

106TH CONGRESS  
2D SESSION

# H. R. 755

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 13, 2000

Received; read twice and referred to the Committee on Energy and Natural  
Resources

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## AN ACT

To establish the Guam War Claims Review Commission.

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

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Guam War Claims Re-  
3 view Commission Act”.

4 **SEC. 2. ESTABLISHMENT OF COMMISSION.**

5       (a) **ESTABLISHMENT.**—There is hereby established a  
6 commission to be known as the “Guam War Claims Re-  
7 view Commission” (hereinafter referred to as the “Com-  
8 mission”).

9       (b) **MEMBERS.**—The Commission shall be composed  
10 of five members who by virtue of their background and  
11 experience are particularly suited to contribute to the  
12 achievement of the purposes of the Commission. The mem-  
13 bers shall be appointed by the Secretary of the Interior  
14 not later than 60 days after funds are made available for  
15 this Act. Two of the members shall be selected as follows:

16           (1) One member appointed from a list of three  
17 names submitted by the Governor of Guam.

18           (2) One member appointed from a list of three  
19 names submitted by the Guam Delegate to the  
20 United States House of Representatives.

21       (c) **CHAIRPERSON.**—The Commission shall select a  
22 Chairman from among its members. The term of office  
23 shall be for the life of the Commission.

24       (d) **COMPENSATION.**—Members of the Commission  
25 shall not be paid for their service as members, but in the  
26 performance of their duties, shall receive travel expenses,

1 including per diem in lieu of subsistence, in accordance  
2 with sections 5702 and 5703 of title 5, United States  
3 Code.

4 (e) VACANCY.—Any vacancy in the Commission shall  
5 be filled in the same manner as the original appointment.

6 **SEC. 3. STAFF.**

7 The Commission may appoint and fix the pay of an  
8 executive director and other staff as it may require. The  
9 executive director and other staff of the Commission may  
10 be appointed without regard to the provisions of title 5,  
11 United States Code, governing appointments in the com-  
12 petitive service, and may be paid without regard to the  
13 provisions of chapter 51 and subchapter II of chapter 53  
14 of such title, relating to the classification and General  
15 Schedule pay rates, except that the compensation of any  
16 employees of the Commission may not exceed a rate equiv-  
17 alent to the minimum rate of basic pay payable for GS–  
18 15 of the General Schedule under section 5332(a) of such  
19 title.

20 **SEC. 4. ADMINISTRATIVE.**

21 The Secretary of the Interior shall provide the Com-  
22 mission, on a reimbursable basis, such administrative sup-  
23 port services as the Commission may request.

24 **SEC. 5. DUTIES OF COMMISSION.**

25 The Commission shall—

1           (1) review the facts and circumstances sur-  
2           rounding the implementation and administration of  
3           the Guam Meritorious Claims Act and the effective-  
4           ness of such Act in addressing the war claims of  
5           American nationals residing on Guam between De-  
6           cember 8, 1941, and July 21, 1944;

7           (2) review all relevant Federal and Guam terri-  
8           torial laws, records of oral testimony previously  
9           taken, and documents in Guam and the Archives of  
10          the Federal Government regarding Federal pay-  
11          ments of war claims in Guam;

12          (3) receive oral testimony of persons who per-  
13          sonally experienced the taking and occupation of  
14          Guam by Japanese military forces, noting especially  
15          the effects of infliction of death, personal injury,  
16          forced labor, forced march, and internment;

17          (4) determine whether there was parity of war  
18          claims paid to the residents of Guam under the  
19          Guam Meritorious Claims Act with war claims paid  
20          to United States citizens or nationals who lived in or  
21          had holdings in foreign countries and other posses-  
22          sions of the United States occupied by the Japanese  
23          during World War II;

24          (5) estimate the total amount necessary to com-  
25          pensate the people of Guam for death, personal in-

1 jury, forced labor, forced march, and internment;  
2 and

3 (6) not later than 9 months after the Commis-  
4 sion is established submit a report, including any  
5 comments or recommendations for action, to the  
6 Secretary of the Interior, the Committee on Re-  
7 sources and the Committee on the Judiciary of the  
8 House of Representatives and the Committee on En-  
9 ergy and Natural Resources and the Committee on  
10 the Judiciary of the Senate.

11 **SEC. 6. POWERS OF THE COMMISSION.**

12 Subject to general policies that the Commission may  
13 adopt, the Chairman of the Commission—

14 (1) shall exercise the executive and administra-  
15 tive powers of the Commission; and

16 (2) may delegate such powers to the staff of the  
17 Commission.

18 **SEC. 7. TERMINATION OF COMMISSION.**

19 The Commission shall terminate 30 days after sub-  
20 mission of its report.

1 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

2       There is authorized to be appropriated \$500,000 to  
3 carry out this Act.

          Passed the House of Representatives September 12,  
2000.

Attest:

JEFF TRANDAHL,  
*Clerk.*