



Office of Senator

Jesse Anderson Lujan

I Mina'trentai Siette na Liheslaturan Guåhan / 37th Guam Legislature
Vice Chair, Committee on Maritime Transportation, Air Transportation, Parks, Tourism,
Higher Education, and the Advancement of Women, Youth, and Senior Citizens

SENATOR LUJAN INTRODUCES COLA RELIEF ACT TO ASSIST MORE THAN 400 RETIREES AND THEIR HEIRS

FOR IMMEDIATE RELEASE

May 10, 2023

(Hagåtña, Guam) – Today, Senator Jesse Lujan introduced Bill No.115-37(COR), named the COLA Relief Act, to assist more than 400 Retirees and their heirs in obtaining the benefits owed for almost seventeen (17) years. Bill No.115-37(COR) reaffirms the government’s pledge in the original COLA Certificate law, Public Law 29-18, and will end continuing challenges to the statute. This is the third time the Guam Legislature has stepped forward to end forced litigation and to mandate prompt payment.

“I was shocked when presented the evidence showing over 400 Retirees and their attorney have still not received even one penny owed to them from their COLA Certificates. The Retirees were forced to file three (3) separate law suits to obtain their COLA Certificates. Yet, even after the government again lost in court, it found questionable methods to avoid payment to COLA Certificate holders. I intend to end this long-fought battle, immediately,” Lujan voiced.

Senator Lujan first introduced the COLA Certificate law to remedy a previous Administration’s refusal to pay the COLA Class and their attorney from the COLA class action law suit dating back to 1993. The Class won the case in 2006 but even after obtaining bond money earmarked to pay the 2006 Judgment, the government failed to fully compensate the Retirees. The original COLA Certificate law created negotiable instruments which could be sold and used for anything other than to pay taxes. Lujan’s current bill, Bill No.115-37(COR), prevents any further delay and eliminates the need for ongoing court battles. A number of other Senators have joined Senator Lujan as sponsors of the COLA Relief Act, including Senators Telo T. Taitague, Dwayne T.D. San Nicolas, Chris Barnett, William A. Parkinson, Thomas J. Fisher, and Tina Rose Muña Barnes. Lujan also stated he is greatly concerned by the Department of Administration’s responses to FOIA requests. According to the Director of Administration, the records are old enough to be destroyed.

“Fortunately, the Retirement Fund kept records of Retirees who are still owed money. I am grateful to Paula Blas for her cooperation and assistance. But it was Attorney Mike Phillips who brought this situation to my attention, and when he was able to show me the hundreds of unpaid Retirees, I had no choice but to introduce this bill. It is a real shame many of our manåmko' did not live to see the end of their thirteen (13) year court battle. It is unconscionable that anyone would force them to wait another seventeen (17) years before receiving their just payment. Attorney Phillips brought the original class action lawsuit in 1993. Phillips had to sue again in

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order to force the administration to issue the COLA Certificates. Phillips waived all attorney's fees from this second class action, and along with the over 400 Retirees, the administration has failed to pay Phillips anything he is owed from his COLA Certificate. It seems like it's payback for winning these cases, and that's wrong," Lujan stated.

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