

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) REGULAR SESSION

2008
26 PM 3:39
EAM

Resolution No. 191(LS)

Introduced by:

J.P. Guthertz 
B.J. Cruz 
R.J.R. Respicio 

Relative to urging Congressional Delegate Madeline Z. Bordallo (D-Guam) to request from the United States Congress full acknowledgment of the *Chamorro* people of Guam as Native Americans and full inclusion under 25 U.S.C. Chapter 1, § 83.3 Registration Requirements of Indian Tribes-Definitions.

1 BE IT RESOLVED BY *I MINA'BENTE NUEBI NA LIHESLATURAN*
2 *GUÅHAN*:

3 WHEREAS, the Non-Self Governing Territory of Guam became a Trust
4 Territory of the United States of America under Chapter XI of the Charter of the
5 United Nations; and

6 WHEREAS, Chapters XII and XIII of the Charter of the United Nations
7 provides for the establishment of an International Trusteeship System, the basic
8 objectives of which, among others, are to promote the political, economic, social
9 and educational advancement of the inhabitants of Trust Territories and to
10 promote their progressive development towards self government or
11 independence; and

12 WHEREAS, Principle VI of United Nations General Assembly Resolution
13 1541 of 1960, states that a Non-Self Governing Territory can reach a full measure
14 of self government by: (a) emergence as a sovereign independent state; (b) free
15 association with an independent state; or (c) integration with an independent
16 state; and

1 **WHEREAS**, the United States of America is a signatory of the Charter of
2 the United Nations; and

3 **WHEREAS**, Chapter VIII "Equal Rights and Self Determination of
4 Peoples" of the Conference on Security and Cooperation in Europe's "Helsinki
5 Accord," delineates that participating states will respect the equal rights of
6 peoples and their right to self determination, acting at all times in conformity
7 with the purposes and principles of the Charter of the United Nations; and

8 **WHEREAS**, the United States of America is a signatory of the "Helsinki
9 Accord;" and

10 **WHEREAS**, as a colony of the United States, Guam was captured by the
11 Japanese at the onset of World War II, and the naval and aerial bombardment by
12 the United States preceding the liberation of Guam more than two-and-a-half
13 years later caused irreversible ecological destruction; and

14 **WHEREAS**, the United States forgave the nation of Japan for the atrocities
15 committed against native inhabitants of Guam, the *Chamorro* people, without
16 consideration of the *Chamorro* people or their land; and

17 **WHEREAS**, the *Chamorro* people do not enjoy full, equal rights, and
18 protection as constitutional citizens of the United States, under the Organic Act
19 of Guam; and

20 **WHEREAS**, the *Chamorro* people of Guam have had their lands unjustly
21 condemned by the United States; and

22 **WHEREAS**, the *Chamorro* people of Guam have been exposed to radiation
23 fall-out from atomic bomb tests conducted by the United States; and

24 **WHEREAS**, the *Chamorro* people of Guam where exposed to dichloro-
25 diphenyl-trichloroethane (DDT) for over two decades by the United States; and

26 **WHEREAS**, the United States military's use, storage, and disposal of
27 hazardous materials, toxics, and contaminants within Guam without the free,

1 prior and informed consent of the *Chamorro* people since World War II, including
2 Agent Orange, Agent Purple, dioxins, heavy metals, and Polychlorinated
3 Biphenyls (PCBs), continues to negatively affect Guam's people and land, and
4 the effects of these hazardous materials, toxics, and contaminants within Guam
5 remain undocumented, untreated, and unmitigated; and

6 **WHEREAS**, the incidences of cancer in the *Chamorro* people of Guam are
7 far out of proportion to the incidences in non-contaminated areas, and naso-
8 pharyngeal cancer incidences far outweigh all other cancer incidences in Guam;
9 and

10 **WHEREAS**, the combination of radiation exposure, chemical
11 contamination, ecological destruction, and the uncontrolled introduction of
12 invasive species of plants, insects, and animals has destroyed the *Chamorro*
13 People of Guam's ability to sustain themselves through traditional means; and

14 **WHEREAS**, the formation of United States military installations and
15 Federal preserves has restricted the rights of the *Chamorro* people from the
16 harvesting of their natural resources; and

17 **WHEREAS**, restrictions were placed on studying and perpetuating the
18 history, culture, and language of the *Chamorro* people by the United States until
19 Congress' enactment of the Organic Act in 1950; and

20 **WHEREAS**, prior to 1962, a security clearance, requiring approval from
21 the United States appointed Governor of Guam, was needed to travel to and
22 from the island of Guam; and

23 **WHEREAS**, the United States has effectively denied Guam's request for
24 Commonwealth status; and

25 **WHEREAS**, Compacts of Free Association negotiated between the United
26 States and the Federated States of Micronesia, the Republic of Palau, and the

1 Republic of the Marshall Islands without Guam's participation or input have
2 resulted in an overwhelming influx of immigrants to the island of Guam; and

3 **WHEREAS**, a complete and independent study of the true impact that the
4 Compacts of Free Association have had on Guam's society and economy has
5 never been conducted, resulting in the Federal Government providing far less in
6 Compact Impact funding than actually needed; and

7 **WHEREAS**, it is the intent of the Federal Government to undertake the
8 largest military buildup in the history of the United States on the island of Guam
9 without adequately addressing Guam's infrastructure needs as they relate to this
10 endeavor; and

11 **WHEREAS**, the general contractors awarded Federal contracts for all
12 construction related to the United States military buildup in Guam are not from
13 Guam and currently there are no federal safeguards to ensure that contractors
14 performing construction relative to the buildup will be paying taxes to the
15 Government of Guam; and

16 **WHEREAS**, the majority of the *Chamorro* people of Guam are patriotic
17 statutory citizens of the United States; and

18 **WHEREAS**, Guam has the highest per capita enlistment rate in the United
19 States military and the highest per capita ratio of United States military veterans;
20 and

21 **WHEREAS**, *Chamorro* veterans in Guam are frustrated and dissatisfied
22 with the lack of services to which they are rightfully entitled; and

23 **WHEREAS**, the *Chamorro* people seek a relationship with the United States
24 based on mutual respect; and

25 **WHEREAS**, it is the wish of the *Chamorro* People of Guam to evolve
26 beyond the psychological stagnation of second class statutory citizens of the
27 United States; and

1 **WHEREAS**, it is also the wish of the *Chamorro* people of Guam to regain
2 their dignity and self respect as a people through equal Constitutional rights and
3 protection; and

4 **WHEREAS**, the Federal Register of September 7, 1995, Vol. 60.173
5 identified *Chamorro* of Guam as Native American Pacific Islanders; and

6 **WHEREAS**, 25 U.S.C. Chapter 43 includes Guam under definition of State;
7 and

8 **WHEREAS**, an option available to *Chamorro* people of Guam which would
9 satisfy the obligations of the United States to the United Nations in regards to
10 Guam and the Charter of the United Nations would be to grant *Chamorros* of
11 Guam full and equal constitutional citizenship, and allow for the protection of
12 the native rights of the *Chamorro* people of Guam by federal registration under 25
13 U.S.C. as a Native American Indian Tribe known as *I' Chamorro Na Taotaogui*; and

14 **WHEREAS**, the Non-Self Governing Territory of Guam remains an Un-
15 Incorporated, Organized Trust Territory of the United States of America; now,
16 therefore, be it

17 **RESOLVED**, that *I Mina'Bente Nuebi Na Liheslaturan Guâhan* does hereby,
18 on behalf of the *Chamorro* people of Guam, request that the Honorable Madeline
19 Z. Bordallo, Guam Delegate to the United States Congress, humbly request from
20 the Congress of the United States of America the full recognition of the *Chamorro*
21 people of Guam as Native Americans and the amendment of 25 U.S.C. to include
22 Guam under Chapter 1, § 83.3 Definition, thereby affording the *Chamorro* people
23 of Guam the option for full integration and inclusion under 25 U.S.C. as a Native
24 American Indian Tribe, known as *I' Chamorro Na Taotaogui*; and be it further

25 **RESOLVED**, that the Speaker and the Secretary of *I Liheslatura* attest to,
26 the adoption hereof, and that copies of the same be thereafter transmitted to the
27 Honorable Madeleine Z. Bordallo, Guam Delegate to Congress; to the Secretary

1 of the Interior Dirk Kempthorne; to Acting Deputy Assistant Secretary for
2 Insular Affairs Doug W. Domenech; to the Honorable Mitch McConnell, Senate
3 Minority Leader; to the Honorable Congressman John Boehner, House Minority
4 Leader; to the Honorable Robert Byrd, President Pro Tempore of the United
5 States Senate; to the Honorable Nancy Pelosi, Speaker of the United States House
6 of Representatives; to the Honorable George W. Bush, President of the United
7 States; and to the Honorable Felix P. Camacho, *I Maga'Lahen Guåhan*.

8 DULY AND REGULARLY ADOPTED BY *I MINA'BENTE NUEBI NA*
9 *LIHESLATURAN GUÅHAN* ON THE ____ TH DAY OF _____, 2008.

10

11

12

13

14

JUDITH T. WON PAT
Speaker

TINA ROSE MUÑA BARNES
Senator and
Secretary of the Legislature