



Office of the Vice Speaker

## TINA ROSE MUÑA BARNES

*I Mina'trentai Sais Na Liheslaturan Guåhan*

### 36<sup>th</sup> Guam Legislature

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#### CHAIRPERSON

COMMITTEE ON RULES,  
PUBLIC ACCOUNTABILITY,  
HUMAN RESOURCES,  
GUAM BUILDUP,  
HAGÁTÑA REVITALIZATION,  
REGIONAL AFFAIRS,  
PUBLIC LIBRARIES,  
TELECOMMUNICATIONS &  
TECHNOLOGY

#### The Honorable Raul Grijalva

Chairman, Committee on Natural Resource  
United States House of Representatives

#### The Honorable Gregorio "Kilili" Sablan

Vice Chairman, Committee on Insular Affairs  
United States House of Representatives

#### **Subject: Response to Questions regarding H.Res.279 "Insular Cases Resolution"**

Dear Chairman Grijalva and Vice Chairman Sablan,

*Håfa Adai!* Thank you for the opportunity to submit testimony on H. Res. 279, the Insular Cases Resolution. I was honored to present testimony to the Committee in support of your efforts to restore parity in our territories. We concluded discussions on my Resolution 56-36 (COR) today, relative to supporting your efforts with H. Res. 279. The Guam Legislature will be voting on my Resolution this week, and I am optimistic that I will be able to deliver the support of the Guam Legislature.

Based on the testimony we received for the public hearing, Resolution 56-36 received overwhelming support from the Governor Lourdes A. Leon Guerrero, legal scholars, governmental and community stakeholders, and global partners.

The sentiment during the hearing was that House Resolution 279 is the first step to correcting an injustice. The United States Congress can exercise its Plenary Powers to correct this injustice. As such, I amended the resolution to reflect these requests by legal scholars and community stakeholders to include this language.

We also incorporated the request of my colleague Senator Mary Camacho Torres, and echoed by the Governor of Guam, to add language relative to the application of the Supplemental Security Income program to be inclusive of Guam. This was based on the testimony of Attorney Rodney Jacob, who serves as Katrina Schaller's counsel. Attorney Jacob stated that "It is contrary to common sense, human decency, and sound public policy to deny public benefits to all other American citizens with disabilities living on Guam." While Katrina won her case in the U.S. District Court of Guam last June, the U.S. federal government has appealed to the Ninth Circuit, which



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has paused the case pending the outcome of a similar case from Puerto Rico, which will be heard by the U.S. Supreme Court.

This same report also outlines that there must be further action to provide the People of Guam parity with their fellow Americans. The United States, through *Davis v. Guam*, systematically denied the People of Guam their right to Self-Determination. Concurrently, the United States has grown their footprint on Guam as a result of the ongoing Military Build-Up. While the I recognizes the importance of Guam as United States Military Installation, amidst growing regional threats perpetuated by rogue actors, and the importance of a free and safe Indo-Pacific, I concur that the People of Guam should have a voice in potential long-term ramifications to their home.

During the public hearing, I entered into the record a report by the Unrepresented Nations and People's Organization (UNPO). The UNPO report points out that Guam's status as an Unincorporated Territory, and how the Insular Cases present a framework wherein only certain parts of the United States Constitution applies to Guam. This determination, as echoed by Legal Scholars present, proved to be an injustice to the People of Guam and deprived them of fundamental rights afforded to Americans.

The floor debate on Resolution 56-36 was definitely contentious. But as in any functional democracy, it only works if we can have an open dialogue that encompasses the different perspectives of those governed. It was apparent to me that Guam's relationship with the United States is something that *everyone* in our Island is passionate about, and something that we must continue to discuss. I am grateful that you allowed me to voice my opinion and my concerns. I am thankful for your leadership, continued advocacy for parity within the United States Territories, and I am confident I can count on you to always allow the voice of the People of Guam to be heard.

Stronger, *TOGETHER!*

**Tina Rose Muña Barnes**

**Vice Speaker, 36<sup>th</sup> Guam Legislature**