

110TH CONGRESS  
1ST SESSION

# H. R. 1595

---

IN THE SENATE OF THE UNITED STATES

MAY 9, 2007

Received; read twice and referred to the Committee on the Judiciary

---

## AN ACT

To implement the recommendations of 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; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Guam World War II Loyalty Recognition Act”.

4 (b) TABLE OF CONTENTS.—The table of contents of  
5 this Act is as follows:

See. 1. Short title; table of contents.  
See. 2. Recognition of the suffering and loyalty of the residents of Guam.  
See. 3. Payments for Guam World War II claims.  
See. 4. Adjudication.  
See. 5. Grants program to memorialize the occupation of Guam during world  
war II.  
See. 6. Authorization of Appropriations.

6 **SEC. 2. RECOGNITION OF THE SUFFERING AND LOYALTY  
7 OF THE RESIDENTS OF GUAM.**

8 (a) RECOGNITION OF THE SUFFERING OF THE RESI-  
9 DENTS OF GUAM.—The United States recognizes that, as  
10 described by the Guam War Claims Review Commission,  
11 the residents of Guam, on account of their United States  
12 nationality, suffered unspeakable harm as a result of the  
13 occupation of Guam by Imperial Japanese military forces  
14 during World War II, by being subjected to death, rape,  
15 severe personal injury, personal injury, forced labor,  
16 forced march, or internment.

17 (b) RECOGNITION OF THE LOYALTY OF THE RESI-  
18 DENTS OF GUAM.—The United States forever will be  
19 grateful to the residents of Guam for their steadfast loy-  
20 alty to the United States of America, as demonstrated by  
21 the countless acts of courage they performed despite the  
22 threat of death or great bodily harm they faced at the

1 hands of the Imperial Japanese military forces that occu-  
2 pied Guam during World War II.

3 **SEC. 3. PAYMENTS FOR GUAM WORLD WAR II CLAIMS.**

4 (a) PAYMENTS FOR DEATH, PERSONAL INJURY,  
5 FORCED LABOR, FORCED MARCH, AND INTERNMENT.—  
6 Subject to section 6(a), after receipt of certification pursu-  
7 ant to section 4(b)(8) and in accordance with the provi-  
8 sions of this Act, the Secretary of the Treasury shall make  
9 payments as follows:

10 (1) RESIDENTS INJURED.—The Secretary shall  
11 pay compensable Guam victims who are not de-  
12 ceased before any payments are made to individuals  
13 described in paragraphs (2) and (3) as follows:

14 (A) If the victim has suffered an injury de-  
15 scribed in subsection (c)(2)(A), \$15,000.

16 (B) If the victim is not described in sub-  
17 paragraph (A) but has suffered an injury de-  
18 scribed in subsection (c)(2)(B), \$12,000.

19 (C) If the victim is not described in sub-  
20 paragraph (A) or (B) but has suffered an in-  
21 jury described in subsection (c)(2)(C), \$10,000.

22 (2) SURVIVORS OF RESIDENTS WHO DIED IN  
23 WAR.—In the case of a compensable Guam decedent,  
24 the Secretary shall pay \$25,000 for distribution to  
25 eligible survivors of the decedent as specified in sub-

1       section (b). The Secretary shall make payments  
2       under this paragraph after payments are made  
3       under paragraph (1) and before payments are made  
4       under paragraph (3).

5                   (3) SURVIVORS OF DECEASED INJURED RESI-  
6       DENTS.—In the case of a compensable Guam victim  
7       who is deceased, the Secretary shall pay \$7,000 for  
8       distribution to eligible survivors of the victim as  
9       specified in subsection (b). The Secretary shall make  
10      payments under this paragraph after payments are  
11      made under paragraphs (1) and (2).

12                (b) DISTRIBUTION OF SURVIVOR PAYMENTS.—Pay-  
13      ments under paragraph (2) or (3) of subsection (a) to eli-  
14      gible survivors of an individual who is a compensable  
15      Guam decedent or a compensable Guam victim who is de-  
16      ceased shall be made as follows:

17                (1) If there is living a spouse of the individual,  
18       but no child of the individual, all of the payment  
19       shall be made to such spouse.

20                (2) If there is living a spouse of the individual  
21       and one or more children of the individual, one-half  
22       of the payment shall be made to the spouse and the  
23       other half to the child (or to the children in equal  
24       shares).

5 (4) If there is no living spouse or child of the  
6 individual but there is a living parent (or parents)  
7 of the individual, all of the payment shall be made  
8 to the parents (or to the parents in equal shares).

11 (c) DEFINITIONS.—For purposes of this Act:

1 a result of the attack and occupation of Guam by  
2 Imperial Japanese military forces during World War  
3 II, or incident to the liberation of Guam by United  
4 States military forces, any of the following:

5 (A) Rape or severe personal injury (such  
6 as loss of a limb, dismemberment, or paralysis).

7 (B) Forced labor or a personal injury not  
8 under subparagraph (A) (such as disfigure-  
9 ment, scarring, or burns).

10 (C) Forced march, internment, or hiding  
11 to evade internment.

12 (3) DEFINITIONS OF SEVERE PERSONAL INJU-  
13 RIES AND PERSONAL INJURIES.—The Foreign  
14 Claims Settlement Commission shall promulgate reg-  
15 ulations to specify injuries that constitute a severe  
16 personal injury or a personal injury for purposes of  
17 subparagraphs (A) and (B), respectively, of para-  
18 graph (2).

19 **SEC. 4. ADJUDICATION.**

20 (a) AUTHORITY OF FOREIGN CLAIMS SETTLEMENT  
21 COMMISSION.—

22 (1) IN GENERAL.—The Foreign Claims Settle-  
23 ment Commission is authorized to adjudicate claims  
24 and determine eligibility for payments under section  
25 3.

7 (b) CLAIMS SUBMITTED FOR PAYMENTS.—

1       ing claims in newspaper, radio, and television media  
2       on Guam.

10 (4) DEDUCTIONS IN PAYMENT.—The Foreign  
11 Claims Settlement Commission shall deduct, from  
12 potential payments, amounts previously paid under  
13 the Guam Meritorious Claims Act of 1945 (Public  
14 Law 79-224).

15 (5) INTEREST.—No interest shall be paid on  
16 payments awarded by the Foreign Claims Settlement  
17 Commission.

1 be unlawful and void. Whoever demands or receives,  
2 on account of services so rendered, any remunera-  
3 tion in excess of the maximum permitted by this sec-  
4 tion shall be fined not more than \$5,000 or impris-  
5 oned not more than 12 months, or both.

1       mentation, except as the Commission may otherwise  
2       require. Such material facts shall include, with re-  
3       spect to a claim under paragraph (2) or (3) of sec-  
4       tion 3(a), a detailed description of the injury or  
5       other circumstance supporting the claim involved, in-  
6       cluding the level of payment sought.

16 (11) PENALTY FOR FALSE CLAIMS.—The provi-  
17 sions of section 1001 of title 18 of the United States  
18 Code (relating to criminal penalties for false state-  
19 ments) apply to claims submitted under this sub-  
20 section.

21 SEC. 5. GRANTS PROGRAM TO MEMORIALIZE THE OCCUPA-  
22 TION OF GUAM DURING WORLD WAR II.

23 (a) ESTABLISHMENT.—Subject to section 6(b) and in  
24 accordance with this section, the Secretary of the Interior  
25 shall establish a grants program under which the Sec-

1     retary shall award grants for research, educational, and  
2     media activities that memorialize the events surrounding  
3     the occupation of Guam during World War II, honor the  
4     loyalty of the people of Guam during such occupation, or  
5     both, for purposes of appropriately illuminating and inter-  
6     preting the causes and circumstances of such occupation  
7     and other similar occupations during a war.

8                     (b) ELIGIBILITY.—The Secretary of the Interior may  
9     not award to a person a grant under subsection (a) unless  
10    such person submits an application to the Secretary for  
11    such grant, in such time, manner, and form and con-  
12    taining such information as the Secretary specifies.

13 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

14                     (a) GUAM WORLD WAR II CLAIMS PAYMENTS AND  
15    ADJUDICATION.—For purposes of carrying out sections 3  
16    and 4, there are authorized to be appropriated  
17    \$126,000,000, to remain available for obligation until Sep-  
18    tember 30, 2012, to the Foreign Claims Settlement Com-  
19    mission. Not more than 5 percent of funds made available  
20    under this subsection shall be used for administrative  
21    costs.

22                     (b) GUAM WORLD WAR II GRANTS PROGRAM.—For  
23    purposes of carrying out section 5, there are authorized

- 1 to be appropriated \$5,000,000, to remain available for ob-
- 2 ligation until September 30, 2012.

Passed the House of Representatives May 8, 2007.

Attest: **LORRAINE C. MILLER,**

*Clerk.*