

CHAPTER 22
GUAM WAR REPARATION COMMISSION

SOURCE: This chapter was added as a new Chapter 21 by P.L. 24-013 (Mar. 21, 1997); however, it was renumbered to Chapter 22, as the Compiler had previously codified P.L. 23-147 (Jan. 5, 1997) as Chapter 21.

- § 2201. Creation and Membership.
- § 2202. Function.
- § 2203. General Powers.
- § 2204. Budget.

§ 2201. Creation and Membership.

There is hereby created the Guam War Reparation Commission, hereinafter referred to as the Commission, which shall continue in effect until full and proper reparations have been made to the people of Guam by the governments of Japan and the United States of America. The Commission shall be comprised of nine (9) members, three (3) appointed by the Governor; two (2) appointed by the Speaker of the Guam Legislature; the Chairperson of the Committee on Rules, Government Reform and Federal Affairs, who shall serve as Chairperson of the Commission; the President of the Mayors' Council of Guam, or his or her designee, the Chief Justice of the Supreme Court of Guam, or his designee; and one (1) youth member under the age of twenty-five (25) years, who shall be appointed by the Guam Youth Congress. The Commission's Vice-Chairperson shall be elected from among its members. Once appointed, the term of office of all members of the Commission shall continue without any interruption until all matters of reparation are resolved. Members shall serve without compensation.

2015 NOTE: Pursuant to an amendment to § 22A(b)(2) of the Organic Act of Guam by Pub. L. 108-378:1(b) (Oct. 30, 2004), references to “Presiding Judge” have been changed to “Chief Justice of the Supreme Court of Guam.” See 48 U.S.C.A. § 1424-1(b)(2).

§ 2202. Function.

The Commission shall be responsible for pursuing every possible avenue to achieve full and just reparation for the evils of war and the injustices of its aftermath for the people of Guam who were directly affected and their survivors. This shall include, among other things, monetary compensation for individuals who suffered mental anguish, physical abuse

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and injury, and death; land return for those people whose lands were unjustly taken with little or no compensation; and compensation for all who suffered deprivation of shelter, food and medical attention, or who endured forced labor or forced marches during and immediately after the Japanese occupation. The Commission is authorized to seek in addition to, but not in substitution of, the foregoing generalized compensation for the people and island of Guam.

§ 2203. General Powers.

The Commission shall have, and may exercise, the following general powers in carrying on the activities specified in this Chapter:

(a) To acquire, in any lawful manner, any property, real, personal, mixed tangible or intangible, except for real estate -- to hold, maintain, use and operate the same; and to sell, lease or otherwise dispose of the same, whenever any of the foregoing transactions are deemed necessary or appropriate to the conduct of the activities authorized by this Chapter, and on such terms as may be prescribed by the Commission.

(b) To enter into and perform such contracts, leases, cooperative agreements or other transactions with any person, firm, association, corporation or any agency or instrumentality of the government of Guam or of the United States or of any state, territory or nation, or political subdivision thereof, as may be deemed necessary or appropriate to the conduct of the activities authorized by this Chapter, and on such terms as may be prescribed by the Commission.

(c) To execute all instruments necessary or appropriate in the exercise of any of its functions.

(d) To appoint, without regard to the provisions of the Personnel and Compensation Laws, such officers, agents, attorneys, consultants and employees as may be necessary for the conduct of the business of the Commission; delegate them such powers and to prescribe for them such duties as may be deemed appropriate by the Commission; to fix and pay such compensation to them for their services as the Commission may determine, without regard to the provisions of the Personnel and Compensation Laws. In the appointment of officials and the selection of employees, agents and consultants for the Commission, no political test or qualification shall be permitted or given consideration, but all such appointments shall be given and made on the

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basis of merit and knowledge. The Commission shall give due consideration to residents of Guam in the selection of its officials, attorneys, agents, consultants and employees.

(e) To accept gifts or donations of services, or of property - real, personal, or mixed, tangible or intangible - in the aid of any of the activities authorized by this Chapter.

(f) To adopt rules and regulations governing operations of the Commission, and to take such other action as may be necessary or appropriate to carry out the powers and duties herein specified or hereafter granted to or imposed upon it.

§ 2204. Budget.

The Commission shall submit a budget to the Guam Legislature for the purpose of carrying out its functions. The Committee on Rules, Government Reform and Federal Affairs is authorized to transfer to the Commission such funds from within the budget of the Guam Legislature such funds as the Committee may deem appropriate to assist in the start-up costs associated with the function of the Commission.
