

*I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN*  
2008 (SECOND) REGULAR SESSION

2008  
26 PM 3:39  
EAM

Resolution No. 191(LS)

Introduced by:

J.P. Guthertz  
B.J. Cruz  
R.J.R. Respicio

Relative to urging Congressional Delegate Madeline Z. Bordallo (D-Guam) to request from the United States Congress full acknowledgment of the *Chamorro* people of Guam as Native Americans and full inclusion under 25 U.S.C. Chapter 1, § 83.3 Registration Requirements of Indian Tribes-Definitions.

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

3           WHEREAS, the Non-Self Governing Territory of Guam became a Trust  
4 Territory of the United States of America under Chapter XI of the Charter of the  
5 United Nations; and

6           WHEREAS, Chapters XII and XIII of the Charter of the United Nations  
7 provides for the establishment of an International Trusteeship System, the basic  
8 objectives of which, among others, are to promote the political, economic, social  
9 and educational advancement of the inhabitants of Trust Territories and to  
10 promote their progressive development towards self government or  
11 independence; and

12           WHEREAS, Principle VI of United Nations General Assembly Resolution  
13 1541 of 1960, states that a Non-Self Governing Territory can reach a full measure  
14 of self government by: (a) emergence as a sovereign independent state; (b) free  
15 association with an independent state; or (c) integration with an independent  
16 state; and

1           **WHEREAS**, the United States of America is a signatory of the Charter of  
2 the United Nations; and

3           **WHEREAS**, Chapter VIII “Equal Rights and Self Determination of  
4 Peoples” of the Conference on Security and Cooperation in Europe’s “Helsinki  
5 Accord,” delineates that participating states will respect the equal rights of  
6 peoples and their right to self determination, acting at all times in conformity  
7 with the purposes and principles of the Charter of the United Nations; and

8           **WHEREAS**, the United States of America is a signatory of the “Helsinki  
9 Accord;” and

10           **WHEREAS**, as a colony of the United States, Guam was captured by the  
11 Japanese at the onset of World War II, and the naval and aerial bombardment by  
12 the United States preceding the liberation of Guam more than two-and-a-half  
13 years later caused irreversible ecological destruction; and

14           **WHEREAS**, the United States forgave the nation of Japan for the atrocities  
15 committed against native inhabitants of Guam, the *Chamorro* people, without  
16 consideration of the *Chamorro* people or their land; and

17           **WHEREAS**, the *Chamorro* people do not enjoy full, equal rights, and  
18 protection as constitutional citizens of the United States, under the Organic Act  
19 of Guam; and

20           **WHEREAS**, the *Chamorro* people of Guam have had their lands unjustly  
21 condemned by the United States; and

22           **WHEREAS**, the *Chamorro* people of Guam have been exposed to radiation  
23 fall-out from atomic bomb tests conducted by the United States; and

24           **WHEREAS**, the *Chamorro* people of Guam where exposed to dichloro-  
25 diphenyl-trichloroethane (DDT) for over two decades by the United States; and

26           **WHEREAS**, the United States military’s use, storage, and disposal of  
27 hazardous materials, toxics, and contaminants within Guam without the free,

1 prior and informed consent of the *Chamorro* people since World War II, including  
2 Agent Orange, Agent Purple, dioxins, heavy metals, and Polychlorinated  
3 Biphenyls (PCBs), continues to negatively affect Guam's people and land, and  
4 the effects of these hazardous materials, toxics, and contaminants within Guam  
5 remain undocumented, untreated, and unmitigated; and

6       **WHEREAS**, the incidences of cancer in the *Chamorro* people of Guam are  
7 far out of proportion to the incidences in non-contaminated areas, and naso-  
8 pharyngeal cancer incidences far outweigh all other cancer incidences in Guam;  
9 and

10       **WHEREAS**, the combination of radiation exposure, chemical  
11 contamination, ecological destruction, and the uncontrolled introduction of  
12 invasive species of plants, insects, and animals has destroyed the *Chamorro*  
13 People of Guam's ability to sustain themselves through traditional means; and

14       **WHEREAS**, the formation of United States military installations and  
15 Federal preserves has restricted the rights of the *Chamorro* people from the  
16 harvesting of their natural resources; and

17       **WHEREAS**, restrictions were placed on studying and perpetuating the  
18 history, culture, and language of the *Chamorro* people by the United States until  
19 Congress' enactment of the Organic Act in 1950; and

20       **WHEREAS**, prior to 1962, a security clearance, requiring approval from  
21 the United States appointed Governor of Guam, was needed to travel to and  
22 from the island of Guam; and

23       **WHEREAS**, the United States has effectively denied Guam's request for  
24 Commonwealth status; and

25       **WHEREAS**, Compacts of Free Association negotiated between the United  
26 States and the Federated States of Micronesia, the Republic of Palau, and the

1 Republic of the Marshall Islands without Guam’s participation or input have  
2 resulted in an overwhelming influx of immigrants to the island of Guam; and

3 **WHEREAS**, a complete and independent study of the true impact that the  
4 Compacts of Free Association have had on Guam’s society and economy has  
5 never been conducted, resulting in the Federal Government providing far less in  
6 Compact Impact funding than actually needed; and

7 **WHEREAS**, it is the intent of the Federal Government to undertake the  
8 largest military buildup in the history of the United States on the island of Guam  
9 without adequately addressing Guam’s infrastructure needs as they relate to this  
10 endeavor; and

11 **WHEREAS**, the general contractors awarded Federal contracts for all  
12 construction related to the United States military buildup in Guam are not from  
13 Guam and currently there are no federal safeguards to ensure that contractors  
14 performing construction relative to the buildup will be paying taxes to the  
15 Government of Guam; and

16 **WHEREAS**, the majority of the *Chamorro* people of Guam are patriotic  
17 statutory citizens of the United States; and

18 **WHEREAS**, Guam has the highest per capita enlistment rate in the United  
19 States military and the highest per capita ratio of United States military veterans;  
20 and

21 **WHEREAS**, *Chamorro* veterans in Guam are frustrated and dissatisfied  
22 with the lack of services to which they are rightfully entitled; and

23 **WHEREAS**, the *Chamorro* people seek a relationship with the United States  
24 based on mutual respect; and

25 **WHEREAS**, it is the wish of the *Chamorro* People of Guam to evolve  
26 beyond the psychological stagnation of second class statutory citizens of the  
27 United States; and

1           **WHEREAS**, it is also the wish of the *Chamorro* people of Guam to regain  
2 their dignity and self respect as a people through equal Constitutional rights and  
3 protection; and

4           **WHEREAS**, the Federal Register of September 7, 1995, Vol. 60.173  
5 identified *Chamorro* of Guam as Native American Pacific Islanders; and

6           **WHEREAS**, 25 U.S.C. Chapter 43 includes Guam under definition of State;  
7 and

8           **WHEREAS**, an option available to *Chamorro* people of Guam which would  
9 satisfy the obligations of the United States to the United Nations in regards to  
10 Guam and the Charter of the United Nations would be to grant *Chamorros* of  
11 Guam full and equal constitutional citizenship, and allow for the protection of  
12 the native rights of the *Chamorro* people of Guam by federal registration under 25  
13 U.S.C. as a Native American Indian Tribe known as *I' Chamorro Na Taotaogui*; and

14           **WHEREAS**, the Non-Self Governing Territory of Guam remains an Un-  
15 Incorporated, Organized Trust Territory of the United States of America; now,  
16 therefore, be it

17           **RESOLVED**, that *I Mina'Bente Nuebi Na Liheslaturan Guåhan* does hereby,  
18 on behalf of the *Chamorro* people of Guam, request that the Honorable Madeline  
19 Z. Bordallo, Guam Delegate to the United States Congress, humbly request from  
20 the Congress of the United States of America the full recognition of the *Chamorro*  
21 people of Guam as Native Americans and the amendment of 25 U.S.C. to include  
22 Guam under Chapter 1, § 83.3 Definition, thereby affording the *Chamorro* people  
23 of Guam the option for full integration and inclusion under 25 U.S.C. as a Native  
24 American Indian Tribe, known as *I' Chamorro Na Taotaogui*; and be it further

25           **RESOLVED**, that the Speaker and the Secretary of *I Liheslatura* attest to,  
26 the adoption hereof, and that copies of the same be thereafter transmitted to the  
27 Honorable Madeleine Z. Bordallo, Guam Delegate to Congress; to the Secretary

1 of the Interior Dirk Kempthorne; to Acting Deputy Assistant Secretary for  
2 Insular Affairs Doug W. Domenech; to the Honorable Mitch McConnell, Senate  
3 Minority Leader; to the Honorable Congressman John Boehner, House Minority  
4 Leader; to the Honorable Robert Byrd, President Pro Tempore of the United  
5 States Senate; to the Honorable Nancy Pelosi, Speaker of the United States House  
6 of Representatives; to the Honorable George W. Bush, President of the United  
7 States; and to the Honorable Felix P. Camacho, *I Maga'Lahen Guåhan*.

8 DULY AND REGULARLY ADOPTED BY *I MINA'BENTE NUEBI NA*  
9 *LIHESLATURAN GUÅHAN* ON THE \_\_\_\_ TH DAY OF \_\_\_\_\_, 2008.

10

11

12 JUDITH T. WON PAT  
13 Speaker

TINA ROSE MUÑA BARNES  
Senator and  
Secretary of the Legislature

14