

TRUST TERRITORY OF THE PACIFIC ISLANDS
FOURTH MARIANA ISLANDS DISTRICT LEGISLATURE
P. O. Box 929 Saipan, Mariana Islands 96950

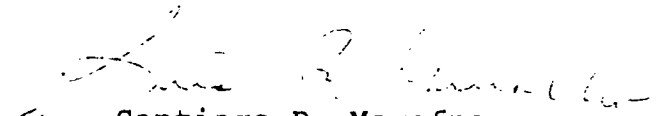
October 1, 1974

The Honorable James Schlesinger
Secretary
Department of Defense
Washington, D. C. 20515

Dear Mr. Secretary:

This is to transmit your copy of Resolution No. 20-1974, requesting the Chairman of the Foreign Claims Settlement Commission to discontinue the use of release for meritorius claimants under Title I of the Micronesian Claims Act of 1971, duly and regularly adopted by the 4th Mariana Islands District Legislature during its 4th Regular Session, for your consideration.

Sincerely yours,


Santiago B. Magofna
Legislative Secretary

Enclosure: Cy. of Res. No. 20-1974

FOURTH MARIANA ISLANDS DISTRICT LEGISLATURE

FOURTH REGULAR SESSION

RESOLUTION NO. 20-1974

FOURTH MARIANA ISLANDS DISTRICT LEGISLATURE

FOURTH REGULAR SESSION

RESOLUTION NO. 20-1974

INTRODUCED BY: HON. VICENTE N. SANTOS, SAIPAN

A RESOLUTION RELATIVE TO REQUESTING THE CHAIRMAN OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION TO DISCONTINUE THE USE OF RELEASES FOR MERITORIOUS CLAIMANTS UNDER TITLE I OF THE MICRONESIAN CLAIMS ACT OF 1971

WHEREAS, pursuant to the authority delegated by the Micronesian Claims Act of 1971, a release form has been developed and is required to be executed by all claimants who receives awards under the Micronesian Claims Act of 1971 for Title I claims; and

WHEREAS, since Title I Claims are those claims that are for losses that occurred during the hostilities of World War II, and that are paid pursuant to an Executive Agreement entered into by the Government of Japan and the United States of America are ex gratia, which means without liability, the requirement of a release would seem to be superfluous if not illegal; and

WHEREAS, the release form that the successful claimants are being required to execute legally releases both the Government of Japan and the United States of America from any and all liability arising out of the hostilities of World War II which does not seem to be a valid consideration if the payment is a gift; and

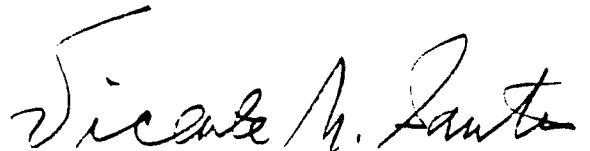
WHEREAS, the payment of only 16% of the adjudicated award is considered too low and in the event that the \$10 Million that are available for Title I claims is inadequate, the claimant will not receive any additional funds which would have the effect of having released the Government of Japan and the Government of the United States for only 16% of an already very lowly evaluated claims; and

RES. NO. 20-1974

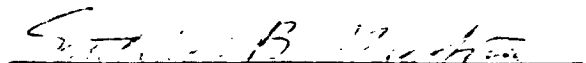
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AND BE IT FURTHER RESOLVED that the President certify to and the Legislative Secretary attest the adoption hereof and thereafter transmit copies of the same to the Secretary, Department of the Interior, the Secretary of the Department of State, Secretary of the Department of Defense, the Chairman of the Senate Committee on Interior and Insular Affairs, the Chairman of the Senate Appropriations Committee, the Chairman of the Foreign Affairs Committee for the House of Representatives, the Chairman of the House Committee on Interior and Insular Affairs and the Chairman of the Sub-Committee on Internal Organizations and Movements of the Committee on Foreign Affairs, House of Representatives, and to the Chairman of the Foreign Claims Settlement Commission and the Marianas Palau Joint Committee on Reparations.

PASSED BY THE FOURTH MARIANA ISLANDS DISTRICT LEGISLATURE SEPTEMBER 2, 1974.



VICENTE N. SANTOS
President



SANTIAGO B. MAGOFNA
Legislative Secretary