

Committee on Resources

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**Statement of
David B. Cohen
Deputy Assistant Secretary of the Interior for Insular Affairs
Before the
House Committee on Resources
Regarding the
Report of the Guam War Claims Review Commission**

July 21, 2004

Hafa Adai, Mr. Chairman and Members of the Committee on Resources, I am David B. Cohen, Deputy Assistant Secretary of the Interior for Insular Affairs. I am pleased to appear today to discuss the June 2004 Report of the Guam War Claims Review Commission.

At the outset, I would like to add my voice to those who have noted the historical significance of this day. Sixty years ago today, U.S. forces stormed the beaches of Asan and Agat on the island of Guam. The fierce battles in the weeks that followed would end Japan's two-and-a-half year occupation of Guam. Approximately a thousand people died during the occupation, and the people of Guam were subjected to summary executions, beheadings, rapes, torture, beatings, forced labor, forced march and internment.

With the passage of the Guam Meritorious Claims Act of 1945, the people of Guam became the first group of United States nationals to be made eligible for payment of claims by the United States for damages suffered during the war. In the years that followed, however, many on Guam came to question whether the Guam Meritorious Claims Act, as implemented, sufficiently compensated the people of Guam for their suffering.

The Guam War Claims Review Commission, created pursuant to legislation passed in 2002, was charged with determining whether there was parity in the treatment of Guamanians' World War II claims as compared with the claims of U.S. citizens or nationals in other areas occupied by Japan during the war. The legislation authorizing the creation of the Commission was introduced by then-Congressman Robert Underwood of Guam, and was the culmination of years of effort by Underwood and the two men who had preceded him as Members of Congress from Guam: Antonio B. Won Pat, Guam's first Delegate to the U.S. Congress, and Retired U.S. Marine Brigadier General Ben Blaz. Guam's current Member of Congress, Madeleine Bordallo, worked hard to secure funding for the Commission from the time she took office in 2003. It was my honor, as head of the Department of the Interior's Office of Insular Affairs, to approve and sign the grant that eventually provided that funding. Secretary of the Interior Gale Norton, with the help of Congresswoman Bordallo and Governor Felix Camacho of Guam, subsequently appointed the members of the Commission. If I may say so, the Secretary is to be commended for appointing five Commissioners who have brought such experience, skill, energy, talent and commitment to the task at hand.

The Commission did a tremendous job of piecing together what happened in the chaotic years during and after the war, sifting through voluminous archived records and listening to hours and hours of emotional testimony. The result of the Commission's hard work is a document of tremendous historical significance.

It is my sincere hope, Mr. Chairman, that as a result of the work of this Commission, Americans everywhere will finally learn the compelling and inspiring story of their fellow Americans from Guam. All American schoolchildren learn about the Japanese attack on Pearl Harbor, in what was then the U.S. territory of Hawaii. But too few Americans know that the Japanese attacked another U.S. territory, Guam, on the same day (although since Guam and Hawaii are on opposite sides of the International Date Line, the attacks occurred on December 8, 1941 Guam time and on December 7, 1941 Hawaii time). Too few Americans know that, with the exception of two islands in the Aleutian chain, Guam is the only place currently in America that suffered through Japanese occupation in World War II. Too few Americans know how horribly the people of Guam suffered for being American. Too few people know about the bravery of the Chamorros who risked their lives to resist the Japanese occupation and to help the U.S. armed forces liberate Guam. In this current time of war, we are frequently reminded that "Freedom Isn't Free." Few people know this truth more deeply than the Chamorros of Guam who lived through World War II.

Mr. Chairman, it is my hope that the Commission's report will stimulate an appreciation for the contributions that the people of Guam have made to the rest of America, and that this appreciation will not be confined to the period between December 8, 1941 and July 21, 1944. It is believed, Mr. Chairman, that Guam lost more

servicemen per capita in the Vietnam War than any other state or territory. For the past several years, the people of Guam have allowed a very significant portion of their small island to be used by the U.S. military, and Guam's location gives our bases there tremendous strategic importance. Today, many of Guam's finest sons and daughters are serving in Iraq and Afghanistan. I had the sad experience of attending the funeral of Sgt. Eddie Chen, who in April was killed in action in Iraq, and whose parents traveled all the way from Guam to bury him at Arlington National Cemetery.

Mr. Chairman, as you know, the Guam War Claims Review Commission has made several recommendations. We appreciate the fact that you have asked for our thoughts on these recommendations. We would suggest, however, that these recommendations be analyzed through a collaborative process that would involve many parties in addition to the Department of the Interior, including, of course, the Congress. Although the Department of the Interior has administered the Federal Government's relationship with Guam for over 50 years, the events described in the Commission's report occurred prior to Interior's assumption of administrative authority with respect to Guam. Much of the important institutional knowledge about wartime and post-war Guam resides elsewhere in the Federal Government. Also, we would note that our focus at Interior, particularly the Office of Insular Affairs, is to use our scarce resources to help the islands address their urgent needs of the present and their aspirations for the future. We have no particular expertise in evaluating claims arising from events of the past. We therefore pledge to work with our sister agencies in the Executive Branch, such as the Department of Defense and the Department of Justice, as well as with Congress, in order to evaluate the Commission's recommendations in a comprehensive fashion. We have already begun the process of collaboration. At my direction, two members of my staff recently visited with Congresswoman Bordallo's staff to engage in a preliminary, conceptual discussion of the Commission's recommendations.

As we embark upon the process of more fully evaluating the Commission's recommendations, we would make a couple of preliminary points. We would note that there is no one way to determine what is appropriate in light of the facts that have been presented by the Commission. No one can deny that the people of Guam, as a part of the Greatest Generation who saved our freedom 60 years ago, made truly heroic sacrifices during the Japanese occupation. The people of America will be forever grateful. Reasonable people might disagree in good faith, however, about the appropriate level of financial compensation to be paid by the Federal Government for damages that were caused not by the fault of the United States, but rather by the fault of a foreign occupying power. Reasonable people might also disagree in good faith about what is prudent in light of our current circumstances. There are many worthy programs competing now for limited Federal dollars. Our intention, Mr. Chairman, is to ensure that we engage in this discussion with realistic expectations within the context of compelling national priorities and the budgetary constraints that we operate under today.

That important discussion, Mr. Chairman, will unfold in the days ahead. Today, Guam's Liberation Day, is a day to express our appreciation. We express our appreciation to the members of the Guam War Claims Review Commission, led by Chairman Mauricio Tamargo, for their hard work and the tremendous contribution that they are making to educate all of us about a very important chapter of American history. We express our appreciation to the U.S. soldiers, sailors and marines who liberated Guam 60 years ago, for bringing that beautiful island back into the American family. We express our appreciation to the people of Guam who lived through the occupation, for inspiring us with their courage, resiliency and patriotism.

Finally, Mr. Chairman, I would like to express my appreciation to you, for emphasizing the great historical significance of this day by scheduling this hearing on the 60th anniversary of Guam's liberation.

In closing, Mr. Chairman, I would like to read brief excerpts from *Bisita Guam*, by General Ben Blaz: "Few scenes during the liberation of Guam in 1944 tugged the hearts of the liberators more than the sight of young children carrying home-made American flags, made clandestinely during the occupation. Some flags were made of cloth, others of cardboard, and there were some made of wood....Soldiers everywhere share a common sentiment that goes along these lines: for those who are willing to fight and die for freedom, life has a special flavor the protected will never know. In the case of Guam, however, the liberated, the protected, did know." Si Yuus Maase.