

115TH CONGRESS
2D SESSION

H. R. 6381

To memorialize victims and survivors of the occupation of Guam, provide for additional development at the War in the Pacific National Historical Park, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2018

Ms. BORDALLO introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To memorialize victims and survivors of the occupation of Guam, provide for additional development at the War in the Pacific National Historical Park, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Occupation of Guam
5 Remembrance Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds as follows:

1 (1) In August 1978, Public Law 95–348 (sec-
2 tion 6; 16 U.S.C. 410dd) established the War in the
3 Pacific National Historical Park on Guam.

4 (2) In December 1993, section 3(b)(1) of Pub-
5 lic Law 103–197 (16 U.S.C. 410dd(l)) authorized
6 the construction of a memorial wall at the Asan Bay
7 Overlook in the War in the Pacific National Histor-
8 ical Park, commemorating the loyalty of the people
9 of Guam during World War II and the heroism of
10 the American forces that liberated Guam from occu-
11 pation by Imperial Japan.

12 (3) In December 2002, the Guam War Claims
13 Review Commission Act (Public Law 107–333) es-
14 tablished the Guam War Claims Review Commission
15 to—

16 (A) review the facts and circumstances
17 surrounding the implementation and adminis-
18 tration of the Guam Meritorious Claims Act of
19 1945 (Public Law 79–224); and

20 (B) advise on additional compensation to
21 the people of Guam for death, personal injury,
22 forced labor, forced march, and internment by
23 occupying Imperial Japanese military forces be-
24 tween December 8, 1941, and July 21, 1944.

1 (4) In December 2016, the Guam World War
2 II Loyalty Recognition Act (title XVII of Public
3 Law 114–328), provided for war claim payments to
4 victims and survivors of the occupation of Guam by
5 Imperial Japan.

6 (5) In June 2018, the Foreign Claims Settle-
7 ment Commission began reviewing war claims sub-
8 mitted on behalf of victims and survivors of the oc-
9 cupation of Guam and their families, pursuant to
10 the Guam World War II Loyalty Recognition Act
11 (title XVII of Public Law 114–328).

12 **SEC. 3. AUTHORITY TO UPDATE AND MAINTAIN MEMORIAL**
13 **WALL.**

14 (a) **AUTHORITIES AND DUTIES OF THE SEC-**
15 **RETARY.**—The Secretary—

16 (1) shall maintain the memorial wall, including
17 correcting and updating the names of those eligible
18 to be listed on the memorial wall; and

19 (2) shall notify the delegate to the United
20 States House of Representatives from Guam and the
21 Governor of Guam of any proposed revisions or addi-
22 tions to the memorial wall not less than 1 month be-
23 fore any revisions or additions are made.

24 (b) **ADDITION OF WAR CLAIMANT NAMES.**—In car-
25 rying out subsection (a), the Secretary shall—

1 (1) add the names of all “compensable Guam
2 decedents” and “compensable Guam victims” sub-
3 mitted to the Foreign Claims Settlement Commis-
4 sion pursuant to section 1705(b)(8) of the Guam
5 World War II Loyalty Recognition Act (title XVII of
6 Public Law 114–328; 22 U.S.C. 1621 note), if such
7 names do not appear on the wall on the date of the
8 enactment of this Act; and

9 (2) inform individuals who submitted claims to
10 the Foreign Claims Settlement Commission under
11 the Guam World War II Loyalty Recognition Act
12 (title XVII of Public Law 114–328; 22 U.S.C. 1621
13 note) that the name of each “compensable Guam de-
14 cedent” or “compensable Guam victim” submitted
15 by the respective individual to the Commission—

16 (A) appears on the memorial wall already,
17 and provide additional relevant information as
18 appropriate; or

19 (B) will be added to the memorial wall
20 pursuant to paragraph (1).

21 (c) WAR CLAIMANT INFORMATION.—The Foreign
22 Claims Settlement Commission shall provide such infor-
23 mation as is necessary for the Secretary to carry out this
24 section.

1 (d) REVISIONS TO NAMES LISTED.—In carrying out
2 subsection (a), the Secretary shall—

3 (1) publish the names listed on the memorial
4 wall on a publicly accessible website of the National
5 Park Service;

6 (2) publish the names to be added to or revised
7 on the memorial wall, at a future date to be deter-
8 mined by the Secretary, on such website; and

9 (3) provide a mechanism on such website for in-
10 dividuals to request that names listed on the memo-
11 rial wall be revised to ensure accuracy or added to
12 the memorial wall if such individuals—

13 (A) demonstrate a legitimate reason, as de-
14 termined by the Secretary, for such listed
15 names to be revised or added; and

16 (B) submit appropriate documentation in-
17 cluding affidavits, as determined by the Sec-
18 retary, to substantiate the revision or addition
19 requested.

20 (e) DEFINITIONS.—In this section:

21 (1) COMPENSABLE GUAM DECEDENTS.—The
22 term “compensable Guam decedents” has the mean-
23 ing given that term by the Guam World War II Loy-
24 alty Recognition Act (title XVII of Public Law 114–
25 328; 22 U.S.C. 1621 note).

1 (2) COMPENSABLE GUAM VICTIMS.—The term
2 “compensable Guam victims” has the meaning given
3 that term by the Guam World War II Loyalty Rec-
4 ognition Act (title XVII of Public Law 114–328; 22
5 U.S.C. 1621 note).

6 (3) GOVERNMENT OF GUAM.—The term “Gov-
7 ernment of Guam” has the meaning given that term
8 by the Organic Act of Guam (48 U.S.C. 1421 et
9 seq.).

10 (4) MEMORIAL WALL.—The term “memorial
11 wall” means the Asan Bay Overlook Memorial Wall
12 authorized to be constructed under section 3(b)(1) of
13 Public Law 103–197 (16 U.S.C. 410dd(l)), and lo-
14 cated in the War in the Pacific National Historical
15 Park on Guam established under section 6 of Public
16 Law 95–348 (16 U.S.C. 410dd).

17 (5) SECRETARY.—The term “Secretary” means
18 the Secretary of the Interior, acting through the Di-
19 rector of the National Park Service.

20 **SEC. 4. FUNDING.**

21 Section 1707 of the Guam World War II Loyalty
22 Recognition Act (title XVII of Public Law 114–328; 22
23 U.S.C. 1621 note) is amended by adding at the end the
24 following:

1 “(c) MEMORIAL WALL.—The Secretary may award
2 grants under subsection (a) (and, when grant recipients
3 acceptable to the Secretary are not available for this pur-
4 pose, may directly use funds made available for such
5 grants) to correct and update the names of those eligible
6 to be listed on, and other activities related to updating
7 and maintaining, the Asan Bay Overlook Memorial Wall
8 authorized to be constructed under section 3(b)(1) of Pub-
9 lic Law 103–197.”.

10 **SEC. 5. SENSE OF CONGRESS.**

11 It is the sense of Congress that—

12 (1) section 6 of Public Law 95–348 (16 U.S.C.
13 410dd(i)) directs the Secretary, acting through the
14 Director of the National Park Service, to employ
15 and train residents of Guam or the Northern Mar-
16 iana Islands to develop, maintain, and administer
17 the War in the Pacific National Historical Park; and

18 (2) the Secretary, acting through the Director
19 of the National Park Service, should increase efforts
20 to recruit, hire, and train Guam residents as employ-
21 ees at the War in the Pacific National Historical
22 Park pursuant to the directive in such section.

23 **SEC. 6. DIRECT HIRE AUTHORITY.**

24 The Secretary of the Interior, acting through the Di-
25 rector of the National Park Service, may appoint, without

1 regard to the provisions of subchapter I of chapter 33 of
2 title 5, other than sections 3303 and 3328 of such title,
3 a qualified candidate directly to for any future vacant po-
4 sition at the War in the Pacific National Historical Park
5 for which the candidate meets Office of Personnel Man-
6 agement qualification standards.

7 **SEC. 7. LAND CONVEYANCE TO GOVERNMENT OF GUAM.**

8 (a) CONVEYANCE REQUIRED.—Not later than 6
9 months after the date on which the Guam Waterworks Au-
10 thority submits a written request to the Secretary, the
11 Secretary shall convey to the Government of Guam for
12 public benefit use, by quitclaim deed and without reim-
13 bursement, all right, title, and interest of the United
14 States in and to the approximately 1 acre of Federal land
15 generally described as “GWA parcel of Lot 499” on the
16 map entitled “War in the Pacific National Historical
17 Park, Guam, Proposed Conveyance and Boundary Adjust-
18 ment” and dated July 2018.

19 (b) AVAILABILITY OF MAP.—The map referred to in
20 subsection (a) shall be kept on file and available for public
21 inspection at the appropriate office of the National Park
22 Service and available for public inspection on a website
23 of the National Park Service. The Secretary may correct
24 minor errors in the map.

1 (c) SURVEY.—The exact acreage and legal descrip-
2 tion of the Federal land to be conveyed under subsection
3 (a) shall be determined by a survey satisfactory to the Sec-
4 retary.

5 (d) ADDITIONAL TERMS AND CONDITIONS.—The
6 conveyance under subsection (a) shall be subject to any
7 other terms and conditions that the Secretary considers
8 appropriate to protect the interests of the United States.

9 (e) REQUIRED USE; REVERSION.—

10 (1) REQUIRED USE.—The Federal land con-
11 veyed under subsection (a) may be used by the Gov-
12 ernment of Guam only for the Guam Waterworks
13 Authority to operate the public drinking water sys-
14 tem of the territory of Guam.

15 (2) REVERSION.—If the Secretary determines
16 that the Federal land conveyed to the Government
17 of Guam pursuant to subsection (a) is not used in
18 accordance with paragraph (1), all right, title, and
19 interest in and to such parcel shall, at the option of
20 the Secretary, revert to the United States.

21 **SEC. 8. TECHNICAL AMENDMENTS.**

22 Section 6 of the Act entitled “An Act to authorize
23 appropriations for certain insular areas of the United
24 States, and for other purposes”, approved August 18,
25 1978 (16 U.S.C. 410dd), is amended—

- 1 (1) in subsection (l), by striking “herosim” and
2 inserting “heroism”; and
3 (2) in subsection (n), by striking “section (l)”
4 before the final period and inserting “subsection
5 (l)”.

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