Department of Justice

STATEMENT

OF

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FORMER CHAIRMAN
GUAM WAR CLAIMS REVIEW COMMISSION

BEFORE THE

COMMITTEE ON RESOURCES
U.S. HOUSE OF REPRESENTATIVES

CONCERNING

THE GUAM WAR CLAIMS REVIEW COMMISSION REPORT

PRESENTED ON

JULY 21, 2004

Chairman Pombo and Members of the Committee, thank you for the opportunity to appear before you today to speak about the work of the Guam War Claims Review Commission, which the Commission completed on June 9, 2004.

I am Mauricio Tamargo, Chairman of the Foreign Claims Settlement Commission in the Department of Justice. I appear before you today as the former Chairman of the now-expired Guam War Claims Review Commission, an advisory body established by the Secretary of the Interior under the Guam War Claims Review Commission Act, Public Law 107-333, which was enacted in December 2002. I served in that capacity, on a part-time basis, from October 3, 2003, until just a few days ago, when the Review Commission went out of existence. The Vice Chairman of the Review Commission was Mr. Antonio Unpingco, a former Speaker of the Guam Legislature, and the other members were the Honorable Robert J. Lagomarsino, former Member of Congress from Ventura, California, the Honorable Benjamin J. Cruz, a former Chief Justice of the Guam Supreme Court, and Mrs. Ruth Van Cleve, a former career senior executive in the Department of the Interior. I would like to note that Mrs. Van Cleve and Mr. Cruz are here with us today.

The Guam War Claims Review Commission was established to review the facts and circumstances surrounding the payment of war

claims related to the Japanese occupation of Guam during World War II.

The island of Guam, a U.S. territory, was attacked by Japanese forces on December 8, 1941 -- the same day as the attack on Pearl Harbor, but on the other side of the international date line. Two days later, on December 10, 1941, the Japanese overran and occupied the island. What followed after that was a period of 32 months of cruel, brutal, and barbaric oppression of the people of Guam by the Japanese occupation forces. Great numbers of the islanders were beaten and whipped, many of the women were raped, there were numerous beheadings, and in the last months of the occupation nearly all of the islanders were subjected to forced labor and forced marches and were herded into concentration areas, causing them to suffer acutely from malnutrition, exposure, and disease.

After beginning the liberation of Guam on July 21, 1944 -- sixty years ago today -- United States forces declared Guam secure on August 10, 1944, and immediately began organizing it as a base from which to launch air and sea attacks in the direction of the Japanese homeland. At the same time, the U.S. Navy devoted as much material and effort as could be spared to constructing shelter for the local citizens. Within weeks after

the termination of hostilities, Congress then enacted the Guam Meritorious Claims Act of 1945, authorizing and directing the U.S. Navy to provide "immediate relief" to the people of Guam. This included the U.S. providing monetary payments to the people of Guam.

In undertaking its task, the Review Commission conducted research on the administration of the Guam Meritorious Claims Act by the Navy's Land and Claims Commission, and compared it with various other claims programs. We also conducted hearings on Guam, at which we heard moving testimony from survivors of this terrible period in history. We then held a legal experts' conference in Washington, D.C., at which relevant legal issues were discussed. Finally, we submitted a report to the Secretary of the Interior and to specified congressional committees summarizing our work.

Mr. Chairman, this concludes my statement. I will be happy to respond to any questions that you or the other Members of the Committee may have.