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FOURTH MARIANA ISLANDS DISTRICT LEGISLATURE

FIFTH REGULAR SESSION

RESOLUTION NO. 54-1975

INTRODUCED BY: HON. SANTIAGO B. MAGOFNA, SAIPAN
HON. FRANCISCO M. DIAZ, SAIPAN

1. A RESOLUTION RELATIVE TO URGING THE CONGRESS OF
2. THE UNITED STATES TO FAVORABLY CONSIDER AMENDMENT
3. TO PUBLIC LAW 92-39, AS AMENDED, THAT IS KNOWN AS
4. THE MICRONESIAN CLAIMS ACT OF 1971

5. WHEREAS, with the establishment of a Micronesian Claims Commission, it
6. has become clear that the amount of money made available for the settlement
7. of Micronesian Claims is wholly inadequate; and

8. WHEREAS, if and unless additional funds are made available for this
9. purpose, the citizens of the Trust Territory who have meritorious claims will
10. be required to accept a pittance of the amount that they are entitled to
11. receive for the losses of their property, injuries and deaths; and

12. WHEREAS, under the current law, the claimants are required to execute
13. releases even though the percentage of payments that they are to receive is
14. less than twenty percent (20%) of the adjudicated quantum value of their
15. claims which is considered to be extremely unfair and a breach of the legal
16. and moral responsibilities of the government of the United States as the
17. administering authority for the Trust Territory; and

18. WHEREAS, under a recent ruling by the Micronesian Claims Commission,
19. those citizens of the Trust Territory who lost extensive properties during
20. the hostilities of World War II but who were not Trust Territory citizens on
21. July 1, 1947, will not receive any consideration by the Micronesian Claims
22. Commission relative to their losses that were sustained during the
23. hostilities; and

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1. WHEREAS, this recent enterpretation by the Claims Commission will result
2. in a severe hardship on a large number of meritorous claimants whose
3. properties were destroyed through no fault of their own; and

4. WHEREAS, it is the sense of the Mariana Islands District Legislature
5. that the above described deficiency in Public Law 92-39, as amended, the
6. Micronesian Claims Act of 1971, were inadvertent oversight on the part of
7. both the executive and the Congress of the United States and as the elected
8. representatives of the people of the Mariana Islands District, we urge that
9. the Congress of the United States immediately undertake a correction of
10. these deficiencies to insure fair and equitable treatment of the citizens
11. of the Trust Territory;

12. NOW, THEREFORE, BE IT RESOLVED by the Fourth Mariana Islands District
13. Legislature, Fifth Regular Session, that the Congress of the United States
14. be and it hereby is respectfully urged to favorably consider amendments to
15. Public Law 92-39, as amended, that is known as the Micronesian Claims Act of
16. 1971;

17. AND BE IT FURTHER RESOLVED that the President certify to and the
18. Legislative Secretary attest the adoption hereof and thereafter transmit
19. copies of the same to the District Administrator, the High Commissioner, the
20. President of the Senate of the Congress of Micronesia, Speaker of the House
21. of the Congress of Micronesia, the Secretary of the U.S. Department of
22. Interior, Secretary U.S. Department of State, the Chairman of the
23. Subcommittee on House Interior and Insular Affairs, the Chairman of the
24. Committee on Interior and Insular Affairs of the Senate of the United States
25. Congress.

PASSED BY THE FOURTH MARIANA ISLANDS DISTRICT LEGISLATURE FEBRUARY 24, 1975.

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