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CHAMORRO TRIBE
I' Chamorro Na' Taotaogui

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Resolution No. 1941

Introduced by: Tribal Chairman, Frank J. Schacher
Tribal Vice Chairman, Gregory P. Schacher

Relative to urging The Congressional Delegate of Guam, The Honorable Michael F.Q. San Nicolas, to pursue the Federal Recognition of the Chamorro Tribe (I' Chamorro Na' Taotaogui) of Guam as a Native American Tribal body through congressional action and/or congressional inquiry through the United States Department of Interior.

BE IT RESOLVED BY THE CHAMORRO TRIBAL COUNCIL, (KONSILIO I' CHAMORRO NA' TAOTAOGUI):

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

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

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

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

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

WHEREAS, the United States of America is a United States Senate ratified signatory of the "Helsinki Accord"; and

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

WHEREAS, the Chamorro people of Guam were not a consensual party to 48 U.S.C. Section 8A- The Organic Act of Guam; and

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

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

WHEREAS, the Chamorro people of Guam were exposed to dichlorobiphenyl trichloroethane (DDT) for over two decades by the United States; and

WHEREAS, the United States military's use, storage, and disposal of hazardous materials, toxics, and contaminants within Guam, without the free, prior and informed consent of the Chamorro people since World War II, including Agent Orange, Agent Purple, dioxins, heavy metals, and Polychlorinated Biphenyls (PCBs), continues to negatively affect Guam's people and land, and the effects of these hazardous materials, toxics, and contaminants within Guam remain undocumented, untreated, and unmitigated; and

WHEREAS, the incidences of cancer in the Chamorro people of Guam are far out of proportion to the incidences in non-contaminated areas, and nasopharyngeal cancer incidences far outweigh all other cancer incidences in Guam; and

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

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

WHEREAS, restrictions were placed on studying and perpetuating the history, culture, and language of the Chamorro people by the United States from 1899 through 1962; and

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

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

WHEREAS, Compacts of Free Association negotiated between the United States and the Federated States of Micronesia, the Republic of Palau, and The Republic of the Marshall Islands without

Guam's participation or input have resulted in an overwhelming influx of immigrants to the island of Guam; and

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

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

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

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

WHEREAS, the Chamorro people seek a relationship with the United States based on equal rights and mutual respect; and

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

WHEREAS, it is also the wish of the Chamorro people of Guam to regain their dignity and self-respect as a people through equal Constitutional rights and protections; and

WHEREAS, the Federal Register of September 7, 1995, Vol. 60, designated Chamorro people of Guam as Native American Pacific Islanders; and

WHEREAS, 25 U.S.C. Chapter 43 was amended to include Guam under definition of State; and

WHEREAS, 18 U.S.C. defines an Indian/Tribe as a Native person/people subject to Federal law and eligible for benefits from the United States Department of Interior.

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

WHEREAS, the Non-Self-Governing Territory of Guam remains an Unincorporated, Organized Trust Territory of the United States of America; and

WHEREAS, the passage of the Organic Act of Guam without the free consent of the Chamorro people of Guam was, and is a violation of the Charter of the United Nations; and

WHEREAS, any violations of Senate ratified treaties by the United States is also a violation of the Constitution of the United States; and

WHEREAS, the Territorial Government of Guam was created by the Congress of the United States and was placed under the Administration of the Secretary of Interior, it is therefore a branch of the Department of Interior; and

WHEREAS, the United States Supreme Court has ruled that the Territorial Government of Guam cannot represent the aboriginal rights, or claims of the Chamorro people of Guam; and

WHEREAS, the taxation of the Chamorro people of Guam without equal voting representation is a violation of the Constitution of the United States; and

WHEREAS, the Territorial Government of Guam has failed in its Federal Trust responsibilities through the illegal transfer of Chamorro Homelands and other government-controlled lands; and

WHEREAS, the Territorial Government of Guam does not honor or protect the sacred, ancient remains of Chamorro ancestors, granting ownership of those sacred remains unto whomsoever owns the land upon which they are discovered; and

WHEREAS, the Territorial Government of Guam does not honor or protect the sacred, ancient artifacts of Chamorro ancestors, granting ownership of those sacred artifacts unto whomsoever owns the land upon which they are discovered; and

WHEREAS, the Territorial Government of Guam has failed to protect the ecology of Guam, allowing invasive insects, plants, reptiles and microbials on island destroying the ability of the Chamorro people of Guam to sustain themselves through traditional, agricultural methods; and

WHEREAS, the Territorial Government of Guam has failed to protect the marine ecology surrounding the island of Guam, allowing the destruction of the live reefs and further destroying the ability of the Chamorro people of Guam to sustain themselves through traditional fishing methods; and

WHEREAS, the United States Attorney for Guam has legally challenged the Constitutionality of the Territorial Government of Guam to protect Chamorro homelands of Guam for future Chamorro generations through the Chamorro Land Trust Act (Chapter 75 GCA); and

WHEREAS, the United States Congress, without equal representation of the Chamorro people of Guam has passed a law through an addition to the United States Farm Bill which removes from the Chamorro people of Guam the right to practice a traditional hobby that has been practiced by the Chamorro people of Guam for centuries; and

WHEREAS, it is a violation of the United Nations General Assembly Resolution 1541 for the Territorial Government of Guam, as a representative of the United States Government, to in any way participate or interfere with any self-determination plebiscite; and

NOW, THEREFORE BE IT RESOLVED, that the Chamorro Tribal Council (konsilio I' Chamorro Na' Taotaogui) does hereby, on behalf of the Chamorro Tribe, humbly request from the Congressional Delegate of the Island of Guam, congressional action which seeks to protect the inherent and aboriginal rights of the Chamorro people of Guam through full recognition of the Chamorro Tribe as a Native American Indian Tribe thereby affording the Chamorro People of Guam the opportunity for

full integration and inclusion under 25 U.S.C. as a Native American Indian Tribe, known as I' Chamorro Na' Taotaogui.

DULY AND REGULARLY ADOPTED BY THE CHAMORRO TRIBAL COUNCIL (KONSILIO I' CHAMORRO NA' TAOTAOGUI) ON THE 31st DAY OF MARCH 2019.

FRANK J. SCHACHER
Magalahen I' Chamorro Na' Taotaogui
Tribal Chairman

SKYLIA B. SCHACHER
Tribal Secretary