
6 of title XVII of division A of Public Law 114–328, includ-  
7 ing administrative costs incurred by the Foreign Claims  
8 Settlement Commission and the Department of the Treas-  
9 ury for deposit into the Treasury as miscellaneous re-  
10 ceipts, there are hereby appropriated amounts in the  
11 Guam World War II Claims Fund established in section



1 1703 (including amounts deposited in prior years) which  
2 shall remain available until expended: Provided, That not  
3 more than 5 percent of such funds may be used for admin-  
4 istrative costs.

○

.....  
(Original Signature of Member)

116TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To make technical corrections to the Guam World War II Loyalty Recognition Act.

\_\_\_\_\_  
**IN THE HOUSE OF REPRESENTATIVES**

Mr. SAN NICOLAS introduced the following bill; which was referred to the Committee on \_\_\_\_\_  
\_\_\_\_\_

**A BILL**

To make technical corrections to the Guam World War II Loyalty Recognition Act.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. TECHNICAL CORRECTIONS TO GUAM WORLD**  
4               **WAR II LOYALTY RECOGNITION ACT.**

5       Title XVII of division A of Public Law 114–328 is  
6 amended—

7               (1) in section 1703(e)—

8                       (A) by striking “equal to” and inserting  
9               “not to exceed”; and

1                   (B) by striking “covered into the Treasury  
2                   as miscellaneous receipts” and inserting “used  
3                   to reimburse the applicable appropriations”;  
4                   (2) in section 1704(a) by striking “, subject to  
5                   the availability of appropriations,” and inserting  
6                   “from the Claims Fund”; and  
7                   (3) by striking section 1707(a).

## War survivors support war claims payment resolution, but raise questions

Haidee V Eugenio, Pacific Daily News Published 6:02 p.m. ChT March 6, 2019

World War II survivor Agnes Perez Unpingco, now 89, remembers the long and painful march from Toto to Manengon as a 14-year-old under the constant watch of Japanese soldiers who were ready to hit them with a long stick if they rest too long.

"They want us to keep walking and walking all the way," Unpingco said.

She and seven other siblings, her parents and grandparents were part of that march to the Japanese concentration camp.

**More:** [Sgambelluri's \(almost\) secret legacy as a WWII double agent \(/story/news/local/2019/03/03/wwii-veteran-marine-japanese-italian-sgambelluris-almost-secret-legacy/3038451002/\)](/story/news/local/2019/03/03/wwii-veteran-marine-japanese-italian-sgambelluris-almost-secret-legacy/3038451002/)

**More:** [Federal commission reviews 102 additional Guam war claims \(/story/news/local/2019/02/28/foreign-claims-settlement-commission-reviewing-more-guam-war-claims/3021780002/\)](/story/news/local/2019/02/28/foreign-claims-settlement-commission-reviewing-more-guam-war-claims/3021780002/)

Months before that, Japanese soldiers tied and tortured her father and she was also beaten after they were falsely accused of taking someone else's leather that her father turned into shoes.

It was one of the most horrible experiences her family had to endure.

On Wednesday morning, Unpingco and her younger sister, 82-year-old Rose Diaz, along with former Sumay resident Rosa Quintano, now 80, were at the Guam Congress Building for a public hearing on Sen. Amanda Shelton's war claims payment resolution.



From left, World War II survivors 82-year-old Rose Diaz, 89-year-old Agnes Perez Unpingco and 80-year-old Rosa Quintano on March 6, 2019 share their childhood experiences during the Japanese occupation of Guam. They were present at the Wednesday public hearing on Sen. Amanda Shelton's resolution supporting a congressional bill on Guam war reparations. (Photo: Haidee Eugenio/PDN)

Quitano believes there's not much information about what happened to the applications for war claims they filed.

"I was sick, crying, and hungry, all the way (from Sumay) to Agat, then to Manengon then to Merizo," Quitano said of her childhood war experiences.

Quitano said the amount of war reparations should depend on the level of atrocity that people suffered during the war.

## Support for resolution

While the three war survivors were present at the public hearing, they didn't testify. But they said they support Shelton's resolution.

Shelton's Resolution 36 expresses support to Del. Mike San Nicolas' bill that seeks to allow payment of war reparations to Guam's war survivors.

**More:** [Another bill to fix war claims payment glitch, as governor lobbies in D.C. for help \(/story/news/local/2019/02/28/another-bill-fix-war-claims-payment-glitch-governor-lobbies-d-c-help/3008977002/\)](#)

**More:** [Governor: Guam's concerns heard in DC but follow up is key \(/story/news/local/2019/03/05/governor-guams-concerns-heard-dc-but-follow-up-key/3062748002/\)](#)

"With Resolution 36-35, we are sending a united voice to the federal government to finally pay war claims to our elders. By sending this resolution to Congress and all relevant stakeholders in the federal government we are expressing our united desire to seek justice and closure on this painful chapter of our history," Shelton said.

Some 3,656 total Guam applications were filed for compensation for wartime grievances from December 1941 to July 1944.

Under the 2016 federal law, war survivors or their families on Guam can claim \$10,000 to \$25,000.

## Those excluded from the war claims process

Joe Garrido said his parents and family suffered during the war but because the parents died before the cutoff date of 2016, the family was disqualified from filing war claims.

He hopes that senators would be able to find a way to help the families of these long-gone survivors as well.

Garrido said there were some 21,000 Chamorros on Guam during the Japanese occupation of Guam, so some 18,000 of them or their families were excluded from the war claims process.

He said he understands Guam didn't have a choice but to accept Section 30 as the source of funding for war reparations but hopes this will change later.

"We are celebrating the 75th anniversary of Liberation this year and our manamko' have been waiting and fighting for war claims all that time. This resolution expresses our continued support for the fight and hope that a Congressional or Administrative solution may finally bring resolution," Shelton said.

## Total of 14 congressional bills

The U.S. signed the Treaty of Peace with Japan in 1951, waiving its reparation claims against Japan which included claims made by of people of all its territories, making the U.S. responsible for paying the claims.

A total of 14 congressional bills were introduced into Congress to resolve war claims through the years.

While war claims were finally approved by Congress in 2016 with the National Defense Authorization Act, the Department of Treasury is requiring additional language to release war claim payments.

Guam is pursuing administrative and legislative remedies so that Guam war survivors can start receiving war reparations under a 2016 federal law. San Nicolas introduced two bills seeking to do just that.

**More:** [Sen. Kelly Marsh raises nearly 50 questions about Hagåtña master plan \(/story/news/local/2019/03/06/sen-kelly-marsh-raises-nearly-50-questions-hagatna-master-plan/3072717002/\)](#)



3/15/2019

War survivors support war claims payment resolution but raise questions

**More:** [Judge, governor and others tour solid waste facilities as receivership nears its end \(/story/news/local/2019/03/06/judge-governor-and-others-tour-solid-waste-facilities-receivership-nears-its-end/3076149002/\)](https://www.guampdn.com/story/news/local/2019/03/06/judge-governor-and-others-tour-solid-waste-facilities-receivership-nears-its-end/3076149002/)

Reporter Haidee Eugenio covers Guam's Catholic church issues, government, business and more. Follow her on Twitter [@haidee\\_eugenio](https://twitter.com/haidee_eugenio) ([https://twitter.com/haidee\\_eugenio](https://twitter.com/haidee_eugenio)). Follow Pacific Daily News on Facebook/GuamPDN (<http://www.facebook.com/guampdn/>) and Instagram [@guampdn](http://instagram.com/GuamPDN) (<http://instagram.com/GuamPDN>).

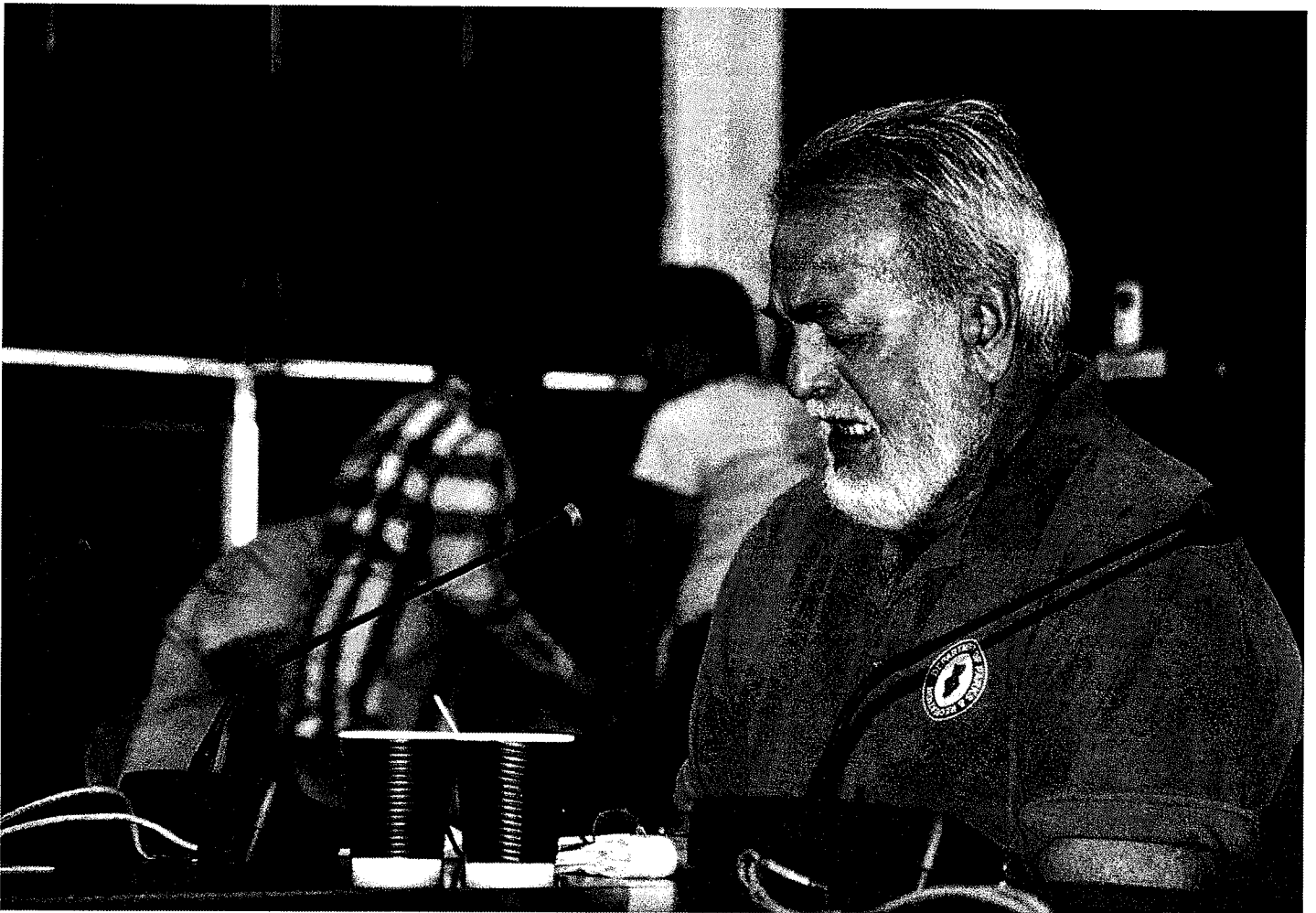
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[https://www.postguam.com/news/local/survivors-support-reparations-resolution/article\\_81acbd1a-3fc0-11e9-914f-97e968cea896.html](https://www.postguam.com/news/local/survivors-support-reparations-resolution/article_81acbd1a-3fc0-11e9-914f-97e968cea896.html)

## Survivors support reparations resolution

LANNIE WALKER | THE GUAM DAILY POST

MAR 7, 2019



LEGISLATURE: World War II Survivor, Jose Garrido, tears while giving his testimony at the Guam Congress Bldg., in Hagåtña Wednesday. A public hearing was held to discuss war reparations owed to Guam's World War II survivors. Haruo Simion/The Daily Post

War survivor Jose Garrido was just a baby during the Japanese occupation of Guam in World War II, but the memories of the harm it brought to him and his family left him choked up and tearful as he testified before Guam senators during a public hearing Wednesday. The hearing was held to receive testimony on a resolution in support of the payment of war claims.

“Maybe silence is my testimony,” Garrido said after taking a moment to compose himself.

The resolution also backs a bill introduced by Guam Del. Michael San Nicolas to appropriate funds for payment of war reparations, and Gov. Lou Leon Guerrero’s efforts to find a solution to authorize the U.S. Department of Treasury to begin issuing war reparations.

The resolution was introduced by Sens. Amanda Shelton and Régine Biscoe Lee, and Speaker Tina Muña Barnes.

“We are celebrating the 75th anniversary of liberation and our manåmko' have been waiting and fighting for war claims all this time,” said Shelton, who led the hearing as chairwoman of the Committee on Higher Education and the Advancement of Women, Youth, and Senior Citizens.

Garrido told senators that while he supports the resolution, he would like to find a solution to “include those that have passed away.”

“My entire family has passed away before 2016. ... They were disqualified before the settlement was settled,” said Garrido, referring to the claims approved by Congress under the 2016 National Defense Authorization Act.

Garrido said he wanted to represent those who “cannot speak for themselves,” and urged government officials to “do whatever it takes to find resolution of this war reparation.”

Viqui Gayer, whose father, Arthur Herbert Gayer, fought in World War II, also testified before the panel composed of Sens. James Moylan, Kelly Marsh, Biscoe Lee and Shelton.

"I don't think a day went by that he didn't remember the horrors of what he experienced here fighting the war," Gayer told the senators. She said her father had scars from shrapnel wounds and suffered from post-traumatic stress disorder after the war.

"This war was hell," she said.

Shelton acknowledged that the topic "evokes a lot of emotion in our people."

Shelton also said senators look forward to passing the resolution during an upcoming session.