

I MINA'TRENTAI KU'ATTRO NA LIHESLATURAN GU'AHAN
RESOLUTION STATUS

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Adopted	Date Referred	Referred to	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
52-34 (LS)	Therese M. Terlaje	Relative to expressing the support the government of Guam to not enter into a consent decree, without approval of the Guam Legislature and the Governor of Guam regarding the recent threatened lawsuit proposed by the United States Department of Justice over the Chamorro Land Trust Act.	03/09/17 4:36 p.m.		03/17/17	3/10/2017	The Author	3/17/2017	3/28/17 3:05 p.m.	Session 3/17/17 Transmittal to Governor 3/20/17



OFFICE OF THE VICE SPEAKER
THERESE M. TERLAJE
 Chairperson of the Committee
 On Culture and Justice

I Mina'trentai Kuáttro na Liheslaturan Guåhan
 34th Guam Legislature

March 24, 2017

The Honorable Benjamin J.F. Cruz
 Speaker
I Mina'trentai Kuáttro na Liheslaturan Guåhan
 34th Guam Legislature
 Guam Congress Building, 163 Chalan Santo Papa
 Hagåtña, Guam 96910

The Honorable Michael F.Q. San Nicolas
 Chairperson, Committee on Rules
I Mina'trentai Kuáttro na Liheslaturan Guåhan
 34th Guam Legislature
 Guam Congress Building, 163 Chalan Santo Papa
 Hagåtña, Guam 96910

R

2017 MAR 28 PM 3:05
 M. Cruz

RE: Amended Committee Report on Resolution No. 52-34 (LS)

Dear Speaker Cruz and Chairperson San Nicolas:

Transmitted herewith is the **Amended Committee Report on Resolution No. 52-34 (LS) - Relative to supporting that the government of Guam not enter into a consent decree without the approval of the Guam Legislature and the Governor of Guam regarding the recent threatened lawsuit proposed by the United States Department of Justice over the Chamorro Land Trust Act.**, which will also be delivered to the Committee on Rules on March 24, 2017. The original Committee Report was delivered to COR on March 17, 2017 and is also attached. Resolution No. 52-34 (LS) was adopted by the Legislature on March 17, 2017. Voting record is attached.

The Amended Committee Report includes the following:

- Copy of COR Referral of Res No. 52-34 (LS)
- Copy of COR Pre-Referral Checklist on Res No. 52-34 (LS)
- Copy of Res No. 52-34 (LS)
- Notices of Public Hearing
- Public Hearing Sign-in Sheet
- Copy of the Public Hearing Agenda
- Copies of Submitted Testimony & Supporting Documents
- Related News Reports
- Committee Report Digest including transcripts of all oral testimony

Please also process this as a formal Messages and Communication, transmitting the transcript of the public hearing held on March 17, 2017, and written testimonies that were submitted as of March 22, 2017.

Sj Xu'os ma'åse'

 Therese M. Terlaje

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
 T: (671) 472-3586 | F: (671) 472-3589 | Email: senatorterlajeguam@gmail.com
www.senatorterlaje.com

received
 3/14/17 5:24 pm CTV

**AMENDED
COMMITTEE REPORT
ON
Resolution No. 52-34 (LS)
Introduced by Therese M. Terlaje**

“Relative to supporting that the government of Guam not enter into a consent decree without approval of the Guam Legislature and the Governor of Guam regarding the recent threatened lawsuit proposed by the United States Department of Justice over the Chamorro Land Trust Act.”



COMMITTEE ON RULES

Senator Michael F.Q. San Nicolas, *Chairman*
I Mina' Trentai Kuåttro na Liheslaturan Guåhan • 34th Guam Legislature



MEMO

To: **Rennae Meno**
Clerk of the Legislature
Attorney Julian Aguon
Legislative Legal Counsel

From: **Senator Michael F.Q. San Nicolas**
Chairman of the Committee on Rules

Date: **March 10, 2017**

Re: **Referral of Resolution No. 52-34 (LS)**

Buenas yan Håfa adai.


As per my authority as Chairman of the Committee on Rules, I am forwarding the referral of **Resolution No. 52-34 (LS)**.

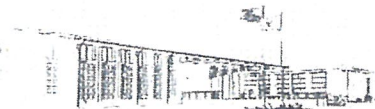
Please ensure that the subject resolution is referred, in my name, to **Vice Speaker Therese M. Terlaje, author of Resolution No. 52-34 (LS)**.

If you have any questions or concerns, please feel free to contact Christian Valencia, Committee on Rules Director, at 472-6453.

Thank you for your attention to this important matter.

Respectfully,


Senator Michael F.Q. San Nicolas
Chairman of the Committee on Rules



I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
RESOLUTION STATUS

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Adopted	Date Referred	Referred to	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
52-34 (LS)	Therese M. Terlaje	RELATIVE TO SUPPORTING THAT THE GOVERNMENT OF GUAM NOT ENTER INTO A CONSENT DECREE WITHOUT APPROVAL OF THE GUAM LEGISLATURE AND THE GOVERNOR OF GUAM REGARDING THE RECENT THREATENED LAWSUIT PROPOSED BY THE UNITED STATES DEPARTMENT OF JUSTICE OVER THE CHAMORRO LAND TRUST ACT.	03/09/17 4:36 p.m.				The Author			



FIRST Notice of Public Hearing - Friday, March 17, 2017 at 9:00 AM

Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Thu, Mar 9, 2017 at 7:15 PM

To: phnotice@guamlegislature.org

Cc: Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Bcc: neil@postguam.com, Sabrina Salas <sabrina@kuam.com>, parroyo@k57.com

Håfa adai,

Please see pasted below and attached public hearing notice from Vice Speaker Therese M. Terlaje, along with Res Nos. 51-34 and 52-34 (LS).

Should you have any questions, please contact our office.

Thank you,

Nicole Santos

March 9, 2017

MEMORANDUM

From: Vice Speaker Therese M. Terlaje
Chairperson, Committee on Culture and Justice

Subject: FIRST NOTICE of Public Hearing - Friday, March 17, 2017 at 9:00 AM

Håfa Adai!

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on Culture and Justice will convene a public hearing on Friday, March 17, 2017, beginning at 9:00 AM in / *Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña). On the agenda are the following items:

Resolution No. 51-34 (LS) - Therese M. Terlaje

RELATIVE TO SUPPORTING THAT THE GOVERNMENT OF GUAM MOVE FORWARD TO APPEAL THE RULING OF THE DISTRICT COURT OF GUAM TO ASSIST IN DEFENDING THE RIGHTS OF THE NATIVE INHABITANTS OF GUAM.

Resolution No. 52-34 (LS) - Therese M. Terlaje

RELATIVE TO SUPPORTING THAT THE GOVERNMENT OF GUAM NOT ENTER INTO A CONSENT DECREE WITHOUT APPROVAL OF THE GUAM LEGISLATURE AND THE GOVERNOR OF GUAM REGARDING THE RECENT THREATENED LAWSUIT PROPOSED BY THE UNITED STATES DEPARTMENT OF JUSTICE OVER THE CHAMORRO LAND TRUST ACT.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via *Liheslaturan Guåhan*'s live feed. If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to Vice Speaker Therese M. Terlaje. Testimonies may be submitted via hand delivery to the Office of Vice Speaker Therese M. Terlaje at the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; at the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910; or via email to senatorterlajeguam@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Vice Speaker Therese M. Terlaje, 163 Chalan Santo Papa, at (671) 472-3586 or by sending an email to senatorterlajeguam@gmail.com.

We look forward to your attendance and participation.

Si Yu'os Ma'åse'!

--
The Office of Vice Speaker Therese M. Terlaje
Committee on Culture and Justice
I Mina'trentai Kuåttro na Liheslaturan Guåhan
34th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 472-3589

senatorterlajeguam@gmail.com

3 attachments

 **PH_First Notice_031717.pdf**
165K

 **Resolution No. 51-34.pdf**
97K

 **Resolution No. 52-34.pdf**
137K



OFFICE OF THE VICE SPEAKER
THERESE M. TERLAJE
Chairperson of the Committee
On Culture and Justice

I Mina'trentai Kuåttro na Lihelaturan Guåhan
34th Guam Legislature

March 9, 2017

MEMORANDUM

From: Vice Speaker Therese M. Terlaje *TMS*
Chairperson, Committee on Culture and Justice

Subject: FIRST NOTICE of Public Hearing - Friday, March 17, 2017 at 9:00 AM

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We look forward to your attendance and participation.

Si Yu'os Ma'åse'!



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

SECOND Notice for Public Hearing - Tuesday, March 17, 2017, 9:00 AM

Senator Therese Terlaje <senatorterlajeguam@gmail.com>
To: phnotice@guamlegislature.org
Cc: Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Tue, Mar 14, 2017 at 1:33 PM

Håfa adai,

Please see pasted below and attached public hearing notice from Vice Speaker Therese M. Terlaje.

Should you have any questions, please contact our office.

Thank you,
Nicole Santos

March 14, 2017

MEMORANDUM

From: Vice Speaker Therese M. Terlaje
Chairperson, Committee on Culture and Justice

Subject: SECOND NOTICE of Public Hearing - Friday, March 17, 2017 at 9:00 AM

Håfa Adai!

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on Culture and Justice will convene a public hearing on Friday, March 17, 2017, beginning at 9:00 AM in / *Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña). On the agenda are the following items:

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We look forward to your attendance and participation.

Si Yu'os Ma'åse'!

--

The Office of Vice Speaker Therese M. Terlaje
Committee on Culture and Justice
I Mina'trentai Kuåtto na Liheslaturan Guåhan
34th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 472-3589

senatorterlajeguam@gmail.com

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 **PH_Second Notice_031717.pdf**
165K



OFFICE OF THE VICE SPEAKER
THERESE M. TERLAJE
Chairperson of the Committee
On Culture and Justice

I Mina'trentai Kuåttro na Liheslaturan Guåhan
34th Guam Legislature

March 14, 2017

MEMORANDUM

From: Vice Speaker Therese M. Terlaje
Chairperson, Committee on Culture and Justice

Subject: SECOND NOTICE of Public Hearing - Friday, March 17, 2017 at 9:00 AM

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We look forward to your attendance and participation.

Si Yu'os Ma'åse'!



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

CORRECTION: SECOND Notice for Public Hearing - Friday, March 17, 2017, 9:00 AM

1 message

Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Tue, Mar 14, 2017 at 2:18 PM

To: phnotice@guamlegislature.org

Cc: Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Hafa adai to All,

This e-mail is sent as a correction to the above subject line, to read: "SECOND Notice for Public Hearing - Friday, March 17, 2017, 9:00 a.m."

Sinceremente yan *Si Yu'os Ma'åse'*

C. B. Kintol

Policy Analyst

--

The Office of Vice Speaker Therese M. Terlaje

Committee on Culture and Justice

I Mina'trentai Kuåttro na Liheslaturan Guåhan

34th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 472-3589

senatorterlajeguam@gmail.com

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On Tue, Mar 14, 2017 at 1:33 PM, Senator Therese Terlaje <senatorterlajeguam@gmail.com> wrote:

Hafa adai,

Please see pasted below and attached public hearing notice from Vice Speaker Therese M. Terlaje.

Should you have any questions, please contact our office.

Thank you,

Nicole Santos

March 14, 2017

MEMORANDUM

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Chairperson, Committee on Culture and Justice

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We look forward to your attendance and participation.

Si Yu'os Ma'åse'!

--

The Office of Vice Speaker Therese M. Terlaje
Committee on Culture and Justice

I Mina'trentai Kuáttro na Liheslaturan Guáhan
34th Guam Legislature

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ON THE FRIDGE

Send your submissions for "On the Fridge" to life@guampdn.com. Include: who, what, where, when and how much — as well as a point of contact for more information.

NEW LISTINGS

Crime victims' fair: National Crime Victims' Rights Week Fair from 10 a.m. to 2 p.m. April 8 at the Ricardo J. Bordallo Governor's Complex (Adelup Lawn). The public is invited to attend this informational fair meant to commemorate and honor victims of all crime and their service providers. This year's theme is "Strength, Resilience, Justice." Service providers include Healing Hearts, Erica's House, Victim Advocates Reaching Out, GPDs Domestic Assault and Response Team, the Guam Coalition, and many others.

Volunteers for coral reef: The Guam Community Coral Reef Monitoring Program will host training sessions for residents who want to become members and help monitor Guam's coral reefs. Interested residents must pre-register and complete Class Training and In-Water Training. Class Training will be from 10 a.m. to noon March 18, 22, and 29 at the NOAA Fisheries Office in Tiyan. Participants need to attend one Classroom Training. In-Water Training will follow from 9 to 11 a.m. April 1 at Tepungan Beach Park in Piti. Combo training to satisfy both Class and In-Water training will be from 2:30 to 5:30 p.m. April 8 next to the Merizo Basketball Court. Participants will learn how to collect data on corals and other marine species on Guam's reef flats using scientific survey methods. Members can participate in monitoring surveys

inspirations, creative ideas and expert advice under one roof. From ceremony to reception, over thirty exhibitors to help you plan your big day. Check out the seminars from budgeting to planning to looking good, these experts share their tips to help you save time, money and stress. Engaged couples enter for your chance to win a roundtrip for two to Manila in the Grand Giveaway presented by Cebu Pacific. Entry forms available only at the show. Must be present to win. Winners of the Bridal Boot Camp season three and the Picture Perfect Photo Contest will also be announced. For details, call 479-0501.

Wave against marijuana: Wave against recreational marijuana from 4:30 to 5:30 p.m. March 18 at BOG/FHP clinic in Tamuning intersection.

TODAY

Public hearing: The Guam Legislature's Committee on Culture and Justice will convene a public hearing at 9 a.m. March 17 in I Liheslaturan Guåhan's Public Hearing Room (Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, 96910) to discuss Resolution No. 51-34 (LS) - related to supporting an appeal in Davis V. Guam Election Commission case and Resolution No. 52-34 (LS) related to supporting the Attorney General, the Chamorro Land Trust Commission (CLTC) and Governor in fighting the Department of Justice (DOJ) allegations of discrimination by CLTC, and urging them not to enter into a consent decree in response to threat from DOJ. The public is invited to attend and provide comments. For more information or special accommodations, contact the Office of Vice Speaker Therese M. Terlaje at 472-3586 or senatorterlaje-guam@gmail.com.

Guam High School and from any cast member for \$10 each. To reserve your tickets, call 344-7362. For more information, email romina.sotomil@pac.doea.edu.

Island Fair vendors sought: Guam Visitors Bureau (GVB) seeks vendors for the 29th Guam Micronesia Island Fair, to be held on May 3-7 at Paseo de Susana in Hagåtña. The five-day family-friendly event will feature cultural entertainment, music, arts and crafts, food, pop-up shops, interactive theme parks, and community organizations. Admission to this event is open to the public and free of

charge. Vendor applications are available at www.visitorsbureau.com or GVB office in Tumon. Deadline to submit is March 17. Those interested can also call GVB at 652-278.

Women's Art e Soroptimist International Guam, Guam Cour Women's Clubs, Guam Council on the Arts & Humanities Agency, Department of Interior Affairs and Inter for the Arts will bring the 12th Annual Women's History Month Art Exhibit in honor of regular business hours day through Sunday March 17 to 25 at the

In Loving Memory

Frank Joseph

also known as "Sonny"
December 1, 1954 - March 17, 2017
Of Maina formally of Tamuning with his Heavenly Father at the

He will be greeted at the gates of heaven by his wife and Francisco Anderson Matanane; Godparents Maria Jill Anderson Matanane; Parents-In-Law T. Flores; Granddaughter: Celestina Matanane; Brother-in-law: Richard T. Saville of West Virginia

His love and memories will forever remain in the hearts of his wife: Bertilla Flores Matanane (aka: Berthy/Bertie); His Sons & Spouse: Frank Christopher Matanane; Mark Steven Matanane, wife Tracy California; Frank James Matanane & Christine and Christopher J. Bost of Glenn Burnie; Daughter: Shalina Matanane & Eric Borja; Francesca Maria Matanane of Nashville, Tennessee; Sanza Bost Nothdurft of Baltimore, Maryland and Phyllis Bost Portillo and her husband Francisco Portillo of Glen Burnie

Brothers and Sisters: Sara Matanane Achivida & Joseph Achivida; John Matanane & Therese D. Matanane; Mona Matanane Duenas & Gonzallo F. Duenas Jr.; Eddie T. Matanane & Rita D. Matanane of Calif.; Peter A. Matanane, Martin J. Matanane & Giana B. Matanane of Calif.

Brother and Sisters-In-Laws: Mary Lou F. Saville of Inman, SC; Sylvia M. Cruz of Maina; Vincent K. Flores & Sarah Eliason

guampdn.com Pacific Daily News Thursday, March 16, 2017

ON THE FRIDGE

Send your submissions for "On the Fridge" to life@guampdn.com. Include: who, what, where, when and how much — as well as a point of contact for more information.

TOMORROW

Public hearing: The Guam Legislature's Committee on Culture and Justice will convene a public hearing at 9 a.m. March 17 in *I Liheslaturan Gudhan's* Public Hearing Room (Guam Congress Building, 163 Chalan Santo Papa, Ha-

gãtña, 96910) to discuss **Resolution No. 51-34 (LS)** - related to supporting an appeal in Davis V. Guam Election Commission case and **Resolution No. 52-34 (LS)** related to supporting the Attorney General, the Chamorro Land Trust Commission (CLTC) and Governor in fighting the Department of Justice (DOJ) allegations of discrimination by CLTC, and urging them not to enter into a consent decree in response to threat from DOJ. The public is invited to attend and provide comments. For more information or special accommodations, contact the Office of Vice

See FRIDGE, Page 26

BELOW CARDS ON SALE NOW.

THIS THURSDAY
A BIG \$4.4
A standard card costs \$2
Play Extra Powerballs \$2
MORE CHANCES TO WIN

THIS SATURDAY'S JACKPOT
\$2.5 M
Card Costs \$18

CARDS ON SALE NOW AT OUR EXCLUSIVE OUTLETS - ALL PAYLESS SUPERMARKET, DAY-BUY-DAY MARKET IN PITI, SUPERMART MANU'AG, & ELEVEN OTHER LOCATIONS

REMEMBER MEGA BINGO IS PLAYED AT HOME... GAMING

NEED HELP? PLEASE CALL 688-8888
ALL GRAND PRIZES PAID IN CASH

dents will be accepted. For more details contact any of the following: Mila Moguel at 649-4489, Gloria Baguinnon at 686-5871 or Ciony Viray at 637-1538.

MARCH

Public hearing: The Guam Legislature's Committee on Culture and Justice will convene a public hearing at 9 a.m. March 17 in I Liheslaturan Guåhan's Public Hearing Room (Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, 96910) to discuss Resolution No. 51-34 (LS) - related to supporting an appeal in Davis V. Guam Election

Commission case and Resolution No. 52-34 (LS) related to supporting the Attorney General, the Chamorro Land Trust Commission (CLTC) and Governor in fighting the Department of Justice (DOJ) allegations of discrimination by CLTC, and urging them not to enter into a consent decree in response to threat from DOJ. The public is invited to attend and provide comments. For more information or special accommodations, contact the Office of Vice Speaker Therese M. Terlaje at 472-3586 or senatorterlaje-guam@gmail.com.

Bye Bye Birdie musical:

Guam High School is proud to present our local production of Bye Bye Birdie. Bye Bye Birdie is a loving satire of the 1960s, small-town America, teenagers, and rock and roll. Featuring a tuneful high-energy score and a hilarious script, Bye Bye Birdie continues to thrill a wide variety of audiences. Show times are 6 p.m. March 17, noon and 6 p.m. March 18. Open to the public (with a valid picture ID). Tickets are available at Guam High School and from any cast member for \$10 each. To reserve your tickets, call 344-7362. For more information, email ro-

mina.sotomil@pac.dea.edu.

Father Duenas Annual Songfest: The Father Duenas Memorial School Class of 2019 presents "Sounds of the Cinema" 5 p.m. March 18 at the Calvo Fieldhouse at the University of Guam. Show begins at 7 p.m. Performances will feature songs that have been used in films. Tickets are \$20 and tables are \$400. Concessions will be sold. For more information call the office at 734-2261 or email Mr. Brian Galang at bgalang@fatherduenas.com.

PANGASINANSES BINGO
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THURSDAY, MARCH 15, 2017

AWAY 00	BLACKOUT GIVEAWAY \$5,000
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1 - Early Bird.....	3/\$5
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Hannah Cho Iriarte,
479-0439
life@guampdn.com

guampdn.com Pacific Daily News Tuesday, March 14, 2017

ON THE FRIDGE

Send your submissions for "On the Fridge" to life@guampdn.com. Include: who, what, where, when and how much — as well as a point of contact for more information.

NEW LISTINGS

Diabetes session: The Guam Diabetes Association will be hosting its free monthly Diabetes session from 5:30 to 7 p.m. March 14 at the Mangilao Senior Center. The guest speaker is Rita Oliva from Immunization Program/DPHSS. The topic is "Immunization and Diabetes." Healthy refreshments will be served. Open to the public. For more info, call 632-1971.

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LIFE & STYLE

Plan ahead for perfect bridal do

SUE LEE
SILEE@GUAMPDN.COM

When it comes to getting the perfect hairstyle for your big day, planning ahead and trusting your hairdresser will diminish some of those wedding jitters, says Saphire Riboni, cosmetologist at Hair Town, Guam Premier Outlets, Tamuning.

It'll be a disaster if you walk in the day of and try to figure it all out, Riboni says. You should get to know your stylist so you're on the same page. Schedule a trial three to four months ahead of your wedding date. Bring samples of what you like so he or she can get an idea of what you want. Also bring along your veil and any other hair accessories you plan on wearing.

"I look at their dress, their face, how they look, how long their hair is ... but sometimes you kind of have to ignore those things too. I'm good at gauging that. I can say it looks good but if the bride says she's not comfortable, I try to compensate, even if the style doesn't

chance to observe work.

"I wasn't a picky when I gave her free was beyond happy. them (bridesmaids) I do that compliments. Best decision I made. tion of my wedding."

So on that note, Riboni commends getting at sultation beforehand mind that not all st comfortable doing a

See **STYLIST**, Page 1



Daughter's efforts are never good enough for her family



DEAR ABBY
JEANNE
PHILLIPS

DEAR ABBY: I'm a 15-year-old girl, and I'm struggling with abuse. I'm mentally and physically abused by my family constantly, yet they make me out to be the abusive one. I could do amazing on a test, and they yell at me for something that happened on the last one. They're always pushing me so hard to do better that it's making me do worse.

How can I make my family see that I'm not them, and I can do good if they just give me the chance to learn from my mistakes? — **STRUGGLING IN WISCONSIN**

DEAR STRUGGLING: Parents always want their children to per-

form to their level of capacity. Because you say you are being abused physically and emotionally for your inability to live up to your family's expectations, discuss what's going on with a counselor at your school. It's possible there needs to be an intervention by someone they will listen to. Please don't wait to do it.

DEAR ABBY: My husband of three years has visits with his son every Tuesday and Thursday evening. My mother-in-law picks up her grandson, takes him to her home and makes dinner for the three of them. I work 10-hour days Monday through Friday and am not able to attend these dinners.

My question is, isn't it proper etiquette that my mother-in-law should send a plate of food home for me with my husband? She never has,

and I think this is rude and inconsiderate of her. What is your opinion? — **HUNGRY IN EL PASO**

DEAR HUNGRY: Although brief, your letter speaks volumes about your relationship with your mother-in-law, which appears could be better. No rule of etiquette dictates that she is obligated to send a plate of her food home with her son for you. Perhaps if your relationship with her was warmer, or your husband was thoughtful enough to suggest it, she would. However, since you asked, my opinion is that rather than complain, you should pick up some take-out on your way home from work.

DEAR ABBY: I'm a 22-year-old college student on the verge of graduating this May. I've been dating my boyfriend for more than five years, and I am extremely close with his

family, especially his sister "Claudia" and her three children (ages 6, 3 and 6 months).

My parents are throwing me a graduation party at their home, and they don't want any guests under the age of 10. How do I tell Claudia — a dear friend — that her children won't be invited without upsetting her?

How do I tell her? Help! — **SOON-TO-BE GRADUATE**

DEAR SOON-TO-BE GRADUATE: You are not hosting the party; your parents are. As the hosts, it is their privilege to decide whom to invite — or not. When Claudia is invited, your parents should explain that they prefer children under the age of 10 not be present.

Contact Dear Abby at www.DearAbby.com.

GOVERNMENT MEETINGS

New Listings

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See MEETINGS, Page 22

GUAM DAILY POST • FRIDAY, MARCH 10, 2017

GUAM HOUSING AND URBAN RENEWAL AUTHORITY

Board of Commissioners Meeting
12:00 P.M., Friday, March 17, 2017
GHURA Main Office
1st floor Conference Room
117 Bien Venida Avenue, Sinajana

Agenda

- I. ROLL CALL
- II. APPROVAL OF PREVIOUS BOARD MINUTES – February 24, 2017
- III. CORRESPONDENCE AND REPORTS
- IV. OLD BUSINESS
- V. NEW BUSINESS
- VI. GENERAL DISCUSSION/ANNOUNCEMENT
- VII. ADJOURNMENT

For special accommodation, contact Ms. Kathy Taitano
Tele No. 475-1322 or TTY #472-3701



I Mina'trentai Kuáttro na Liheslaturan Guáhan 34th Guam Legislature

OFFICE OF THE VICE SPEAKER
THERESE M. TERLAJE
COMMITTEE ON CULTURE AND JUSTICE

Public Hearing
Friday – March 17, 2017
9:00 a.m.

Guam Legislature Public Hearing Room,
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If you require any special accommodations, auxiliary aids, or other special services, or for further information, please call the Office of Vice Speaker Therese M. Terlaje at 472-3586. For copies of any of the Bills or Resolutions listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com. Testimonies may be submitted directly to our office at the Guam Congress Building at 163 Chalan Santo Papa in Hagåtña or at the Protocol Office of the Guam Congress Building, via fax at 472-3589, or via email at senatorterlajeguam@gmail.com.

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SUNNY STROLL: Tourists enjoy the sunny weather as they explore Tumon in this file photo. Last fiscal year, Guam saw 1.51 million visitors. And at the end of this fiscal year, in September, GVB expects that number to reach 1.57 million. David Castro/The Guam Daily Post

Audit: Hotel rates, tax collections rise with visitor numbers

Guam tourism's booming visitor arrivals were mirrored in the amount of taxes collected from hotel room guests.

Fiscal year 2016 Tourist Attraction Fund collections rose 10 percent compared with the previous year, totaling \$40 million, according to an audit on Guam Visitors Bureau finances, released yesterday.

This was due to the increase in the number of Guam's hotel room guests, and the increase in the average room rate, the report stated.

An 11 percent hotel occupancy tax is assessed on the daily rate of a hotel

arrivals from Japan are expected to continue to slide, according to the audit report's projections.

Rising room rates

When more people want hotel rooms, the occupancy rate goes up - and so does the cost of the hotel room, which was also reflected in the hotel occupancy tax collection.

Guam hotel rooms had an 80 percent average occupancy in fiscal 2016, up from 74 percent the previous year. However, during peak seasons, certain Guam hotels have had to turn guests away because they're fully booked.

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I Mina'trentar Kuáttro na Liheslaturan Guáhan 34th Guam Legislature

OFFICE OF THE VICE SPEAKER
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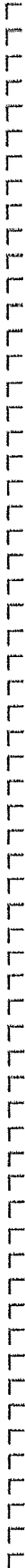
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I Mina'trentai Kuåttro na Liheslaturan Guåhan

34th Guam Legislature

OFFICE OF THE VICE SPEAKER

THERESE M. TERLAJE

Chairperson of the Committee
On Culture and Justice

Public Hearing

Friday, March 17, 2017

9:00 a.m.

AGENDA

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The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via [Lihselaturan Guåhan's](#) live feed. If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to Vice Speaker Therese M. Terlaje. Testimonies may be submitted via hand delivery to the Office of Vice Speaker Therese M. Terlaje at the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; at the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910; or via email to senatorterlajeguam@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Vice Speaker Therese M. Terlaje, 163 Chalan Santo Papa, at (671) 472-3586 or by sending an email to senatorterlajeguam@gmail.com.

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I Mina'trentai Kuáttro na Liheslaturan Guáhan

Office of the Vice Speaker

Senator Therese M. Terlaje

Committee On Culture and Justice

Date: Friday, March 17, 2017

Time: 9:00 AM

Resolution No.: 52-34 (LS)

PUBLIC HEARING
SIGN UP SHEET

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Ed Nelson	Box 181	727 03 51					
2	Bob Pelkey YMLG	P.O. Box 20142	637-3391	bobpelkey55@gmail.com				✓
3	Francisco Mose	P.O. Box 11641 Tam	929-3074	guamshido.karl@carde.gu				✓
4	Rudolph Villaverde	Box 218056 ^{Barrigada} GU	96923 7349319	rev5rev5@gmail.com				✓
5	Saina dFing	mangilao	637-5894			✓		✓
6	Marya' Lahen Pagat	mangilao	482-6610					✓
7	Vicente GARRIDO	Dededo	632-5908			✓		✓
8	Rambo Beauvent	Mangilao	858-8356			✓		✓
9	LASIA CASI	545 Bishop Plano San Jose P. Ta	688-1139		✓			✓
10	Enrique Torres	Yong	789-2895					✓



I Mina'trentai Kuáttro na Liheslaturan Guåhan
Office of the Vice Speaker
Senator Therese M. Terlaje
 Committee On Culture and Justice

Date: Friday, March 17, 2017 **Time:** 9:00 AM
Resolution No.: 52-34 (LS)

PUBLIC HEARING
SIGN UP SHEET

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Ray Lujan							
2	Lakretia Castro-Santos						✓	
3	Rosario Perez							
4	Tressie Diaz	tuw	682-3233				✓	no
5	Josefa Quiñata							
6	Jose U. GARREIDO	TFFA	686-9075			✓		
7	MANNY DURAN						✓	
8	Magdalena	RFB	653-6637			✓	✓	
9	Josefa Quiñata		477-2015	joseta quiñata@gmail.com				
10	Trini Torres	Toto/Chochugo'	799-1891		will submit later.	✓	✓	

Mike Phillips

477-2223



I Mina'trentai Kuáttro na Liheslaturan Guáhan
 Office of the Vice Speaker
 Senator Therese M. Terlaje
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	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Agaton Idin Raymond		988-8806	atulai22@gmail.com			✓	
2	Jose Cristobal					✓	✓	
3	Ronald Laguan					✓	✓	
4	Ned Pab/b		988-7590			✓	✓	
5	Robert H. West	(had to leave 12:42p)	688-7275			✓	✓	
6	Carmen Kasperbauer					✓		
7	Nieves					✓		
8	Catherine McCollum	115 Panzalan St. Tamuning, GU	488-6662				✓	
9	Shannon McManus	P.O. Box 8875 Agaña, GU 96928	688-9384	Kedeipalau@gmail			✓	
10	Jonathan Glaser	()	()	()			✓	



I Mina'trentai Kuáttro na Liheslaturan Guåhan
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	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Tan Amanda Santos					✓		
2								
3								
4								
5								
6								
7								
8								
9								
10								

3/16/2017

Gmail - U.S. Dept. of Justice and the Chamorro Land Trust Act



Senator Therese Terfaje <senatorterfajeguam@gmail.com>

U.S. Dept. of Justice and the Chamorro Land Trust Act

3 messages

Genedine Aquino <genedine.aquino@gmail.com>

Wed, Mar 15, 2017 at 4:17 AM

To: senator@senatorbjcnz.com, senatorterfajeguam@gmail.com, senatorbiscoelee@guamlegislature.org, office@senatorada.org, senatorjoessenagustin@gmail.com, senatorcnelson@gmail.com, senatorsannicolas@gmail.com, senatordrodriguez@gmail.com, aguon4guam@gmail.com, senjvespaldon@gmail.com, tommy@senatoromison.com, marycamachotorres@gmail.com, senatorlouse@gmail.com, wilcastro571@gmail.com, senatorestaves@gmail.com

Dear Senator,

I am writing to request your support of the Chamorro people as it pertains to recent issues relating to the impending U.S. Department of Justice lawsuit over the Chamorro Land Trust Act. Although I am off-island, I am providing written testimony in support of and on behalf of all natives of Guam and throughout the world. In support of my testimony, I have attached excerpts from a 1906 publication from Cornell University entitled, *America's Insular Possessions*, [redacted] These excerpts provide a brief description of just some of the atrocities endured by the natives of Guam at the hands of colonialists. Another excerpt from this publication advocates for the U.S. Government's obligation to the people of Guam in 1906. I respectfully request that you consider my testimony in all present and future actions relating to this significant issue. [redacted]

Testimony:

I am a native of Guam, a United States island territory in the Pacific. We natives, or indigenous people, are called Chamorro. Currently, Chamorros are facing something very similar to what the Native Americans and Native Hawaiians have been facing – the repossession of our land by the U.S. Government.

Historical Background:

Our island was conquered and colonized by Spain in the 1500s through 1898. During that period, there was near total genocide of our people as our population was greatly reduced due to our resistance to Spanish colonization which led to war, and the introduction of European diseases. Our people were raped, massacred and enslaved for hundreds of years by the Spaniards. Our land, seas, and our humanity was taken from us. Translate many of the existing indigenous Chamorro last names and you will find that even some of these names represent despair and loss experienced during that period of history.

Then in 1898, the United States took possession of our Island following the Spanish-American War.

In 1941, we were conquered by Japan during World War II. We were once again enslaved, placed in concentration camps, worked to death, starved, tortured and killed by the Japanese. My grandparents, survivors of the War, never talked about these things, so we had to learn about this dark period of our history from other survivors who were willing to talk, and through books and scarce written memoirs. It wasn't until my grandma had dementia when she would display symptoms of PTSD such as flashbacks and paranoia, forcing us to board the windows because "the Japanese are coming."

It was not until 1944 when we were liberated by the U.S. from Japanese occupation. Following our liberation, our parents were subject to more oppression. I don't know much about this because once again it is often taboo to talk about such harsh realities; however, it is known that the Americans, among other things, beat our parents for speaking the native language at school. As a result, many of us are unable to speak our native language today.

And although we gained U.S. citizenship, we have never been allowed to vote for president of the United States. We were described as "savage" and "alien races" because we were not Anglo-Saxon. Therefore, we were not granted federal voting rights.

3/16/2017

Gmail - U.S. Dept. of Justice and the Chamorro Land Trust Act

Today, there are two large U.S. military bases on our island: Andersen Air Force Base and Naval Base Guam. Guam serves as one of the greatest strategic military locations in the Asia-Pacific region. Our island is also home to one of the highest concentrations of military veterans among U.S. States and territories. One in eight adults on our island have served in the armed forces. As of 2013, the Dept. of Defense controls nearly 36,000 acres of Guam land, or approximately 1/4 of the island. If that area is concentrated, it would be as large as Inalahan, Malessa, Talofoto, and Humatac combined.

Today:

Following a discrimination complaint filed by a non-native resident, the Dept. of Justice, in a letter to our governor, stated it completed an investigation into possible violations of the Fair Housing Act in Guam's land-use policies and practices under the Chamorro Land Trust Act. The Chamorro Land Trust Act allows natives to lease certain lands for 99 years for \$1 each year. This allows natives to lease some of the lands that were seized or otherwise acquired due to colonization. This is our government's version of Native Chamorro reservations. This land, potentially, could be designated for natives so that in the event much of our island is bought out by non-natives, and should we continue to become more and more of a numerical minority, we would still have some land to facilitate our social, cultural and economic well-being to secure our existence on our island.

However, the U.S. Government believes that this is discrimination, and that these designated ancestral lands should be open to all people, natives and non-natives alike.

Many Chamorros believe that this means that the designated lands – essentially Native Chamorro reservations – are once again being claimed by the U.S. Government and non-natives. Many believe that this is equivalent to Native American reservations being stolen once again by non-natives, and equivalent to the repossession of Hawaiian land from Native Hawaiians.

My people were here long before anyone who massacred, raped, enslaved and colonized us; and these very same people are once again trying to steal the little that we have, and threaten the dignity we and our ancestors have long fought and died for. The land that gave us life as a people. The land that was our mother and that gave our mothers life. We ask, why do they continue to take that which is sacred to us only to satisfy their greed? How can you claim something that was never yours and yet stolen over and over again? It is less than 33 miles, but it means everything to us. These lands do not just secure our physical and economic existence, but rather, they spiritually define who we are as a people and what little we have left as a result of colonization and genocide.

In conclusion, I leave you with words that are truer today, more than any other day in modern Chamorro history:

Ginen i mas takhelo' gi Hinasso-ku,
i mas takhalom gi Kurason-hu,
yan i mas figo' na Nina'siñá-hu,
Hu ufresen maisa yu' para bai hu Prutehi
yan hu Difende i Hinengge,
i Kottura,
i Lenguahí,
i Aire,
i Hanom yan i tano' Chamoru,
ni'Irensiá-ku Direchu ginen as Yu'os Táta.
Este hu Afitma gi hilo' i bipblia yan i banderá-hu, i banderan Guáhan.
Fanoghe Chamoru.

Translation:

From the inner-most recesses of my mind,
From deep within my heart,
And with all my might,
This I offer.
To protect and defend
The Beliefs
The Culture
The Language
The Air
The Water and The Land of the Chamoru.

3/19/2017

Gmail - U.S. Dept. of Justice and the Chamorro Land Trust Act

My heritage comes directly from God,
This I affirm on the Bible and my Flag
- The Flag of Guahan.
Stand Up Chamoru.

We request that you share this message so that the world can hear our voices and the voices of our ancestors. We desperately need you.

In solidarity with all indigenous peoples fighting for their rights, I sincerely thank you for your support and love.

Saina Ma'åse,

Genedine Mangloña Aquino

<https://mail.google.com/mail/u/0/?ui=2&ik=639d37a1&view=pt&search=inbox&th=15acc0a3a0b5acc&siml=15acc0a3a0b5acc&siml=15acc55217ccde3&siml=...> 37

3/19/2017

Gmail - U.S. Dept. of Justice and the Chamorro Land Trust Act

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GUAM.

tors. Padre Velarde, one of the missionaries to Guam, writes thus of the decimation of the natives: "This diminution was caused greatly by the repugnance with which they bore a foreign yoke — lovers ever of all the latitude which their primitive freedom permitted them — and this burden weighed so heavily upon their haughtiness, laziness, and barbarity, that some even sacrificed their lives in despair; and some women either purposely sterilized themselves or cast into the waters their new-born infants, believing them happy to die thus early, saved from the toils of a life gloomy, painful, and miserable. In all the dominions of Spain there is no nation more free from burdens, since they pay no tribute to the King* — a common custom in all nations — nor do they give to the church the fees that are commonly given throughout Christendom; but, as they see not what the rest suffer, they judge that subjection is the worst misery in the world."

MISSIONERS' ACCOUNTS OF GUAM.

<https://mail.google.com/mail/u/0/?ui=2&ik=639d37a1&view=pt&search=inbox&th=15acc0a3a0b5acc&siml=15acc0a3a0b5acc&siml=15acc55217ccde3&siml=...> 47

BUCCANEERS' ACCOUNTS OF GUAM. 171

soldiers and several missionaries. The governor invited the pirates to slay as many of the Indians as they conveniently might and the visitors seem to have complied with his wishes to the best of their ability. Cowley recounts how his men, seizing a favorable opportunity, fired into "the thickest of them and killed a great many of their number, while the others, seeing their mates fall, ran away. One other man which were on shore meeting them, saluted them also by making Holes in their Hides.

We took four of these infidels Prisoners, and brought them on board, binding their hands behind them; but they had not been long there, when three of them leaped overboard into the sea, swimming away from the ship with their hands tied behind them. However, we sent the boat after them, and found a strong man at the first Blow could not penetrate their skins with a cutlase. One of them had received, in my judgment, 40 shots in his body before he died; and the last of the three that was killed, had swam a good English mile first, not only with his Hands behind him, as before, but also with his Arms pinioned." *

In 1688 Dampier reached Guam just as the seamen had determined to eke out the almost exhausted provisions with the carcasses of himself and Captain

This is a matter that deserves the immediate attention of the Federal authorities. Aside from any question of sentiment, or ethics, it is distinctly to the interests of the American Government to give the Chamorros ample educational facilities without delay. At no very distant date the requirements of the naval station on the island will demand a number of men to fill clerical positions and to perform intelligent work as mechanics and laborers. If, when that demand arises, the island can not furnish a large proportion of the needed working force, the positions can only be filled by the Government at comparatively great cost and inconvenience.

OUR DUTY TO THE PEOPLE OF GUAM.

Guam enjoys the possession of the only good harbor in the Western Pacific. After the opening of the Panama Canal the island will lie in the main route of several steamship lines and must become an important coaling station and depot of supplies. In justice to the Guamese, we should give them the education and training that will enable them to avail themselves of the future opportunities that will be created by this circumstance.

Our moral obligation to the Chamorros is heavier than that we owe to the people of the Philippines or those of Porto Rico. The needs of the first are greater and more urgent than those of the others.

Testimony

Elizabeth Bowman, Ph.D.
Assistant Professor, University of Guam
16 March 2017

I am writing in support of the bills introduced by Senator Terlaje, Res. No. 51-34 (LS) and Res. No. 52-34 (LS).

The Davis court ruling and the Chamorro Land Trust threat are both very dangerous to the stability and sustenance of the Mariana Islands. The Chamorro people must be recognized as a people under the guidelines of the United Nations with the right to decolonize. The United States must take responsibility for ensuring the smooth political transition of Guam and the CNMI to modern state statuses.

The human rights of the Chamorro people have been most severely offended by the "spoils of war" mentality and actions of the United States during colonialism that continues today. The descendants of the people of Guam, and the CNMI, should have the right to engage in a decolonization plebiscite that is recognized by their colonizer.

I am not of Chamorro ethnicity. I am an American woman of Irish and German descent who has been resident in these islands since 2012. I enthusiastically support the rights of the Chamorro people to decolonize. Their right to self-determination in no way impedes or threatens any of my civil rights or those of any other inhabitant of the islands and is in no way a "racist" political perspective.

Sincerely,

Elizabeth Bowman



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

(no subject)

1 message

ned pablo <nedrpablo@hotmail.com>

Wed, Mar 15, 2017 at 10:48 AM

To: "senatorterlajeguam@gmail.com" <senatorterlajeguam@gmail.com>

Dear World,

I am a native of Guam, a United States island territory in the Pacific. We natives, or indigenous people, are called Chamorro. Currently, Chamorros are facing something very similar to what the Native Americans and Native Hawaiians have been facing – the repossession of our land by the U.S. Government.

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natives to lease certain lands for 99 years for \$1 each year. This allows natives to lease some of the lands that were seized or otherwise acquired due to colonization. This is our government's version of Native Chamorro reservations. This land, potentially, could be designated for natives so that in the event much of our island is bought out by non-natives, and should we continue to become more and more of a numerical minority, we would still have some land to facilitate our social, cultural and economic well-being to secure our existence on our island.

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yan hu Difende i Hinengge,
i Kottura,
i Lengguahi,
i Aire,
i Hanom yan i tano' Chamoru,
ni'Irensiã-ku Direchu ginen as Yu'os Tãta.
Este hu Afitma gi hilo' i bipblia yan i banderã-hu, i banderan Guãhan.
Fanohge Chamoru.

Translation:

From the inner-most recesses of my mind,
From deep within my heart,
And with all my might,
This I offer.
To protect and defend
The Beliefs
The Culture
The Language
The Air
The Water and The Land of the Chamoru.
My heritage comes directly from God,
This I affirm on the Bible and my Flag
- The Flag of Guahan.
Stand Up Chamoru.

We request that you share this message so that the world can hear our voices and the voices of our ancestors. We desperately need you.

In solidarity with all indigenous peoples fighting for their rights, we sincerely thank you for your support and love.

Saina Ma'áse,

Genedine Mangloña Aquino

- Please share this in support of the Chamorro people, and in solidarity with all indigenous people fighting for their rights.

Sent from my Samsung Galaxy smartphone.



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Resolution 51-34 yan 52-34

Angela Santos <asantosfanohgeprutehidifende@gmail.com>

Fri, Mar 17, 2017 at 4:58 PM

To: senatorterlajeguam@gmail.com

Håfa adai Vice Speaker yan A'saina ma'åse'!!!

Hu hahassu....

I mañaina-ta, todû ha na mãtai para ini na cause.

Hu hahassu....

I taotao na man gagaige' ha pã'gu, hami nu'i man gogotte' ini na cause.

Hu hahassu....

I famagu'on-ta, put I na Ti ha siesiente ini na cause!

Hu hahassu....

I trongku' siha, ni gai Hilu' i tãnu, I tanu' na gaige hãlom i tasi!

Hu hahassu....

I taotaogues na mãtai put ini na cause!

Ya Ti malagu yu' na bai hassu!

Malagu yu' na bin mãtai esta!

Hu siesiente' I mañaina-ta.... yan trinite!

Hu siesiente I taotao-ta pã'gu.... yan trinite!

Ti malagu Hu na bin na tungu I famagu'on-ta put ini na puti!

Hu agradezi todû bidã mu para I taotao ta! Hu agradezi todû bidan miyu para I taotao ta!
Hu supotte' ini na resolution yan A'saina ma'åse'!!! BIBA CHAMORU!!!

Si,
Anghela Santos

Sent from my iPhone

BARRIGADA

Office of the Mayor & Vice Mayor
124 Luayao Lane, Barrigada, Guam 96913

COPY

March 17, 2017

Honorable Therese M. Terlaje
Chairperson, Committee on Culture and Justice
I Mina 'Trentai Kuattro na Liheslaturan Guåhan
Hagåtña, Guam 96910

Re: Resolution No. 52-34 (LS) - "RELATIVE TO SUPPORTING THAT THE GOVERNMENT OF GUAM NOT ENTER INTO A CONSENT DECREE WITHOUT APPROVAL OF THE GUAM LEGISLATURE AND THE GOVERNOR OF GUAM REGARDING THE RECENT THREATENED LAWSUIT PROPOSED BY THE UNITED STATES DEPARTMENT OF JUSTICE OVER THE CHAMORRO LAND TRUST ACT."

Madame Chairperson and Author of Resolution No. 52-34, *Buenas yan Saludo para Todos Hamyu!* Vice Mayor Jessie P. Bautista and I, together with members of the Barrigada Municipal Planning Council submit this testimony expressing our support to Resolution No. 52-34 (LS), "Relative to Supporting that the Government of Guam not enter into a Consent Decree without the approval of the Guam Legislature and the Governor of Guam Regarding the recent threatened Lawsuit proposed by the United States Department of Justice over the Chamorro Land Trust Act."

On an issue such as this, we must remember that the US Supreme Court in 1901 established Guam as an "unincorporated territory." What that means is that Guam is a possession and not a part of the US. The Court also resolved that it is the US Congress that determines the standard of governance and not the US Constitution.

This ruling Madame Chair, established the difference between how US laws apply to lands that were acquired by the United States in 1898 and those acquired earlier. Although the Organic Act of 1950 passed by Congress provided a limited form of self-government, it is still considered both "internal" and "unilateral", since it remains a one-sided colonial form of governance.

Guam today has two legal statuses. One as an unincorporated territory Guam is a possession of the US, but not a part of the US. Secondly, Guam is a non-self-governing territory and, as a possession, was promised a full measure of self-government pursuant to US treaties and agreement as a member of the UN. Today, many people see the Organic Act as an antiquated document that leaves them feeling like we are second class citizens because we have denied the right to vote for our president, nor do we have a voting delegate in Congress.

Guam is the only island in Micronesia whose people have yet to exercise their right to self-determination. Our island remains on the list of non-self-governing territories around the world. For self-determination to occur, we must work in solidarity. There must be bipartisan support and effort between the three branches of government to call for the exercise of self-determination.

Honorable Therese M. Terlaje
Chairperson, Committee on Culture and Justice
Re: Res 52-34(LS)
March 17, 2017
Page 2

For the administering power (the US), it is just a matter of complying with its treaty obligations and fulfilling their promises—then it will be possible for self-determination to become a reality.


In closing, we would like to quote our friend and former Senator, Ben Pangelinan: “It is that soul and that spirit, that *anti*, that gave birth to the Chamorro Land Trust here on Guam, through a man named Paul J. Bordallo, a former senator who authored the Chamorro Land Trust Act.”

He went on to say that: “We must counter any threats to the land by galvanizing our people to stand and defend, *prutehi yan difendi i tano*.”

Thank you for your time and attention.

Sinseramente,


JUNE U. BLAS
Mayor


JESSIE P. BAUTISTA
Vice Mayor

Attachments:



Nihi Ta Fanhasso'

Cultural and Historical Consulting

PO Box 3373, Hagåtña Guam 96932

Ph: (671) 472-6951; Cell: (671) 988-4612/4690

20 March 2017

Therese M. Terlaje
Vice-Speaker, 34th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guahan

Hafa Adai Vice-Speaker Terlaje,

As an ethnohistorian who has taught Hestorian Guahan, the History of Guam, for over 12 years at the high school and university levels and has studied the subject for even longer, I strongly support resolutions 51-34 and 52-34 re: rectification of past and current injustices related to territorialization and decolonization.

The US committed an injustice against the Native Inhabitants of Guam when it did not provide them any voice in the determination of their political status when it bought Guam from Spain. The US committed an injustice when it did not provide the Native Inhabitants of Guam any citizenship nor any rights espoused under the US Constitution as such for 50 years, when the Native Inhabitants of Guam left as were mere wards of the nation. The US committed an injustice toward the Native Inhabitants of Guam when it unilaterally imposed a territorial system first through a military government and then through the Organic Act without any vote or formal input from those who the US Congress labeled and defined as the Native Inhabitants of Guam [see also Treaty of Paris 1898]. Those are the injustices that need to be remedied by self-determination.

It was the US itself, after WWII, that submitted Guam as a candidate to the UN list of non-self governing entities in need of decolonization. The US did not place Guam on that list in recognition of needing to better apply the US Constitution to Guam (though that also continues to be gravely lacking), but in recognition that the Native Inhabitants of Guam—who never provided their consent to be governed by others, who never had a voice in formally determining their political status—deserved the right to rectify those injustices by finally having a voice and the ability to self-determine their political status.

I will not compound this long history of injustice against the Native Inhabitants of Guam by drowning out their voices with mine. My family was not rendered voiceless in determining their political status, they made decisions and were heard all along the way. My great-grandparents chose to immigrate to the US. My parents voted with their feet as some say, when they chose to come to Guam. Guam did not come to them and impose itself on them as the US did to the Native Inhabitants of Guam. This muddying of the waters and the dissolution of the voices of the wronged peoples by the influx of non-Native Inhabitants of Guam is precisely why the UN General Assembly adopted a resolution instructing member states to prevent migration to colonial territories from having a distorting impact on the exercise of the right to self-determination.

Senseramente,

3/20/2017

X 

si Kelly G. Marsh (Taitano)

Adjunct Professor, University of Guam
Principle Researcher, Nihi Ta Fanhasso' Cultural
and Historical Consulting



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Resolutions 51-34 & 52-34

LeRoy Moore <leroyamoore@yahoo.com>
 Reply-To: LeRoy Moore <leroyamoore@yahoo.com>
 To: senatorterlajeguam@gmail.com

Tue, Mar 21, 2017 at 8:50 AM

Vice Speaker Terlaje:

I am sending you this email regarding your two resolutions, 51-34 & 52-34.

A few facts.

2010 US Census data:

Total Population 159,358. Individual identified as Chamorro, 59,381, non-Chamorro 99,977

Total Population in US (including Guam) of people who reported Guamanian or Chamorro 147,798 either alone (88,310) or in any combination (59,488).

There have been three separate Federal Court cases which have defined the practice of race/culture based voting and other restrictions as illegal violating the Constitution and the rights of individuals. The Guam Commonwealth Act also died a similar fate because of Article 1 which only allowed Chamorros to vote.

Yet, Resolutions 51-34 & 52-34 double down on Guam's racist laws and regulations.

"Racism" Definition: Prejudice, discrimination, or antagonism directed against someone of a different race.

The 99,977 residents of Guam that you are so willing to discriminate against thank you and your fellow senators who support these resolutions for not hiding your racist agenda.

I've lived on Guam for 25 years. I own property, a business, and my children were born and raised here. And yet, these resolutions make it perfectly clear that you and your fellow Senator's still do not consider me worthy of "your" island lest I do things like vote on something as important as Guam's political destiny. Government land is given to Chamorros for \$1 year, non-Chamorros are not worthy because we're the wrong race, not worthy of the land that belongs to Chamorros.

I included the census data above to make a point. In case its not clear to you, I'll explain.

You see, the "Chamorro" people have already voted on their political destiny.

147,798 people in the US (including Guam) who call themselves Chamorro. Of which 59,381 live on Guam.

That's 88,417 that don't live on Guam.

Those Chamorro's voted with their feet that they want be part of the good old USA, specifically a State.

You know, where race based discrimination is illegal.

So, the majority of Chamorros have already voted to be residents of a State.

Of course based on your actions, I assume this fact is irrelevant to you.

Chamorros who live in a State can be discriminated against as only Guam Chamorros matter.

After all, they must not be true Chamorros if they left Guam.

The politics of the island is designed to support the Chamorros at the expensive of all other races.

What is the race basis of the Government of Guam, 90%+ Chamorro?

Where does the discretionary funding go? Things like Chamorro Cultural Centers, Pacific Island Festivals, etc.

What's the race basis of the Guam Legislature and staff, 90% Chamorro?

If your Chamorro you can receive Government land for \$1 a year.

Or a degree from UOG in Chamorro so you can get a Government job teaching Chamorro.

Why would any true Chamorro chose to live elsewhere?

And yet, those 88,417 Chamorros chose to live where opportunity is not based on race or who you are related to. Where each person is equal with equal rights.

Regretfully, I don't have the legislative immunity you and your fellow senators have.

If I implemented such a racist policy at my firm, I as an individual would be subject to Federal Civil Rights violations.

You and your fellow senators are free from such restrictions and continue to violate the rights of 99,977 residents freely.

Congratulations! In the mainland, laws that discriminate based on race are called Jim Crow laws.

Your resolutions meet this definition, but Jim Crow seems wrong. Let's call them Therese Terlaje.

Myself and other non-Chamorros wonder why we continue to pay all those taxes to the Government of Guam when the Government has made it crystal clear that non-Chamorros are not equal to Chamorros.

The United States were founded with the slogan "No Taxation without Representation".
Myself and others wonder, would you and your fellow senators hear the voices of the 99,977 non-Chamorro citizens of Guam better if we stopped paying taxes to Guam?

Senator Terlaje it's 2017. The past is gone. The "NOW" is calling you.

Perhaps your right, Guam is the land of the Chamorros. The 99,977 non-Chamorros are just visitors, not eligible for equal rights on your island.

With that position, I cannot see how you can maintain your US Citizenship which requires you by law not to discriminate based on race.

I look forward to you and your fellow senators who supported these resolutions public announcements of your relinquishment of your US Citizenship so you may freely discriminate without those pesky civil rights regulations. Regretfully, after relinquishment of your US citizenship you'll need to leave Guam as Guam is part of the United States. I would recommend relocating to the northern island of Maug. It's a fitting location. It's the backwards spelling of Guam where backwards views like race discrimination can live freely.

LeRoy Moore
Guam Resident and Registered Voter
US Citizen.

TESTIMONY BY THE YOUNG MEN'S LEAGUE OF GUAM

IN SUPPORT OF THE FOLLOWING:

**RELATIVE TO SUPPORTING THAT THE GOVERNMENT OF GUAM MOVE FORWARD
TO APPEAL THE RULING OF THE DISTRICT COURT OF GUAM TO ASSIST IN
DEFENDING THE RIGHTS OF THE NATIVE INHABITANTS OF GUAM.**

RESOLUTION NO. 51-34

**RELATIVE TO SUPPORTING THAT THE GOVERNMENT OF GUAM NOT ENTER INTO
A CONSENT DECREE WITHOUT APPROVAL OF THE GUAM LEGISLATURE AND THE
GOVERNOR OF GUAM REGARDING THE RECENT THREATENED LAWSUIT
PROPOSED BY THE UNITED STATES DEPARTMENT OF JUSTICE OVER THE
CHAMORRO LAND TRUST ACT.**

RESOLUTION NO. 52-34

SUBMITTED BY:

**BROTHER BOB PELKEY
PRESIDENT**

FRIDAY, MARCH 17, 2017

GI FINO'-TA, "Hafa Adai" Yan Misin Lago' Na Ogga'an, Ge'heLo' Sinadora
Therese TerLaje Yan Todos Hamyo, I Manma'Gas I Tano'!,

MANGGAIGE HAM GUINI, I INETNON LALAHEN GUAHAN, KONRESPETU YAN
TININA, PARA HAGU SAINA GE'HELO' KUMITE SINADORA THERESE TERLAJE ,
PAREHU I MAGA'LAHEN GUAHAN EDDIE BAZA CALVO, YAN TODU I
MANSINADOT YAN MANSINADORA NI' MANGGAIGE YAN MANANNOK PA'GO,
YAN PARA TODU I MANAOTAO TANO', NA PARA BA IN FANACHU PARA DIRECHO-
TA, I RISULASION SINGUENTAI UNU-TRENTAI KUATTRO (51-34) YAN PAREHU
RISULASION SINGUENTAI DOS -TRENTAI KUATTRO (52-34).

MANDANNA' HIT PA'GO, KUMU UN HINANAO, GI UN SAKMAN, GI UN CHALAN,
YAN KUMU UN TAOTAOGUES, NA MUNGNGA HIT KONFOTME, YA TA KONTRA I
DIPATTMENTON HUSTISIAN ESTADOS UNIDOS NI' PARA U MA AMOT HIT NI'
MANA'I-TA TANO', GINEN I MANAINA-TA, NI' HAGAS IYO-TA, CHAGOGOGO'
TATTE GI ANSIANU NA TIEMPO.

HAMI NI' INETNON LALAHEN GUAHAN, MANATACHU HAM NU I RISULASION
NUMIRU SINGKUENTAI UNU-TRENTAI KUATTRO (51-34) YAN SINGUENTAI DOS-
TRENTAI KUATTRO (52-34) NA TA KONTRA I DISISION I KOTTEN DESTTRITON
GUAHAN YAN PARA IN DIFENDE I DIRECHO-TA, I TANO'-TA GINEN I ASAINA
YU'OS TATA, PARA TODU I MANAOTAO TANO' NI' MANMALOFFAN ANTES, PA'GO
YAN I MANMAMAILA' ! MANHITA MANACHU MO'NA, TA FANACHU TODU! TA
FANOHGE CHAMORU!

Gi fino Englatera -

Madame Chair and Members of Guam's Legislature.

My name is Bob Pelkey. I am the President of the Young Men's League of Guam today marks the exact day and month 100 years ago when the Young Men's League of Guam was legally incorporated on Guam. I am here on behalf the League and all those who've come before me in the past 100 years of our rich history as the region's oldest and only Chamorro fraternity in order to register not just our support for the Guam Legislature's efforts to appeal the decision of the United States District Court on Guam as well as to thwart any threats against our Chamorro Nation, foreign or domestic but also to enter into the record the League's affirmation of the rights of the Chamorro People and all other Indigenous Peoples throughout the world.

My Brothers and I are here to remind anyone and everyone listening that the indigenous Chamorro People have suffered from historical injustices spanning centuries and that the ruling by the US District Court on Guam is yet another straw upon the back of our colonized people.

Further, the threat by the United States Department of Justice is but another splinter in the eyes of our people who toil day in and day out to sustain a living, to live in peace, to marry, love and raise a family free of political interference and imperial oppression.

To the former, the issue of Our Chamorro Right to Self-Determination...

1. the United States, through its military, suppressed our language and our culture in its early occupation of the island,... worst, the regime at the time dictated how we should speak *and* dress... the naval leadership at the time went so far as to suppress one's desire to whistle, walk at night, celebrate the feast of a patron saint¹ or – as the League may attest first-hand during its inception - to *FREELY CONGREGATE!*
2. And, yet, here we are... 117 years later and the same United States – only this time through another separate branch of its government -- chooses to further suppress our right to self-determination, an inherent right as we see it 'granted to us not by man or any one government but by Our Creator, by God himself.' The right to self-determination is in conformance with international law and is acknowledged and affirmed by the United Nations whose charter and resolutions advocates for the fundamental importance of indigenous peoples to freely determine their political status and pursue their economic, social and cultural development.
3. Madame Chair and members of Guam's Legislature, from the onset of ocean travel that enabled other peoples to visit the Marianas we, as a Chamorro People, have always welcomed our guests. As history is our witness, the annals are rich with evidence and historical account that we were a strong and loving and generous people.

The fine qualities of our People, achievements and practices of our Great Chamorro Nation were known by some for hundreds of years since foreigners were first able to record such observations in their books using their languages... but it's important to note

that what was recently observed is what has been deeply held and widely practiced within our Great Chamorro Nation for thousands of years.

My point: our People's love and hospitality was freely given and we never took from our guests. This was true then and it is true today.

Unfortunately, what was true then remains true today in terms of how the United States has historically treated its overseas occupied territory of Guam. What was true in the Spanish-American War was true in World War I and World II. It's as true as the recent US District Court Decision last week, some 70 years following the war. As the world becomes smaller and international affairs become more tightly interwoven and well curated in the media, educational materials, monetary exchanges and court systems, has our more perfectly forming union learned nothing since?

My point: the only lesson we've derived from the United States District Court's decision is that Our People's love, hospitality *and* patriotism is freely given yet the United States continues to take and take, and take.

They took our lands,
stripped us of our culture,
diluted our identity and now
they are attempting to take away that one God given right to freely decide for ourselves what we as a Chamorro People would like to do for ourselves and our families devoid of imperial political interference.

We may decide to become a part of the Union with all of the rights and privileges appertaining thereto.

We may decide to become independent yet freely associate.

Whatever path it is... let us choose.

Let a People who have never had the right to determine their path for the past 400 years, a period of time spanning the Spanish Conquest on through a century of American Imperialism, have that *one* opportunity to exercise the right to choose how they would like to live out their lives.

Madame Chair and members of Guam's Legislature, now to the latter, the threat by the U.S. Department of Justice against our People for using our lands...

1. The League finds it ironic that the U.S. Department of Justice has issued a written statement expressing its concern for certain alleged injustices about how the People of Guam, through its governing structures, have decided to use government lands when, in fact, it should be chiefly concerned with how the United States itself has ill acquired native lands thereby dispossessing an indigenous People for well over half a century.

The League finds it ironic that the U.S. Department of Justice has issued a written statement expressing its concern for certain alleged injustices carried out by the People of Guam when, in fact, there is a litany of historical injustices by the United States upon our natural resources, environment and our People. It is our opinion that Such Crimes Against Humanity and Crimes Against the Environment may, perhaps, make for a more effective use of limited federal resources on issues that have greater implications throughout America most especially upon our Brothers and Sisters in other United States possessions.

Madame Chair and members of Guam's Legislature the League stands with you in pushing back against the United States on these debased inconsequential charges against the Chamorro People and our use of Chamorro Lands.

2. To anyone and everyone listening, the League sees it fit to remind the world that the Chamorro People were dispossessed of their lands and resources which prevented our People from further developing ourselves. Prior to the imperial conquest of our island we were self-governing. There was trade, health care, education, recreation and defense, for ourselves. Consistent with colonial conquest, with the occupation of our island by the United States came the possession of our lands without our consent for the purposes of war. Following the war, when the United States military no longer saw a need to use our entire island to barracks their soldiers, store their tanks or launch as many of their squadrons from Guam they returned what was deemed 'excess' properties to the local government.

For the record, what may have been deemed excess by the occupying nation has always been deemed as sufficient and necessary for our use and by our standards; for it was upon those lands and in those streams and springs and from those ocean waters that we raised livestock, harvested crop, caught our shrimp and fish, drank our water, washed our bodies and recreated with our families.

3. Madame Chair and members of Guam's Legislature the League finds it ironic that a representative from the United States Department of Justice Civil Rights Division finds suit that the Chamorro Land Trust Act discriminates on the basis of race or national origin, in violation of the Fair Housing Act, by limiting certain housing-related benefits to persons who are native Chamorros.

What of the Navy and Air Force lands and military housing? Are we, the original landowners, and native Chamorros not being discriminated against based on our race and prohibited access to such lands, housing, and natural resources?

It is the League's opinion that this is not an issue of housing and it was never their land.

In closing, the Young Men's League of Guam is in support of Guam's Legislature consideration to pass Resolutions 51 and 52.

Further, the Young Men's League of Guam further imparts this message to this body in your quest to preserve, protect and advance the interest of the Chamorro People:

Maila' ya ta fan hita mo'na, ya ta akudi este na takhelo' asunto, gi klâru yan dinanche na manera.

Mungnga hit manmumu para I direcho-ta.

Gi mistet, ta ilão I mânu nina'siñâ-ta ya fan unu hit na hinasso yan hinanão, kosaki todú hit manmiresi para I minãolek todú I mantaotão-ta yan parehu para i minãolek I tano'!

Ta mumuyi kumu unu pat sanghe, lao ta fanhita mo'na kumu unu, sa' unu ha' na enemigu.

Fanohge Chamorro!

Let us fight, together or apart but let us fight for the same noble reasons and against our common enemy: oppression. And in all its forms.

Let us not fight each other because the paths that we choose are different.

If we must, let us take a different path, but may it be towards the same end goal.

Biba Chamorro!

ⁱ Governor Leary. General Order No. 4. Aug. 25, 2899

HAROLD J. CRUZ

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March 16, 2017

Honorable Benjamin J, Cruz
Speaker, 34th Guam Legislature

Honorable Therese M. Terlaje
Vice-Speaker, 34th Guam Legislature

Hafa Adai Honorable Madam Chair, Mr. Speaker & members of the 34th Guam Legislature,

FOR THE RECORD

As a native inhabitant of Guam and a Chamorro, I hereby submit my testimony in SUPPORT of Resolution 51-34 (LS) and Resolution 52-34(LS).

Madam Chair, Mr. Speaker and all members. NOW is the time to fight! The “native inhabitants and their descendants” are tired of being marginalized. The U.S. District court of Guam has no business interfering and meddling with Guam’s decolonization process. Judge Frances Tydingco-Gatewood’s recent ruling in Civil Case #100035-17 shows a grave disrespect and insult to the U.S. Congress and the United Nations Resolution that all territories have a right to self-determination. In Judge Tydingco-Gatewood’s ruling she failed in her fiduciary responsibility to fully interpret the constitution and laws fairly and impartially.

WE strongly believe that Judge Tydingco-Gatewood's ruling was in it-self racially and politically bias!

Madam Chair, Judge Tydingco-Gatewood failed the test. She failed to ask the most fundamental question: Does Equal Protection under the 14th Amendment protect everyone? The answer can be found U.S. Supreme court case Young v. UPS. The answer, "Equal Protection may not protect everyone equally."

Madam Chair, WE have the GOD given right to "self-determination" and to determine our "political status." WE have been oppressed and under colonial occupation for over .300 years NOW is the time to fight to become a sovereign people. It is in the wisdom and vision of the late Senator Paul J. Bordallo, former Senator Hope Cristobal, Chamorro Rights Activist Ron Rivera and the late Ed Benavente, the late Senator Angel L.G. Santos, former Governor Paul M. Calvo, former Governor Joseph F. Ada and our Maga Lahi Eddie Baza Calvo (just to name a few), that through decolonization we have the God given right for self-determination.

Thousands have declared and have committed to asserting their rights as Chamorros to become a Sovereign Nation... a great Chamorro Nation! NOW is the time to fight! It's time to fight for the injustices imposed upon our people. NOW is the time to fight in our struggles. Let's continue the fight where organizations like OPI-R and the Chamorro Nation left off. The fight for the return of all federal excess lands, true liberation, the ability to control our immigration laws, fishing rights, and free trade just to name a few. NOW is the time to fight

to let our federal counterparts know that we will settle for nothing less than partners and that they don't own us. NOW is the time to fight to control our destiny! Let's not give up the fight against unfunded federal mandates and discriminatory federal court rulings.

Lets continue this fight to decide our own political status without outside inference... a decision that should be made by the "native inhabitants of Guam."

WE thank Mr. Arnold Davis for his service to the United States and his service to Guam while serving in the United States Air Force. However, Mr. Davis will only be one thing. A welcomed visitor and a colonizer.

The injustices and sufferings must stop now. Our manamkos are dying shackled and mouths taped. NOW is the time to fight for our children's future... it's time to set them free.

In closing I share a famous quote by late Senator Anghet Leon Guerrero Santos the most prolific Chamorro rights activist in this era.

"We cannot be passive or silent when human beings endure sufferings or humiliation. We must step forward and take sides. At times, we may make mistakes. But we must never make the mistake of failing to try. People deserve nothing less." –Angel L. Santos

WE join you in this fight. WE will fight a long your side! Fanohge Chamoru and Biba Chamoru!

Dankalo na Si Yu'os Ma'ase yan Put Respetu',

ORIGINAL SIGNED

Harold Cruz

NOTES

The first Legislative Commission on Political Status, 1973-1974

The first Political Status Commission was created through Public Law 12-17 by the 12th Guam Legislature in 1973. It was the first official body set up to address Guam's political status as a specific issue. Unlike the previous Political Status Subcommittee and the Governor's Advisory Council, the Political Status Commission was established to provide information to the general public about the legal and political status of Guam with the United States. The commission was chaired by Senator Frank G. Lujan and was comprised of nine senators, including: [Joseph F. Ada](#), [Antonio M. Palomo](#), Adrian C. Sanchez, Francisco R. Santos, Richard F. Taitano, [Paul M. Calvo](#), Jesus U. Torres, and Paul J. Bordallo. An informational report was generated and released in September 1974.

The second Special Commission on Political Status, 1975-1976

The 13th Guam Legislature created the second Political Status Commission in 1975. The commission did not take a position on the ultimate status for Guam but was tasked with educating the public about the different political status options and to formally open negotiations with the federal government. Public Law 13-24, which created the commission, identified the specific problems the commission was to try and resolve, including shipping, immigration, greater regional participation and other restrictions to Guam's economy as a result of the Organic Act or other federal controls. Unlike the first commission, the second Political Status Commission was comprised of 15 members from both political parties and two village commissioners (mayors). Republican Speaker Joseph Ada appointed four senators of the majority party and three members from the public-at large. The Democratic minority selected three Democrat senators and Democrat [Governor Ricky Bordallo](#) selected three members of his administration. Republican Senator Frank Blas was selected as Chair of the commission and members included Edward Duenas, Thomas V. C. Tanaka, Jr., former Lt. Governor Kurt Moylan, Dr. Pedro Sanchez, and Democrats [Carl T. C. Gutierrez](#), Adrian Sanchez, Francisco R. Santos, Edward Charfauros, Delfina Aguigui, James McDonald, Eugene Ramsey and Joseph Rios. PL 13-134 expanded the membership to include appointees from the Commissioners' Council Gregorio A. Calvo and Roman Quinata.

Who can Register? Any person born or migrated to Guam prior to the implementation of the 1950 Organic Act of Guam. To include the descendants of those born or those who migrated to Guam prior to the implementation of the 1950 Organic Act of Guam.

Many things claimed as uniquely American—a devotion to individual freedom, for example, or social opportunity—exist in other countries. But birthright citizenship does make the United States (along with Canada) unique in the developed world. [...] Birthright citizenship is one expression of the commitment to equality and the expansion of national consciousness that marked Reconstruction. [...] Birthright citizenship is one legacy of the titanic struggle of the Reconstruction era to create a genuine democracy grounded in the principle of equality.^[42]

The original interpretation of the United States Bill of Rights was that only the Federal Government was bound by it. In 1835, the U.S. Supreme Court in Barron v Baltimore unanimously ruled that the Bill of Rights did not apply to the states. During post-Civil War Reconstruction, the 14th Amendment was adopted in 1868 to rectify this condition, and to specifically apply the whole of the Constitution to all U.S. states. In 1873, the Supreme Court essentially nullified the key language of the 14th Amendment that guaranteed all "privileges and immunities" to all U.S. persons, in a series of cases called the Slaughterhouse cases. This decision and others allowed post-emancipation racial discrimination to continue largely unabated.

Later Supreme Court justices found a way around these limitations without overturning the Slaughterhouse precedent: they created a concept called Selective Incorporation. Under this legal theory, the court used the remaining 14th Amendment protections for equal protection and due process to "incorporate" individual elements of the Bill of Rights against the states. "The test usually articulated for determining fundamentality under the Due Process Clause is that the putative right must be 'implicit in the concept of ordered liberty', or 'deeply rooted in this Nation's history and tradition.'" Compare page 267 Lutz v. City of York, Pa., 899 F. 2d 255 - United States Court of Appeals, 3rd Circuit, 1990.

Hinasso pot i Taotao Sumay

Remembering the People of Sumay

The first effort to generate a list of persons born in Sumay and who were moved to Santa Rita after the World War II was made by former Santa Rita Commissioner Pedro L.G. Roberto in 1988. More recently, community input has been sought to update and expand a listing of individuals with ties to Sumay. The following list is presented to honor and commemorate all those many individuals whose stories of loss, adversity, and stalwart perseverance have built a legacy of strength and inspiration for many generations to come.

ABIAN, Ursulla A.	ALCANTARA, Maria Iriarte	BABAUTA, Antonia Santiago
ACFALLE, Ana Quinata	ALCANTARA, Priscilla	BABAUTA, Enrique Santiago
ACFALLE, Jose D.	ALVAREZ, Isabel Aquiningoc	BABAUTA, Felipe Santiago
ADA, Rosanne Santos	ANDERSON, Ana Perez	BABAUTA, Florpies Espinosa
AFJELLE, Ignacia Tenorio Perez	ANDERSON, Antonio D.	BABAUTA, Francisca Roberto
AFLLEJE, Sabino Acfalle	ANDERSON, Antonio Duenas	BABAUTA, Guadalupe C.
AGUIGUI, Julia Cruz	ANDERSON, Concepcion Concepcion Duenas	BABAUTA, Guadalupe Cruz
AGULTO, Antonio Perez	ANDERSON, Emilesia Tolentino	BABAUTA, Ignacio Santiago
AGULTO, Consuelo Perez Camacho	ANDERSON, Frank Lujan	BABAUTA, Jesus Camacho
AGULTO, Dolores Mendiola	ANDERSON, Gertrudez Duenas	BABAUTA, Joaquin Camacho
AGUON, Aurora Limtiaco	ANDERSON, Jesus Aguon	BABAUTA, Joaquin Santiago
AGUON, Concepcion Baleta	ANDERSON, John D.	BABAUTA, Jose T.
AGUON, Concepcion Mendiola Baleta	ANDERSON, Jose Lujan	BABAUTA, Juan Cruz
AGUON, Encarnacion	ANDERSON, Juan Duenas	BABAUTA, Juan Santiago
AGUON, Francisco	ANDERSON, Juan Leon Guerrero	BABAUTA, Margarita Santiago
AGUON, Gregorio T.	ANDERSON, Juan Lujan	BABAUTA, Marian Borja
AGUON, Lorette Anderson	ANDERSON, Lucy Duenas	BABAUTA, Mary Ann Borja
AGUON, Manuel M.	ANDERSON, Margaret S.	BABAUTA, Rita Reyes Quintanilla
AGUON, Margarita	AQUININGOC, Gregorio Baleta	BABAUTA, Virginia Espinosa
AGUON, Rosalia Quan	AQUININGOC, Isabel Duenas	BALETO, Antonio Concepcion
AGUSTIN, Delfina Sablan Santos	AQUININGOC, Isabel Santos Duenas	BALETO, Bennie Garrido
AGUSTIN, Miguel Santos	AQUININGOC, Jose	BALETO, Concepcion Sarmiento
ALCANTARA, Alfred Iriarte	AQUININGOC, Nicolas C.	BALETO, David G.
ALCANTARA, Ana Mata Espinosa	AQUININGOC, Nicolas Dela Cruz	BALETO, Engracia
ALCANTARA, Benito Iriarte	ARRIOLA, Antonio Arriola	BALETO, Francisco Concepcion
ALCANTARA, Eugenia Iriarte	ARRIOLA, Benito Arriola	BALETO, Frankie Garrido
ALCANTARA, Francisco Bueneventura	ARRIOLA, Cecelia Quitugua Lizama	BALETO, Galo Perez
ALCANTARA, Francisco Iriarte	ARRIOLA, Rosario Lizama Reyes	BALETO, Jesus C.
ALCANTARA, Gaily Iriarte	ASCURA, Jesusa Aguito	BALETO, Jose Mendiola
ALCANTARA, Joaquin	ASCURA, Jesusa Camacho Agulto	BALETO, Maria Borja
ALCANTARA, Luis Espinosa	ATOIGUE, Beatrice Cruz	BALETO, Maria Concepcion Borja
ALCANTARA, Luis Sablan	BABAUTA, Alfonsina Afleje Cruz	BALETO, Maria Perez Mendiola
ALCANTARA, Maria Duenas Anderson	BABAUTA, Amelia San Nicolas	BALETO, Vicente Mendiola

BARCZWSKI, Beatrice Mendiola
 BARIL, Charlotte Tolentino
 BENAVENTE, Estella Anderson
 BLAS, Josefina Anderson
 BLAS, Juan Alejandro
 BLAS, Maria Dumanal
 BLAS, Teresita Cruz Lizama
 BLAS, Violet Agnon Borja
 BORJA, Andres Cruz
 BORJA, Antonia Topasna
 BORJA, Antonio Concepcion
 BORJA, Carmen Agnon
 BORJA, Daniel Concepcion
 BORJA, Dolores Cruz
 BORJA, Francisco Concepcion
 BORJA, Francisco Munoz
 BORJA, Francisco Santos
 BORJA, Gregorio Concepcion
 BORJA, Gregorio Munoz
 BORJA, Harold Cruz
 BORJA, Ignacio Mendiola
 BORJA, Isabel D.
 BORJA, Isabel Lizama Diaz
 BORJA, Isabel Munoz
 BORJA, Jesusa Toves Guzman
 BORJA, Joaquin Santiago
 BORJA, Jose Cruz
 BORJA, Jose Munoz
 BORJA, Juan C.
 BORJA, Juan Cruz
 BORJA, Juan Soriano
 BORJA, Julia Perez Duenas
 BORJA, Lucas Concepcion
 BORJA, Luisa Guzman
 BORJA, Magdalena Cruz
 BORJA, Manuel Mendiola
 BORJA, Mariano Cruz
 BORJA, Mariquita Cruz
 BORJA, Rafael Namauleg
 BORJA, Ralph Agnon
 BORJA, Roque Munoz
 BORJA, Rudy Agnon
 BORJA, Soledad Agnon
 BORJA, Sylvia Quintanilla Guzman
 BORJA, Vicente Concepcion
 BORJA, Vicente Perez Concepcion
 BOYLES, Maria Guadalupe Concepcion
 BRANCH, Andrea Sablan Borja
 CABRERA, Concepcion Mendiola
 CABRERA, Rosa Quintanilla
 CAGUOIA, Teresita Nicolas Williams
 CALVO, Felicidad Borja Salas
 CALVO, Manuel A.
 CALVO, Soledad Borja Salas
 CAMACHO, Antonio Mendiola
 CAMACHO, Antonio Meno
 CAMACHO, Delores Meno San Nicolas
 CAMACHO, Florence Babauta
 CAMACHO, Isabel Borja
 CAMACHO, Isabel Flores Asano
 CAMACHO, Jesus Mendiola
 CAMACHO, Jesus Meno
 CAMACHO, Jose
 CAMACHO, Lorraine Asano
 CAMACHO, Luisa Babauta Sarmiento
 CAMACHO, Ricardo Cruz
 CAMACHO, Rosalia Taitano
 CAMACHO, Tomas Meno
 CHACO, Ana Camacho Cruz
 CHACO, Jesus Chaco
 CHACO, Maria B.
 CHACO, Soledad Perez Concepcion
 CHARFAUROS, Patricia Sablan
 CHARGUALAF, Carmen Camacho
 CHARGUALAF, Jose San Nicolas
 CHARGUALAF, Vicente C.
 CLAVERIA, Ana Mendiola Perez
 CONCEPCION, Ignacio
 CONCEPCION, Martha Lizama
 CONCEPCION, Teresita Ada
 CONCEPCION, Amanda Duenas Taitano
 CONCEPCION, Antonio Taitano
 CONCEPCION, Concepcion Taitano Mafnas
 CONCEPCION, Enrique Perez
 CONCEPCION, Enrique Santos
 CONCEPCION, Florence Toves
 CONCEPCION, Francisco
 CONCEPCION, Francisco Perez
 CONCEPCION, Gregorio Mendiola
 CONCEPCION, Hinara Perez
 CONCEPCION, Ignacio Mendiola
 CONCEPCION, Inocencio Perez
 CONCEPCION, Jose Taitano
 CONCEPCION, Josefa Ulloa Mendiola
 CONCEPCION, Joseph Mendiola
 CONCEPCION, Juan Quintanilla
 CONCEPCION, Juan Toves Perez
 CONCEPCION, Julia Mendiola
 CONCEPCION, Maria Camacho Guerrero
 CONCEPCION, Maria Leon Guerrero
 CONCEPCION, Maria Materne Ada
 CONCEPCION, Monica Tolentino Degracia
 CONCEPCION, Rosa Duenas Anderson
 CONCEPCION, Sabino
 CONCEPCION, Woodrow Ada
 CONNELLEY, Maria Carmen Sablan Santos
 CORREIA, Elizabeth Mendiola Perez
 CORRIA, Isabel Perez
 COX, Dolores Sablan Borja
 COX, Otto T.
 CRISOSTOMO, Jose Mendiola
 CRUX, Luisa Salas
 CRUZ, Adela Topasna Quidachay
 CRUZ, Ana G.
 CRUZ, Annie Pangelinan Perez
 CRUZ, Annie Perez Flores
 CRUZ, Antonia Mendiola Perez
 CRUZ, Asencion Afleje
 CRUZ, Asuncion
 CRUZ, Atanacio Afleje Cruz
 CRUZ, Charlie D.
 CRUZ, Concepcion Tolentino
 CRUZ, Eddie John
 CRUZ, Encarnacion Perez Afleje
 CRUZ, Enrique Salas
 CRUZ, Francesca Salas
 CRUZ, Ignacio Alcantara
 CRUZ, Ignacio T.
 CRUZ, James Robert
 CRUZ, Jesus Camacho
 CRUZ, Jesusa Afleje
 CRUZ, Jesusa Afleje Cruz
 CRUZ, Joaquin Reyes Cruz
 CRUZ, Jose Concepcion
 CRUZ, Jose Salas
 CRUZ, Jose Tolentino
 CRUZ, Josepha Camacho
 CRUZ, Josephine Mendiola Perez

CRUZ, Josephine Perez
 CRUZ, Juan Afleje
 CRUZ, Juan Camacho
 CRUZ, Juan Jose Crisostomo
 CRUZ, Juan Mendiola
 CRUZ, Juan Reyes
 CRUZ, Julita Sablan
 CRUZ, Luisa Borja Salas
 CRUZ, Manuel Afleje
 CRUZ, Maria Bae
 CRUZ, Maryann
 CRUZ, Michael D.
 CRUZ, Miguel Crisostomo
 CRUZ, Noel Peter
 CRUZ, Oliva Leola
 CRUZ, Oliva T.
 CRUZ, Rita Bae
 CRUZ, Robert Salas
 CRUZ, Rosa Camacho
 CRUZ, Sabino Afleje
 CRUZ, Soledad Concepcion
 CRUZ, Soledad Manibusan Crisostomo
 CRUZ, Vicente Bae
 DAMIAN, Delfin Reyes
 DAMIAN, Julita Duenas Anderson
 DAMIAN, Rosa Perez Diaz
 DEGRACIA, Dolores Taitano Tolentino
 DEGRACIA, Elena Tolentino
 DEGRACIA, Francisco Tolentino
 DEGRACIA, Herman Tolentino
 DEGRACIA, Manuel Borja
 DEGRACIA, Manuel Tolentino
 DEGRACIA, Steve Tolentino
 DEL BAR, Eleanor Anderson
 DELA CRUZ, Jose R.
 DIAZ, Consolacion Cruz
 DIAZ, Emeliana Degracia Tolentino
 DIAZ, Engracia Borja Perez
 DIAZ, Francisco Lizama
 DIAZ, Gregorio Perez
 DIAZ, Guadalupe Cruz
 DIAZ, Juan Donato
 DIAZ, Juan Perez
 DIAZ, Rosa Cruz
 DIAZ, Serafina Sablan Pangelinan
 DIAZ, Tomasa Cruz
 DIAZ, Vicente Lizama
 DIEGO, Rosalia Crisostomo Cruz
 DOYLE, Agueda Isasaki
 DUENAS, Dora Babauta
 DUENAS, Enrique
 DUENAS, Guadalupe D.
 DUENAS, Jesus Duenas
 DUENAS, Jesusa Quintanilla
 DUENAS, Joaquin Perez
 DUENAS, Jose Perez
 DUENAS, Juan L. Santos
 DUENAS, June Cruz
 DUENAS, Pedro
 DUENAS, Vicente
 DUENAS, Vicente Perez
 DUMANAL, Enrique Quintanilla
 DUMANAL, Enriqueta Quintanilla
 DUMANAL, Florence Mendiola Perez
 DUMANAL, Florence Perez
 DUMANAL, Gregorio Quintanilla
 DUMANAL, John Babauta
 DUMANAL, Thomas
 DUMANAL, Tomas Quintanilla
 DYDASCO, Felix Torres
 DYDASCO, Feliz Cruz
 DYDASCO, Joseph Cruz
 DYDASCO, Maria Camacho
 DYDASCO, Maria Cruz
 DYDASCO, Maria Perez
 DYDASCO, Richard Cruz
 ESPINOSA, Francisco Arriola
 ESPINOSA, Francisco Iseaki
 ESPINOSA, Jesus Mata
 ESPINOSA, Margarita Iseaki
 ESPINOSA, Vincent Mata
 FARLEY, Dolores San Nicolas Perez
 FEGURGUR, Dolores Mansapit
 FEGURGUR, Joaquin Santos
 FEJERAN, Ignacia Pangelinan
 FLORES, Alejo Perez
 FLORES, Delores Perez
 FLORES, Dolores Concepcion Perez
 FLORES, Gregorio Toves
 FLORES, Maria Roberto
 FLORES, Rosita Perez
 GARRIDO, Ana Aquiningoc
 GARRIDO, Antonio T.
 GARRIDO, Maximino
 GARRIDO, Rachel Alcantara
 GARRIDO, Rachel Espinosa Alcantara
 GARRIDO, Ruth A.
 GOGUE, Maria Camacho
 GOGUE, Philip
 GOGUE, Roy
 GRECIA, Tomasa Espinosa
 GRISSIN, Jane Cruz
 GUERRERO, Thomas Camacho
 GUEVARA, Feliciano
 GUMATAOTAO, Dolores Perez Mendiola
 GUMATAOTAO, Encarnacion M.
 GUMATAOTAO, Francisco Mendiola
 GUMATAOTAO, Joaquin Diaz
 GUMATAOTAO, Juan P.
 GUMATAOTAO, Mae Dydasco
 GUMATAOTAO, Maria Charfauros Lizama
 GUMATAOTAO, Maria L. Guerrero San Nicolas
 GUZMAN, Alejandro Quintanilla
 GUZMAN, Alejo Concepcion
 GUZMAN, Antonio Concepcion
 GUZMAN, Antonio Santos
 GUZMAN, Beatrice Mendiola
 GUZMAN, Carmen C.
 GUZMAN, Carmen Quintanilla
 GUZMAN, Dolores Concepcion
 GUZMAN, Erminia Mae Santos
 GUZMAN, Erminia Santos
 GUZMAN, Francisco Concepcion
 GUZMAN, Francisco Reyes
 GUZMAN, Francisco Toves
 GUZMAN, Francisco Unsiog
 GUZMAN, Guadalupe Concepcion
 GUZMAN, Helen Munoz
 GUZMAN, Henry
 GUZMAN, Henry Reyes
 GUZMAN, Jose C.
 GUZMAN, Jose Perez
 GUZMAN, Jose Quintanilla
 GUZMAN, Jose Reyes
 GUZMAN, Josepha Concepcion
 GUZMAN, Juan Guzman
 GUZMAN, Juan Quintanilla
 GUZMAN, Juan Toves

GUZMAN, Maria Camacho Quintanilla
 GUZMAN, Maria Munoz
 GUZMAN, Maria Unsiog
 GUZMAN, Patrick Barcinas Anderson
 GUZMAN, Remedios Concepcion
 GUZMAN, Rita Quitugua Toves
 GUZMAN, Tomas Reyes
 GUZMAN, Vicente Toves
 HAMAMOTO, Isabel Sablan Munoz
 HAMRECK, Eddie Borja
 HAMRECK, Margaret Borja
 HAPER, Maria Arriola Santos
 HARPER, Maria Ana Santos
 HARRIS, Dean Mendiola
 HARRIS, Dolores Mendiola
 HARRIS, Forest Mendiola
 HENRICH, Efigenia Santiago Babauta
 HILES, Maria Santos Pinaula
 HUDSON, Antonio Cruz
 HUDSON, Cristobal C.
 HUDSON, Cristobal Cruz
 HUDSON, Jose Cruz
 HUDSON, Soledad Quintanilla Cruz
 IGNACIO, Felicita DeGracia Tolentino
 ISIZAKI Vicente L.
 JAMES, Francisco Borja
 JAMES, Lilly Borja
 JAMES, William Borja
 JUANICO, Maria Arceo
 JUDICPA, Concepcion Santos Agustin
 LAMORENA, Daisy Borja James
 LEON GUERRERO, Ignacio
 LEON GUERRERO, Jeanette Gogue
 LEON GUERRERO, Joseph M.
 LEON GUERRERO, Josephina Cruz Mesa
 LEON GUERRERO, Maxima Mendiola Camacho
 LEON GUERRERO, Regina Diaz
 LEON GUERRERO, Rosalia San Nicolas Perez
 LIMTIACO, Brigida Santos Toves
 LIZAMA, Ana Camacho Agulto
 LIZAMA, Agustin Aquiningoc
 LIZAMA, Brigida Guzman
 LIZAMA, Dolores Perez
 LIZAMA, Dolores Quitugua
 LIZAMA, Guadalupe Quintanilla Cruz
 LIZAMA, Jesus Cruz
 LIZAMA, John Patricio
 LIZAMA, Jose
 LIZAMA, Jose Duenas
 LIZAMA, Juan Quitugua
 LIZAMA, Lydia Pangelinan
 LIZAMA, Magdalena Camacho Agulto
 LIZAMA, Maria Babauta Dumanal
 LIZAMA, Maria Quintanilla
 LIZAMA, Robert Sr.
 LIZAMA, Rosa Babauta
 LIZAMA, Rosa Quintanilla Charfauros
 LIZAMA, Simeon Quitugua
 LIZAMA, Teresita Cruz
 LIZAMA, Vicente Duenas
 LLAMELO, Concepcion Crisostomo
 MAFNAS, Antonio Pangilinan
 MAFNAS, Antonio Santos
 MAFNAS, Enriqueta Espinosa
 MAFNAS, Jose
 MAFNAS, Rita Taitano Santos
 MANGLONA, Guadalupe Perez
 MARION, Lilian Reyes Rice
 MASAYA, Joaquina Ulloa
 MAY, Sylvia Santos Toves
 MCGHEE, Patricia San Nicolas Perez
 MENDIOLA, Ana Sablan
 MENDIOLA, Consolacion Reyes
 MENDIOLA, Consolacion Sablan
 MENDIOLA, Encarnacion Perez Perez
 MENDIOLA, Gregorio Guerrero
 MENDIOLA, Ignacio Sablan
 MENDIOLA, Jose Guerrero
 MENDIOLA, Luis Sablan
 MENDIOLA, Martin Sablan
 MENDIOLA, Martina Sablan
 MENDIOLA, Regina Guzman
 MENDIOLA, Regino Quintanilla
 MENDIOLA, Rosa
 MENDIOLA, Rosa Reyes
 MENO, Julia Camacho
 MERFALEN, Trinidad Crisostomo Cruz
 MESA, Barcelisa Afleje Noda
 MESA, Eleuterio Tajalle
 MINTER, Bernice Santos
 MORITA, George Rice
 MUNOZ, Bernadita Cruz Sablan
 MUNOZ, Dolores Sablan
 MUNOZ, Francisco Cepeda
 MUNOZ, Gregorio Sablan
 MUNOZ, Julia Concepcion
 NAPUTI, Rosalia Sablan Santos
 NAUTA, Enriqueta Tolentino Degracia
 NODA, Ana Perez Afleje
 PANGELINAN, Andrea Sablan
 PANGELINAN, Benedicto Sablan
 PANGELINAN, Cristina Perez Sablan
 PANGELINAN, Emelia Sablan
 PANGELINAN, Engracia Cruz Diaz
 PANGELINAN, Felix
 PANGELINAN, Francisco Sablan
 PANGELINAN, Jesus Duenas
 PANGELINAN, Jose Sablan
 PANGELINAN, Laura Sablan
 PANGELINAN, Lydia Guzman
 PANGELINAN, Maria San Nicolas
 PANGELINAN, Regina Concepcion Quan
 PARKE, Cristina Charfauros Lizama
 PEREZ, Ana Rivera Babauta
 PEREZ, Ana Santos Concepcion
 PEREZ, Antonia Mendiola
 PEREZ, Antonia Perez Mendiola
 PEREZ, Antonia Quintanilla
 PEREZ, Antonio Concepcion
 PEREZ, Antonio D.
 PEREZ, Antonio Lizama
 PEREZ, Antonio Namauleg
 PEREZ, Asuncion San Nicolas
 PEREZ, Daryl Quintanilla
 PEREZ, Dolores Espinosa Sablan
 PEREZ, Dolores Sablan
 PEREZ, Dolores Santos Toves
 PEREZ, Doris Sablan
 PEREZ, Eddie John
 PEREZ, Eleanor Loise Aguigui
 PEREZ, Enrique Pangelinan
 PEREZ, Felix Quintanilla
 PEREZ, Francisco Quintanilla
 PEREZ, Fred Mendiola
 PEREZ, Galo Mendiola
 PEREZ, Gregorio Quintanilla
 PEREZ, Guadalupe Reyes
 PEREZ, Jesus Concepcion

SANCHEZ, Lorraine Camacho
SANCHEZ, Manuel Camacho
SANCHEZ, Rosalia Camacho
SANTOS, Alejandro Limtiaco
SANTOS, Alejandro Limtiaco
SANTOS, Amparo R.
SANTOS, Ana A.
SANTOS, Ana Santos Duenas
SANTOS, Ana Tajeron Munoz
SANTOS, Anita Borja
SANTOS, Antonia Duenas
SANTOS, Antonia Santiago Babauta
SANTOS, Antonio Sablan
SANTOS, Arthur Borja
SANTOS, Benito Santos
SANTOS, Benny Borja
SANTOS, Concepcion Manibusan
SANTOS, Dolores Taitano
SANTOS, Dorothy B.
SANTOS, Eloy E.
SANTOS, Eloy L.
SANTOS, Enrique Sablan
SANTOS, Enriqueta Quintanilla
SANTOS, Francisca
SANTOS, Francisco Sablan
SANTOS, Gil Mendiola
SANTOS, Guadalupe Limtiaco
SANTOS, Henry San Nicolas
SANTOS, Ignacio Manibusan
SANTOS, Isabel Reyes Garrido
SANTOS, Jessie William Munoz Leon Guerrero
SANTOS, Jesus Benavente
SANTOS, Jesus Sablan
SANTOS, Jose Limtiaco
SANTOS, Jose Sablan
SANTOS, Jose Santos
SANTOS, Josefa Limtiaco
SANTOS, Joseph Alfred Munoz Leon Guerrero
SANTOS, Josepha Limtiaco Santos
SANTOS, Juan Rice
SANTOS, Juanita Munoz
SANTOS, Julia
SANTOS, Lourdes Marcela Sablan
SANTOS, Luis Taitano
SANTOS, Maria Aquig Duenas
SANTOS, Maria Arriola Arriola
SANTOS, Maria Diaz
SANTOS, Maria Munoz Leon Guerrero
SANTOS, Maria Sablan
SANTOS, Maria San Nicolas
SANTOS, Martha
SANTOS, Ramon Duenas
SANTOS, Rena
SANTOS, Soledad Arriola
SANTOS, Teresita Cruz Dydasco
SANTOS, Walter Rice
SARMIENTO, Concepcion Quan
SARMIENTO, Daniel B.
SARMIENTO, Herman Babauta
SARMIENTO, Jose B.
SARMIENTO, Juan Babauta
SARMIENTO, Juan Perez
SARMIENTO, Maria Babauta
SARMIENTO, Rita Borja
SARMIENTO, Soledad Babauta
SCOTT, Maria Anderson
SEAGRAVES, Dorothy Camacho
SMITH, Katherine Cruz
SPETH, Annie Nicolas Williams
SURBER, Juanita Wesley
TAITANO, Ana Duenas
TAITANO, Victoria Sablan
TAJALLE, Ignacia Santos Torres
TANEGA, Estella Mendiola Gumataotao
THEIR, Alfonsina Cruz Dydasco
TOLENTINO, Angelina Degracia
TOLENTINO, Emeliana Degracia
TOLENTINO, Felicita Degracia
TOLENTINO, Florencia Degracia
TOLENTINO, Joaquin Taitano
TOLENTINO, Judith Degracia
TOLENTINO, Maria Degracia
TOLENTINO, Maria Diaz
TOLENTINO, Maria Perez Diaz
TOLENTINO, Matilde Degracia
TOLENTINO, Pablo Degracia
TOLENTINO, Rosalia Degracia
TOLENTINO, Servia Degracia
TOLENTINO, Thomasa Borja Degracia
TOPASNA, Antonia Concepcion Guzman
TOPASNA, Josefina Babauta Perez
TOPASNA, Julian Fegurgur
TOPASNA, Teresita Santos Agustin
TORRES, Agustin Santos
TORRES, Blandina Cruz Borja
TORRES, Felix
TORRES, Jesus Pangilinan
TORRES, Jose Santos
TORRES, Rosa Mendiola Santos
TOVES, Amalia Sablan Santos
TOVES, Ana Cruz
TOVES, Carmen Espinosa Sablan
TOVES, Francisco Santos
TOVES, Ignacio Santos
TOVES, Joaquin
TOVES, Joaquin Santos
TOVES, Jose Wesley
TOVES, Manuela Anderson
TRIBIANO, Florence Aquiningoc
ULLOA, Juan Santos
ULLOA, Victoriano Santos
USITA, Anna D.
VIERNES, Guadalupe Sablan Santos
WESLEY, Benito A.
WESLEY, Delores Crisostomo
WESLEY, Guadalupe Reyes Cruz
WILLIAMS, Dorothy Pangelinan Perez
WILLIAMS, Emeliana Samonte Nicolas
WILLIAMS, Francisco Nicolas
WILLIAMS, John Bryan
WILLIAMS, John Bryan (1st)
WILLIAMS, John Nicolas
WILLIAMS, Lorenzo Nicolas
WRIGHT, Rosita Duenas Santos

While every effort has been made to collect as many names as possible and to present them here as accurately as possible, we apologize for any omissions or errors made beyond our control.

Microchild

In the emerging island nations
Where multi-national footprints
Have crisscrossed the souls
Of the indigenes and the children
In addition to their cultural heritages.
Drowning in a sea of exploitation;
The fruits of the future
Become transplanted in its native soils
As if through the artificial insemination.
The native cultures have been marred
With importations and assimilation
Of foreign enigmas.
Within this dissonant milieu
Microchildren are nurtured
With greater hope for tomorrow.
Alas! the abundance of the land and sea
Becomes second to imported luxury
And inferiority complex walk in
And effeminates the future heroes
And further mutilates the sacred ground
Of cultural and traditional destiny
Where our forefathers consecrated
And affixed and confirmed as a guiding star
To the Micronations.
But the tide of time has been altered
And the children of the island nations
With matured guidance of their elders
And the world around them
Will be able to reach maturity
And will be soundly proud of being islanders
And members of mankind
With even greater hope
Of achieving peace and harmony
For the sake of brotherhood
Of man and his environment.
Old folks only see visions
Of the world that would've been
Youth dream dreams of things to come.
Because a child is a father of a man.

March 17, 2017 Committee on Culture and Justice
Chaired by Vice Speaker Therese Terlaje
Testimony on Resolution 51-34 & 512-34
by Rosa Salas Palomo

Si Yu'os ma'åse'. Yan si Rosa, pot fabót.

Ya-hu fine'nená na bai hu gâgao petmísu í manaotao-ta ní' manmo'na kí hita na bai hu kuentos pá'go kosaki yanggen háfa guaha ilek-ku ní' tí dinanche pat nu tí ma mamparehu hinasson-mâmi, u ma ná'i despensasión.

Bai hu fino' Engles yan fino' CHamoru sa' ennao gui' hu petsísigi pá'go na tiempo.

Thank you very much for the opportunity but before I begin I would like to ask permission from our ancestors, the ancient CHamorus, to please bear with me and to give me permission to speak. And, if I in any way say anything that is contrary to what they believed, I ask for forgiveness.

I will speak in both languages – CHamoru and English – they are the official tongues of this island – and it is imperative and my sincere belief and commitment that everyone on this island of Guam that many people call, and claim paradise, be bilingual in at least CHamoru and English – everyone – whether you are a native inhabitant or a visitor.

Thank you Vice Speaker Terlaje for letting me know about this, this morning. I'm glad I got up extra early so I could read my messages. I am thankful for technology. I am ashamed to say, but I will admit that if I had not gotten your text I would not be here and then, I'd be reading about it in the paper, but I'd rather be a part of it.

I don't participate in many battles, I choose my battles and at this age I think we have to because we don't have as much energy as we used to.

Si Yu'os ma'åse', Vice-Speaker Terlaje, sa' ginen I tinige'-mu gi teks na mâtto yu' guini. Komu tí hu taitai ya tí kahulo' yu' táftaf ya u taitai í teks-mu, pues siempre taigue yu' guini. Lao, ga'ña-ku na bai hu gaige guini ya bai saonao guini na mubimento sa' gof empottánte.

Annai humáhanao hu' magi, hu faisen maisa yu' sa' háfa na bai hu gaige guini. Kao put í ha sangáni yu' sí Vice-Speaker yan Chair este na komiteha, sí Terlaje, pat kao guaha má's empottánte gi í korason-hu ní' trabiha tí hu sásangan.

I asked myself on my way over here why am I going to be present? What's my reason? Do I have a personal interest in this? Of course, I do. That really is a question that needs no answer. But I wanted to delve into my innermost thoughts and the deepest part of my heart to come up with a reason.

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One of my answers is the fact that as many of you all have been sitting here for hours and are probably have grumbling, if not gurgling if not groaning stomachs, as well as the people before us, si Yu'os ma'åse for bearing with all of this, but this is extremely important.

One of the things that I am grateful for today is to hear the thoughts – although I've heard many of your thoughts, those of you who have come before our prestigious audience – the senators – however, it's always good to be reminded.

I unu na rasón ni gaige gi i korason-hu pã'go na mâtto yu' magi i para bai hu ékungok todú I los prohemos, todú i taotao, manhoben yan manãmko', ni' manguentos pã'go na ha'åni. Gof nisisãrio na ta fanmana'fanhasso di nuebu ni' hãfa siha manmaloffan yan hãfa gaige gi i korason-ñiha sa' gof chaddek hit manmaleffa.

My position on both of these resolutions is affirmative. I support both of them. The latter one, and again I'm pretty much very faithful to my feelings, I'm not so sure that latter one why I would support it at this point, but you know, I'm a woman, who I'm a woman and I'm free to change my mind and I will use that to my advantage. If, because you know, that's the cliché – isao-ñiha, right? That's what people say pues nangga ya bai usa lokkue', sa' empottãnte. Lao, i fine'nena na resolusi3n, 51-34, ayu hu gof suppotte.

I support 31-54 wholeheartedly. And, that one... I won't dwell too much on it because much has been said...

Ti bai hu kuentos meggai put ayu sa' meggai esta manma sãngan, lao este para bai hu sãngan pot este. Guaha esta sumãngan na petsigi mo'na. Achokha' ilek-ñiha, ilek-ñiha ya hekkua' hãyi i "-ñiha" guini, even if "they" say, but I'm not sure who "they" are, na ti u faloffan gi i Kongresu pat kotte, that's not the point.

The point is that we do something. The point is that we don't sit and chat and talk and demonstrate and do whatever it is that people do to show their support and nonsupport. The point is that we do something. And, when we are rejected, we move on. And, we move on and we move on.

There are enough legal minds in our community who are willing to help us out because, for some of us, it isn't about the money. It isn't about their reputation, whether they are going to be the top-notch lawyer or the top-notch senator or the top-notch governor or the top-notch lobbyist.

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The issue is a commitment. That they believe in what it is that they are, that they are pursuing – that they are seeking.

Ti pot salâppe' este, ti pot hâyi para u mâs takhilo' na abugao, pat gobietno, pat senadot, pat lobbyist, sa' manggof metgot i lobbyist. I, i hinasso este na kinalamten put hâfa para I minaolek i taotao, I Mañamoru.

I don't want to use the phrase the "People of Guam" because the "People of Guam" consists of not just CHamorus, it consists of a lot of ethnic, and language and cultural groups. So, we should, if our intent is for the CHamorus, pues pot fabót ta usa I Mañamoru.

Ya hu tungo' ha' na guaha gi iya hita kalan manma'á'ñao ni' anggen ilek-ta para I Mañamoru ha' este, âhe', ti para todú i taotao Guam.

But you know, it's commitment. I told... I mentioned I pick my battles now and this is one battle that I will stay on track and I promise that I will continue to follow up with it and I offer whatever assistance I might be able to offer.

The last point I would like to make is, in this pursuit of moving forward – after denial, after denial, after denial – it is very true that laws are made by man. It is also very true that man can change these laws. And, it is even more true that laws, that laws, that man has changed laws.

Todú I tiempo debidi ta háhasso na yanggen sigi ha' hit mo'na achokha' manma sangángani hit, "Ti siña, ti siña, ti siña. Ni' nagai'an," ta sigi ha' pumetsigi mo'na sa'gi i hinenggeku: i taotao fuma'títinas i lai, i taotao, lokkue', siña ha tulaike i lai, yan gof magâhet, i taotao manulálaika i lai. Meggai na lai manmatulaika.

So, with that in mind, this maybe the time – I mean I may not be here to enjoy whatever comes out of this – but my children's children – hopefully I get more – and the children of all those that are here, including those that are out there, perhaps they will in their lifetime.

It is a battle, ya yanggen siña, po'lu ya siha u miresi. Po'lu yan siha u miresi hâfa para u huyong ginen este sa' achokha' guâhu ti mumiresi lao komu siña i famgu'on-hu yan i famagu'on-ñiha yan I famagu'on todú este siha na los prohemos guini, pues dinanche mo'na.

The last point I would like to make – I think I said that already, right – is, and then I will move on for the others; let's pursue whatever avenues we may have and not stick to one path.

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And in the paths, that are chosen, this is something that I've learned as I continue to study because I'm still trying to find out what it is in the world I want to contribute to Guam. Let's start thinking about pursuing paths that include the indigenous CHamoru perspective.

There is such a thing out there that talks about indigenous theoretical frameworks. Let's try to think of those paths that fulfill the theoretical perspective of indigenous people. And, let's try those avenues simultaneously that we are trying – the frameworks that we have been trying, the frameworks that we have been educated in, because my hunch is that more paths and diverse paths we take, and the more we apply our “indigenouslyness” to some of the paths I think more people are going to be wanting to listen to us.

This may be the time. Pues yanggen put yanggen ta háhasso diferentes na manera na siña ta na'fo', ta na'sigi mo'na este na kinalamten pot este i, i, i determination, pot fabót, ñihi ya ta na'hålom i hinasson CHamoru ni' taimanu mohon yanggen lálala'la' guini si Nanã-hu Biha yan Tatã-hu Biha pat I mañainan-ñiha, háfa taimanu mohon i hinasson-ñiha ni' pa ta kéganna este nan na sichu'asión. Háfa ya to na'fandanña' mo'na yan todú i sesteman Amerikãnu, if you will, i western method, ya t li'e' fan sa' ilek-ku na entre mãs ma hungo yan ma li'e' i sesteman i taotao, i mismo taotao Mañamoru, siña ha' mãs ma ékungok.

Pues, hamyo i representãnten-mãmi. Hamyo in angóngokko para en giha mo'na este na kinalamtem. Bai in fanohge, fanachu para hamyo lao in gágagao, lokkue', hamyo para en fanachu para hami.

You are our representatives, we are, are... we stand up for you and thus we ask you to stand up for all of us. Here, bai hu na'fakpo' ni' este put fabót yanggen tãya' guaha. Ñihi ya ta kãnta “Fanohge CHamoru,” pot fabót.

(All stand and sing “Fanohge CHamoru.”)

Si Yu'os ma'ãse'.

Transcribed by Rlene Santos Steffy
Edited by Rosa Salas Palomo
210 Archbishop Flores St. Hagãtña, Guam 96910
Voice: 671-888-1010 E-mail: rlene@rlenelive.com



U.S. Department of Justice
Civil Rights Division
Housing and Civil Enforcement

SSM:RTH:SGH:KEL:mdf
175-91-1/ 175-91-3

U.S. Mail: 950 Pennsylvania Avenue, NW - G St.
Washington, DC 20530
Overnight: 1800 G Street, NW
Suite 7002
Washington, DC 20006
Telephone: (202) 514-4713
Facsimile: (202) 514-1116

January 13, 2017

By First-class mail and e-mail

Governor Eddie B. Calvo
Ricardo J. Bordallo Governor's Complex
Adelup, Guam 96910
Mark.calvo@guam.gov

Re: Notice of United States' Authorized FHA Lawsuit Against the Government of Guam

Dear Governor Calvo:

As you know, the Department of Justice has been conducting an investigation of Guam's land use policies and practices, pursuant to the Fair Housing Act ("FHA"), 42 U.S.C. §§ 3601, *et seq.* The investigation has focused on whether the Chamorro Land Trust Act, 21 GCA §§ 75101, *et seq.*, as interpreted and implemented by the Chamorro Land Trust Commission ("CLTC") and its Administrative Director, discriminates on the basis of race or national origin in violation of the FHA by limiting certain housing-related benefits to persons who are "native Chamorros."

The FHA prohibits, among other things, the refusal to lease dwellings on the basis of race or national origin; discrimination against persons in the terms, conditions, or privileges of rental of dwellings on the basis of race or national origin; publication of advertisements and statements that express a preference or limitation based on race or national origin; and discrimination in the extension of credit and loan guarantees for residential purposes on the basis of race or national origin. 42 U.S.C. §§ 3604(a), (b), (c) and 3605. The FHA authorizes the Attorney General to commence a civil action whenever she has reasonable cause to believe that any person or group of persons is engaging in a pattern or practice of housing discrimination, or that a group of persons has been denied any of the rights granted by the Act and such denial raises an issue of general public importance. 42 U.S.C. § 3614(a).

This letter is to inform you that the Department of Justice has completed its investigation, and the Principal Deputy Assistant Attorney General for the Civil Rights Division has authorized the filing of a complaint in federal district court against the Government of Guam, the CLTC, and its Administrative Director. The complaint will allege that the Government of Guam, through the CLTC and its Administrative Director, denied a dwelling to a person or persons because of race or national origin; discriminated in the terms, conditions, or privileges of sale or

rental of dwellings and/or in the provision of services or facilities in connection therewith because of race or national origin; and made statements and advertisements with respect to the rental of a dwelling that indicate a preference, limitation or discrimination based on race or national origin in violation of the FHA, 42 U.S.C. §§ 3604(a), (b), (c). The complaint will also allege that the defendants discriminated because of race or national origin in making available, or in the term or conditions of, residential real estate related transactions in violation of the Fair Housing Act, 42 U.S.C. § 3605(a).

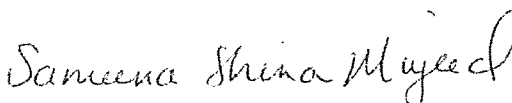
We are prepared to defer filing the complaint for a short period of time if Guam is willing to enter into pre-suit negotiations in an effort to resolve this matter expeditiously in the form of a consent decree to be entered by the court. Although we are willing to discuss the specific provisions, the decree must, at a minimum, provide for injunctive relief addressing the specific violations and preventing future violations of the FHA, including provisions to ensure that land use policies and practices are implemented in a manner consistent with federal law.

In the meantime please ensure that Guam officials and employees continue to maintain in their current form any and all records, documents, files, or tapes, including electronic mails and computer files, that are relevant to this matter and that a "litigation hold" is placed on all such documents.

We hope you share our interest in achieving a voluntary resolution of this matter. Please contact the lawyers in this matter, Samuel Hall at (202) 353-4096, samuel.hall2@usdoj.gov, or Kathryn Ladewski at (202) 353-1099, kathryn.ladewski@usdoj.gov, on or before January 31, 2017, about whether the Government of Guam is willing to settle this matter in accordance with the general terms outlined in this letter.

Sincerely,

Vanita Gupta
Principal Deputy Assistant Attorney General
Civil Rights Division

By: 

Sameena Shina Majeed
Chief
Housing and Civil Enforcement Section

cc: Elizabeth Barrett-Anderson, Attorney General of Guam
Mikel Schwab, Assistant U.S. Attorney, Chief, Civil Rights Unit



Office of the Attorney General of Guam

590 S. Marine Corps Dr., Ste. 706, Tamuning, Guam 96913



Elizabeth Barrett-Anderson
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Carol M. Hinkle-Sanchez
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csanchez@guamag.org

Pauline Untalan
Administrator
Victim Service Center &
Notary Unit
ext. 5030
puntalan@guamag.org

February 15, 2017

RECEIVED

MB 2/16 FEB 16 2017
Department of Land Management
Time 8:06 Int [Signature]

Vanita Gupta, Principal Deputy Asst. Attorney General
Civil Rights Division
United States Department of Justice
950 Pennsylvania Ave., NW- G St.
Washington, DC 20530

Re: Notice of Suit Against Government of Guam

Hafa Adai Ms. Gupta:

This is an official acknowledgment on behalf of Eddie B. Calvo, Governor of Guam, of the Department of Justice's Notice of Lawsuit pertaining to alleged violations of the Federal Fair Housing Act (FHA) by the Chamorro Land Trust Commission (CLTC). Thank you for your kind extension to provide an initial response to the notice.

The ramifications of a suit impacting the CLTC is a matter of utmost importance to Guam. The CLTC has been an operational land lease entity of the government of Guam for over twenty-five (25) years, affecting thousands of leaseholds issued to residents of Guam. Its constitutionality was initially decided by the Superior Court of Guam in *Angel Santos and the Chamorro Nation v. Joseph F. Ada, Governor of Guam*, SP0083-92. It is upon that decision that the government of Guam has relied for the last four decades without constitutional impediment, and in light of inaction on the part of Congress relative to Guam statutes. *Cf.*, U.S.C. 1421i ("The Congress of the United States reserves the power to annual the same.") I hope you can, therefore, appreciate the complications of revisiting this issue.

I want to encourage further discussion, and request that we arrange a conference call shortly. I have spoken with the Governor and the Director of the Department of Land Management to advise them of the seriousness of this matter. If this meets with your approval, I will work with the local United States Attorney's Office to make appropriate arrangements for a teleconference very soon.

Please do not hesitate to contact me at ebanderson@guamag.org, or Deputy Attorney General Kenneth Orcutt at korcutt@guamag.org, (671) 455-3324 extensions 5015 or 3075, respectively.

Sincerely,

ELIZABETH BARRETT-ANDERSON
Attorney General of Guam

cc: Hon. Eddie B. Calvo, Governor of Guam
Hon. Raymond Tenorio, Lt. Governor of Guam
Sandra Miller, Governor's Legal Counsel
Mikel Schwab, Assistant U.S. Attorney
Michael Borja, Director of Department of Land Management

ROBERT A. UNDERWOOD
Box 3159, Hagatna, GU 96932

March 16, 2017

Vice Speaker Therese M. Terlaje

Therese M. Terlaje
Vice-Speaker, 34th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagatna, Guam 96910

MAR 16 2017

Time: 3pm

Received by: JM/PM

Dear Vice-Speaker Terlaje,

I am writing you to alert you about the maximum danger point which the Chamorro people face today. I could write about my passion (fino' Chamorro) or the Chamorro Land Trust which is also being threatened. But I want to draw your attention to the matter of Chamorro Self-Determination. This is the inflection point of not just the continued existence of the Chamorro people, but a test of whether we understand Guam's unique history. Ultimately, it is a question of respect for the Chamorro people.

As a long time history teacher, I warn students to avoid thinking that history began when they came along or when they started thinking about it. History is a long and, frequently, tortured story. Acting on the political status future for Guam is a historical project that belongs to the Chamorro people and goes back several centuries. It is an attempt to understand the past, inform the present and fuel the future. It isn't a "future" project. It is a connective project based on the principles of respect and inafa'maolek.

People who migrated to Guam in the past few decades brought their assumptions about their own past and their own future primarily in terms of American jurisprudence and authority. I do not contest that nor do I seek to deny them that point of view. I only ask that they understand that the Chamorro people are the ones that have historically been colonized and that they deserve the opportunity to decolonize their homeland. I ask them, just as I remind fellow Chamorros, that the native people of Guam had their own unique experience that continually kept them from exercising the right to make a political decision on their own terms with various options available to them.

The legal authorities have recently spoken. The US District Court in Guam has stated that it is not Constitutionally permissible to allow a vote of Chamorro self-determination even if it was not binding. It is dispiriting and discouraging although not unexpected. Ironically, opponents of Chamorro self-determination appealed to an entirely different set of historical circumstances (American law, Constitutional amendments coming out of the American Civil War, Supreme Court decisions designed to place territories in a perpetual colonial status) in order to defeat the

Chamorro historical experience. In the American Legal battlefield, they prevailed. But while the battle may have been lost, the struggle continues.

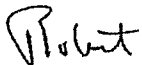
We have been at this low point before. I present to you a copy of a document prepared by the Organization of People for Indigenous Rights from 1982. In the document, you will read a clear statement about Guam's history. You will see familiar names like Bernadita Dungca, Clotilde Gould, BJ Cruz, Ron Teehan, Nerissa Lee, Marie Pablo, Al Lizama, Chris Perez Howard, Rosa Palomo and Hope Cristobal. These individuals provided Guam the opportunity to reflect upon Guam's past and future and the existence of Chamorro self-determination.

They were derided and belittled. They were called "half breeds," told that they were inauthentic Chamorros and questioned because they weren't even Chamorro. I can speak from personal experience that members of the Guam Legislature at that time avoided us except for a handful. We didn't wring our hands and we were not disrespectful to anyone. We simply presented our case. The case is still the same. In many ways, the opposition arguments sound painfully similar.

I ask you to take the time to read the document and learn about the political status development of Guam. I ask you to pursue a strategy that honors and respects the Chamorro people in the quest for self-determination. I believe that it is possible to do so without the compromise of multi-colored ballots or simply treating it as another election.

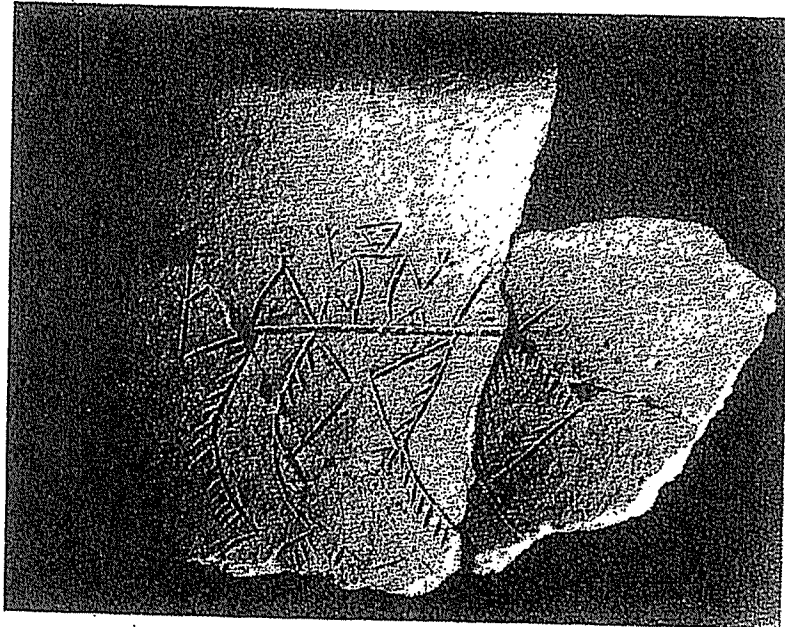
I will be happy to discuss any concern about Chamorro self-determination that you may have. I will be happy to discuss alternative strategies. At a minimum, we must continue the struggle in the US Courts and the United Nations. These are not necessarily the venues that will resolve the issue, but they are the venues which are currently available to us.

Biba taotao tano'! Biba Guahan!



si Robert A. Underwood

Self-Determination:



A People's Right

Paid for by members and friends of The Organization of People for Indigenous Rights

Post Office Box 7932
Tamuning, Guam 96911

Pages 2

OPI(R)

Hafa Adail

The Organization of People for Indigenous Rights was organized by concerned individuals in response to the Government of Guam's current political process to change Guam's political status without recognizing the Chamorro's right to self-determination.

We are a non-profit organization composed of people from all walks of life, of different ethnic groups, religious and political beliefs, and political status preference. Our common bond is our belief that only the indigenous inhabitants of Guam, the Chamorro people, have the right to determine their political destiny by changing Guam's political status from a non-self governing territory to a status considered as having a full measure of self government. This right is called the right of self-determination and is defined as "the right of a people to determine the way in which they shall be governed and whether they shall be self governed or governed by another power."

This right has been legally and morally recognized and supported by the United States in numerous documents and in correspondence to the Government of Guam. Why the Government of Guam is failing to uphold the Chamorro right to self-determination is perplexing and there is no indication that the present political status process will change. Our organization is confident that with your support we can halt this unjust action and help to open the way for the Chamorro people to exercise their right to self-determination.

Si Yu'os ma'ase',

Cover: Pottery fragments found near a shipwrecked boat. Maltese received the shards when put together. It has been adopted by OPI(R) as their official logo.



In memory, Phil Gutierrez, active member and supporter, who passed away this year.

OPI(R) wishes to thank all supporters for their contributions. Continued support and donations are still needed to continue the struggle of Chamorro rights and recognition as a people. Please send inquiries and donations to: OPI(R), P.O. Box 7932, Tamuning, Guam 96911.



Chamorro Self-Determination

Historical

For over 300 years the Chamorro people have been subject to outside nations, without the Chamorro people's consent.

Since World War II nearly all of the world's other colonies have become independent states or permanently integrated into existing nations by exercising their right to self-determination.

Guam remains a possession of the United States, the Chamorro people not having exercised their right.

Legal

Articles 1(2) and 55 of the United Nations Charter, proclaim the principle of self-determination and Article 73 obligates all administrators of non-self governing territories to protect and assist the people of the territories in their development towards full self-government.

This responsibility is a treaty obligation which the United States recognizes as law and which has been acknowledged and quoted by both Federal and Territorial policy statements on political status for the past two decades.

United Nations General Assembly Resolution

1514 (XV) declares that all people have the right to self-determination and by virtue of that right they freely determine their political status.

United Nations Resolutions regarding the territory of Guam reaffirms the inalienable right of the people of Guam to self-determination.

Human Rights

One of the strongest movements in recent times is the recognition of the inherent and moral rights of indigenous people, particularly those who are non self-governing. The Chamorro people fit this category on all counts and should be allowed the opportunity to decide their fate.

OPI (R) Executive Council

Hope A. Cristobal — Chairperson
 Ron Teehan — Corresponding Secretary
 Maria Teehan — Recording Secretary
 Nerissa Lee — Treasurer
 Robert A. Underwood — Political Action
 Rosa Palomo / Chris Perez Howard —
 Public Awareness
 Ed Gould — Media Awareness
 Al Lizama — Materials/Arts/Brochures
 David Rosario — Community Involvement
 Sherry Smith — Petition

(OPI(R) CHRONOLOGY OF EVENTS

12/5/81 Saturday: A group of people got together in the morning at the Guam Legislature Room in Agaña for two reasons. They felt that:

1. The people of Guam needed to be educated on the meaning of self-determination;
2. The Plebescite vote should be limited to the indigenous people of Guam.

The group called itself the "Organization of People for Indigenous Rights" whose acronym is OPI(R). Opi in Chamorro means "to respond" and the "R" stands for "rights." Officers elected that day, were: Tun Mariano Santos — Chairperson, Bernice Minter — Vice Chairperson, Ron Teehan — Secretary and Bernadita Dungca — Treasurer. The group collected \$130 and decided to use it for bumper stickers publicizing the organization. Meetings were then held in different villages to reach out to the grassroots. Flyers explaining reasons for an indigenous vote were distributed to different villages and various Government of Guam agencies.

12/10/81: Bernice Minter stepped down as Vice Chairperson and Eddie Cruz was voted to that position.

12/19/81: Motorcade was held to announce the planned rally. Because of heavy rains, the "round the island" motorcade was limited to the central villages where flyers were passed out.

1/5/82: Rally for the Indigenous Vote was held at 5:00 p.m. at the Plaza de Espana. Father Tony Apuron, Agaña Rector, said the opening prayers and blessings. Host was Jesus Charfauros "Chamorro" and guest speakers were: Cecilia Bamba, Conrad Stinson, George Boughton, Jackson Ngrangao, Mrs. Priscilla Toves, Robert Underwood and Tun Mariano Santos. David Camacho, Jessa Laguana and Sebastian Camacho provided Chamorro music. A skit was also presented by UOG's Chamorro Club. And, former Senator Richard Taitano's letter supporting the cause was read at the rally. Alejandro Lizama created a design depicting the organization's struggle which was used on T-Shirts.

1/7/82: A petition drive to limit the January 30 Plebescite to the indigenous people began. The drive gathered 3,000 signatures. This petition was later presented to the United Nations in Japan by Ron Teehan and David Rosario.

1/9/82: Some members of the organization had a private meeting with Pedro Sanjuan at 11:45 a.m. at Government House. Though the scheduled meeting was for 10 minutes, the actual meeting lasted 25 minutes. Two important points stated at the meeting were:

1. Sanjuan acknowledged Chamorro existence by saying that unlike the Virgin Islands and Puerto Rico, the Chamorros still control the

government and the political system.

2. Sanjuan will talk to the State Department concerning the Indigenous vote.

1/4/82: Bill 609 was heard by the Legislature Committee on Criminal Justice. Testimonies against Bill 609 were given by members and supporters of the Organization. This Bill did not pass Committee because of a lack of quorum.

1/15/82: A cable was sent to the United Nations in New York requesting support of the indigenous vote. A similar cable was also sent to President Ronald Reagan.

1/21/82: Tun Mariano Santos was made Honorary Chairperson and Chris Perez Howard was voted Chairperson.

1/25/82: Nerissa Lee and Marie Pablo gathered signatures of all but one (Nicolas Francisco of Mangilao) island Commissioner requesting that the Plebescite be delayed until the question of the indigenous vote was settled.

1/26/82: B.J. Cruz, lawyer and member, filed an injunction to stop the January 30 Plebescite in the District Court. Since Judge Cristobal Duenas was off-island, Judge Abbate appointed Judge Raker to hear the case. It was "thrown out" because the hearing was said in the wrong court. It should have been heard in the Superior Court.

1/28/82: A similar injunction was filed in the Superior Court presided by Judge Ramon Diaz. Case was thrown out because "a taxpayer cannot enjoin an election" and in both Courts, the merits of the case was never discussed.

1/29/82: The Organization sent Ron Teehan and David Rosario to the United Nations Office in Japan for the following reasons:

1. To deliver a statement of protest on the conditions under which the January 30 Plebescite was being held, i.e., the failure to limit the vote to the indigenous population.
2. To deliver the petition requesting the Plebescite to be limited to the indigenous population.
3. To lobby with various embassies in Japan for support.

7/29/82: The Organization sent Chris Perez Howard, Robert Underwood and Ron Teehan to the United Nations in New York. They were heard by the Committee of Twenty-four. The delegates delivered a presentation explaining the situation of Guam and asked for a resolution supporting the rights of the indigenous people of Guam.

11/19/82: The Organization's representative, Nerissa Lee, presented the organization's position on self-determination to the Micronesia Education and Solidarity Conference held at the Legislature's Session Hall in Agaña.

12/2/82: Chris Perez Howard stepped down as Chairperson and Hope A. Cristobal was elected Chairperson. Ron Teehan remained as Corresponding Secretary, Maria Teehan was voted Recording Secretary and Nerissa Lee was voted Treasurer.

12/20/82: Three OPI(R) members visited with Governor R.J. Bordallo in his Transition Office in hopes of establishing communication on the Chamorro self-determination issue. A copy of OPI(R)'s position and presentation to the United Nations was given to the Governor. One important suggestion made to the Governor was that the question of who is indigenous can be readily requested from the U.S. Congress.

2/16/83: Bill 100 was heard by the Legislature's Committee on Justice, Federal, Foreign and Legal Affairs. OPI(R) Chairperson gave a written testimony against the Bill and attached a copy of OPI(R)'s presentation to the United Nations.

DISCRIMINATION

The central position of OPI(R) is that self-determination is the legal right of a people that has historically been denied the right to freely choose their political future. Such a right does not belong to pieces of land, but to people. It is a right that is inalienable meaning that it cannot be bought, sold or transferred. To allow any individual freedom to participate in a self-determination process that was clearly intended for the "Guamanian people" is in fact to discriminate against and violate the rights of the Guamanian people.

Historically, it is Chamorro people who had an anomalous, unclear relationship to the U.S. Government. The Chamorro people, who were renamed Guamanians in the post World War II period, never participated in a binding plebiscite on their own future. Changing U.S. policies on entry-exit to Guam and Congressional decisions about Guam should not impede hinder or discriminate against this inalienable right.

OPI (R) position does not deny anyone any rights, since non-Chamorros were never promised implicitly or overtly a right to Guam's self-determination. This process of self-determination began after World War II and always has been stated in all U.S. and United Nations documents as a right belonging to the Guamanian or Chamorro people.

To discriminate against someone's rights is to recognize that others have a right in the beginning. All of the citizens of major nations in the Pacific rim and the peoples of the islands have begun to or have already exercised their right to self-determination. For these same individuals to now participate in the Chamorro people's right is the clearest and most flagrant form of discrimination.

THE QUESTION OF IDENTIFICATION OR, WHO IS INDIGENOUS?

Pages

The question of identifying the Chamorro people for purposes of political self-determination has frequently been raised more as an obstacle to debate than as a serious question. The Chamorro people are a readily identifiable ethnic, social and historical group. For purposes of self-determination, OPI (R)'s position is that all Chamorros who are currently on Guam are those who have the legitimate right to self-determination freely recognized by the United States after World War II. Politically and historically reliable sources of data are as follows:

1. The 1940 U.S. Census
2. The 1946 U.S. Navy Census
3. The 1960 U.S. Census
4. Those who obtained citizenships through the Organic Act.

In all the above, those individuals who were clearly Chamorros or Guamanians are clearly identified. The direct descendants of these individuals also possess the right of self-determination.

Chamorros who currently live off-island could reclaim, this right by establishing residence on Guam.

GUAM HYMN

The Guam Hymn was composed by Ramon Manalaysay Sablan in 1930. The Chamorro version was translated by Lagrimas L.G. Untalan in 1974.

(Chamorro)

Fanohge' Chamorro,
Put i tano-ta,
Kanta i matuna-na
Gi todu i lugat.
Para i onra,
Para i gloria,
Abba i isla
Sin parat.

Gi Todu i tiempo
I paa para kita
Yan ginan i langat
Na bondision.
Kontra i poligru,
Na'fansafu' ham,
Yu'oo prutehi
I islan Guam.

(English)

Stand ye, Guamanians,
For your country
And sing her praise
From shore to shore
For her honor
For her glory
Exalt our island
Forevermore.

May everlasting
Peace reign o'er us
May heaven's blessing
To us come
Against all perils
Do not forsake us
God protect
Our island, Guam.

Pages

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NEWYORK 54 02 1619

LTF
MR. CHRIS PEREZ HOWARD
P.O. BOX 2991 AGANA, 96910

MAPI37-7 WISH INFORM YOU THAT COMMITTEE GRANTED YOUR REQUEST FOR HEARING. AS DISCUSSED IF YOU WISH TO BE HEARD BY THE COMMITTEE I SUGGEST YOU ARRIVE IN NEWYORK DURING FIRST WEEK IN AUGUST. REGARDS (I. TANAKA SECRETARY SPECIAL COMMITTEE OF 24)
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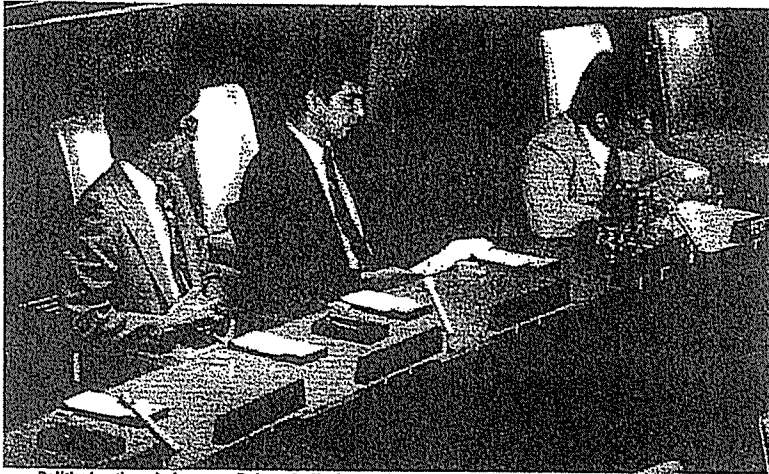
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RGI Global Telegram

RGI Global Telegram



OPI(R) member Benett Dungea poses the question of Chamorro right to self-determination at a meeting with Pedro Sanjuan, assistant interior secretary for territorial and international affairs, and Sanjuan aide Chuck Downs at Government House.



Political action chairperson Robert A. Underwood giving OPI (R) statement at the United Nations accompanied by Chris Perez Howard, former chairperson, and secretary Ron Teahan Jr.

Text of Statement at United Nations

Text of Statement
at United Nations

OPI (R) PRESENTATION TO THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION OF THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

A very warm Hafa Adal from the people of Guam. We are the official representatives of a group called the Organization of People for Indigenous Rights (OPI-R). Our group's main reason for existence is to insure that the rights of the Chamorro people are understood, respected and, most importantly, honored by the political entities which currently exercise some measure of control or influence over the future of the Chamorro people. These entities are namely the Government of Guam, the Government of the United States and your Committee on behalf of the General Assembly of the United Nations.

There were many alternative paths available to us in structuring our presentation today. We want to be sure that the information, ideas and sentiments which we present are accurate and reflective of a significant portion of the population of Guam. We are also concerned that we do not take up your valuable time by presenting information

which is readily available to you. However, we do not wish to miss this important opportunity to present much of the relevant information regarding our position. Consequently, we have organized our presentation into three distinct parts. We hope that you will bear with us while we present to you the Chamorro perspective on the question of political self-determination for Guam. We can state without exaggeration that it is the perspective of those who are the true people of Guam.

Our statement is divided as follows:

I. The Chamorro People, Colonization and Self-Determination

II. Efforts to Exercise Guam's Political Self-Determination

III. Obstacles to Chamorro Self-Determination and Some Solutions

Please recognize that this is a particularly emotional time for us and if we appear vituperant toward anyone, we apologize for it in advance. It is a particularly critical juncture for us in the history of the Chamorro people and the failure of any agency to act at this time cannot be interpreted by us as anything less than an uncaring or insensitive attitude. We believe this to be the first time any individuals from Guam (who are not connected with the U.S. government) have made a presentation before a United Nations body. We, as individuals, have risked much in making this

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journey to New York, including the scorn of those who misunderstand our position and those who see us as agitating to undo the harmonious relationship between Guam and the United States. We cannot help but have the feeling that in making this presentation, U.S. government representatives may interpret our statements in a negative light. For many on Guam, the idea of going to the United Nations is seen as dangerous and likely to rankle the United States Government. Trusting in your good judgment and the characteristic American belief in fair play; we know that all officials will be sympathetic once the situation on Guam is perfectly understood.

Before we go into the substance of our presentation, we would like to make clear three points upon which we have developed this extended statement. First and foremost, OPI-R as an organization does not advocate independence or political separation from the United States. As individual members of the organization, we have our individual preferences and opinions about Guam's future political development. However, the organization is firmly united by one belief. This belief is that political self-determination for Guam inheres in the people of Guam who have been denied political self-fulfillment for over three hundred years. Self-determination does not inhere in residence in a non-self-governing territory, especially when that residence is made possible by the existence of colonial structures. Secondly, the organization is not interested in making a blanket indictment of the administering power, the United States of America. The U.S. has given much to Guam and continues to be supportive of the Chamorro people in many direct and indirect ways. The U.S., as a rule, is a generous and democratic nation whose intentions are usually beyond reproach. However, we do feel strongly that there exist certain blind spots about the political self-determination process on Guam as a result of the strong military posture of the U.S. in the Western Pacific. Guam plays a major role in this military presence. Lastly, we are convinced that OPI-R represents a majority opinion of the Chamorro people. If we were not firm in this conviction, we would not have made this journey to New York. The Chamorro people are culturally reticent to express sentiments openly and the mass media is dominated by non-natives or temporary residents on the island. Consequently, our position may not be favorably reported in the island's media, from which much of your information about Guam is extracted by your Committee's researchers.

Our trip was made possible by donations from the people of Guam. We continue to receive personal messages of congratulations and support. Furthermore, we are convinced that should your Committee respond positively to our suggestions, more people will appreciate this issue at hand. Whether you recognize it or not, a statement from you on this issue will receive much coverage on Guam and provide a new basis upon which the issue will be further understood.

I. THE CHAMORRO PEOPLE, COLONIZATION AND SELF-DETERMINATION

Over 4,000 years ago the Marianas Islands were settled by a group of people who eventually came to be known as the Chamorros. In their isolation from the rest of the world, the Chamorro people developed a complex caste social structure and lived in relative harmony with their environment and each other. Their existence was rudely awakened by their "discovery" by Europeans and eventual settlement of their islands by foreigners. Spanish missionaries came in 1668 and brought a garrison of soldiers for the purpose of protection. Thus, the Chamorro people have the dubious distinction of being the first group of Pacific Islanders to be colonized by the West.

In the short thirty year period from 1668 until the end of the seventeenth century, war and new diseases had caused the depopulation of the Marianas to a few thousand natives. Estimates of the pre-contact population have ranged as high as one hundred thousand for the entire chain. The islands were governed as a unit in the Spanish Empire until the Spanish-American War in 1898. During most of Spanish rule over the Marianas, only the islands of Guam and Rota were inhabited. The natives had been concentrated on those two islands to make them more manageable. Saipan was eventually re-populated in the latter part of the 19th century with natives from Guam.

As a result of the Spanish occupation, the people endured many changes and eventually developed a hybrid culture by blending the ancient traditions with Roman Catholicism and the practices of the Hispanic world. However, there was never any doubt that the identity of the Chamorro people remained intact. They were distinct in language and manners, and despite Spanish efforts to the contrary, the people of the Marianas never thought of themselves as Spaniards or as a Hispanic group of people. In fact, one of Spain's last governors lamented the fact that despite over 200 years of Spanish rule, the natives remained very unlike the inhabitants of the rest of the Empire.

At the conclusion of Spanish rule, the Chamorros had remained an identifiable ethnic, cultural and national group with historical roots to a time long before they were conquered by the Europeans. They defied the fact that they were the first Pacific Islanders to experience the pain of foreign domination.

We present this historical perspective not to inspire you with the story of the survival of a small, but proud group of people. This story is repeated in many parts of the world and is not unique in its plot nor its cast of characters. Rather, we present it to you so that you may understand how the forces of colonialism may work on the psychology of an entire people. Without the opportunity to control the social institutions which they lived

under, the Chamorro people were not merely subjected to the perspective of the outside world. They eventually internalized it. For many generations, the Chamorro people were told that to be Chamorro was to be inferior, ignorant and backward. Moreover, they were advised by foreign historians and administrators with suspect motives, that the Chamorro people did not in fact exist. The people of Guam were told that the Chamorro had been effaced from the face of the earth and, unfortunately, many of our people believed it.

Despite academic evidence to the contrary and, more importantly the sheer tenacity of a group of people who continued to defiantly proclaim themselves to be Chamorro, many refuse to acknowledge the existence of the Chamorro people. Some of us are beginning to harbor the suspicion that this denial of the existence of the Chamorro people is calculated to facilitate the denial of their inalienable rights. It has certainly made some of the past colonial practices regarding the insensitivity to Chamorro language and culture easier since some doubt was cast on the very existence of the Chamorro people.

The islands and the Chamorro people were divided after the Spanish-American War with Spain ceding Guam to the United States and selling the remainder of the island chain to Germany. Germany subsequently lost the Northern Marianas to Japan as a League of Nations Mandate as a result of World War I. The United States eventually occupied the Northern Marianas as part of the Trust Territory of the Pacific Islands subsequent to World War II.

Although the people were split apart by the fortunes of international politics, the Chamorros were a unified cultural and national group with many individuals having close relatives on the other side of the political boundary. The pre-World War II Naval Government of Guam recognized the identifiability of the Chamorro people repeatedly as did both the Japanese and American administrations of the Northern Marianas. The Chamorros were the legitimate heirs of the political destiny of the islands which they inhabited and even the most imperialistic nations in past history have recognized their distinct status and legitimate right to exist, albeit begrudgingly.

For Guam, political life under the U.S. umbrella meant uncertainly, neglect and inattention to basic human and civil rights for most of the time since 1898. Guam languished under a Naval Government from 1898 to 1950, except for a three year occupation by Japanese forces during World War II. The status of Chamorros before World War II is best characterized by the Navy Department's Court Martial Order No. 1923 issued on April 30, 1923. It read:

Held: While a native of Guam owns perpetual allegiance to the United States he is not a citizen thereof nor is he an alien and there are no provisions under which he may become a citizen of the

United States by naturalization.

While this action gave the Chamorro people no particular status, it is still instructive. If nothing else, it recognized that the Chamorros were an identifiable group for political purposes. Decisions regarding the political status of Guam were obviously questions involving the future of the native inhabitants.

This concept had been made clear earlier in the treaty which ceded Guam to the United States. In the Treaty of Paris of 1898, the following provision applied to Guam:

The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

Since 1898, the ultimate political status of Guam has yet to be decided either by Congressional action or otherwise.

During the course of naval rule over Guam, the U.S. relationship to the people of Guam was one of guardian to ward. This fiduciary relationship can be seen in the following comments drawn from various documents regarding Guam:

The Secretary of the Navy will take such steps as are necessary to give (the Territory of Guam) necessary protection and government. (Presidential Executive Order No. 108A, 1899)

As a result of the unique interest of the Navy in the island of Guam, the natives... have been considered wards of the Navy... The inhabitants of the island have been under the special and sole protection of the Navy Department.

(H.R. Report No. 1125; letter from Acting Secretary of the Navy H. Struve Hensel to Speaker Sam Rayburn, June 9, 1946)

The general policy of the Naval Government is to guard (the inhabitants of Guam) from exploitation by outsiders and to protect their lands... They are not self-supporting and require not only federal economic assistance but also careful training and supervision from their paternal island government (Letter of Secretary of the Navy Claude Swanson to U.S. Senate, 1937)

It is clear from these documents that the U.S. recognized their obligations to the people of Guam as a dependent people. Moreover, it is also rather obvious that the terms inhabitants of Guam, people of Guam, natives of Guam and the Chamorro people are all synonymous. Both in official reports and in common usage, the people of Guam were the Chamorros and no one else.

Out of the ashes of World War II, the world was swept by new trends which recognized the sanctity of self-determination and which brought new meaning to the concept of human rights. Although these ideas have not always prevailed, many of them are embodied in the United Nations Charter, one of the legacies of World War II.

Both new nations and the old colonial powers

recognized that dependant peoples should no longer be subjected to the whims of the nations which governed them. These new ideas gave birth to the Trusteeship system and the Declaration on Non Self-Governing Territories. Recognizing its responsibilities on the matter, the U.S. voluntarily placed Guam on the list of non-self governing territories in 1946. By Guam's continued presence on that list, the U.S. continues to recognize the existence of a dependant status for the people of Guam and acknowledges that self-determination has not yet been exercised.

In the administering power's first report to the United Nations in 1946, the report describes the people of Guam in the following manner:

People—The natives of Guam are called Chamorros. The origin of the ancient Chamorros is obscure, but it is probable that they were a group that became detached and isolated in the Marianas Islands from the pro-Malays (sic) in their migration eastward from the mainland of Asia.

Later in the report, the U.S. states that the 1901 "Guamanian" population was 9,630 and that the 1946 Guamanian population was 22,698. The 1946 report further states that although the Guamanians are conversant in English, "they continue to use the ancient Chamorro tongue." It also lists the civil status of the "inhabitants of Guam" as nationals of the United States.

On the basis of this initial report by the U.S. to the United Nations, it is obvious that the people of Guam being discussed for the purpose of fulfilling the obligation under Article 73 are, in fact, the Chamorro people. The term Guamanian, which was invented after World War II, was and is synonymous with the term Chamorro. Today, the common use of Guamanian as being an ethnic marker (as being identical with Chamorro) is still prevalent on Guam. Of even greater significance, the fiduciary status (readily acknowledged to exist under Naval administration) had become the non-self-governing status as described under Article 73. We need not remind you that the Charter is a treaty and as such, functions as law within the U.S. as provided for in the U.S. Constitution.

Part of the difficulty of those who wish to pursue legalistic arguments, has been the term Guamanian. After World War II, the term Chamorro fell into disuse for official purposes and the term Guamanian was used instead. In recent years, the term Chamorro has become increasingly used for purposes of identification on Guam. However, the federal government still utilizes the term Guamanian as a national origin term for Chamorro. In the 1980 Federal census, Guamanian was included as the term embodying those who are Chamorros (except for the North Marianas Chamorros). It is time that U. N. Resolutions and U. S. Reports make it clear what is meant by the term Guamanian people. From the historical record, it is obvious that it is the Chamorro people that are in a dependant status to

the U. S. and consequently, have not yet engaged in an act of self-determination.

The document which most clearly acknowledges the separate political existence of the Chamorro people is the Organic Act of 1950. When it was first passed by the U. S. Congress, it included a provision which gave Chamorros preference in government promotions and appointments. Aside from being further evidence of this fiduciary relationship, it gave legitimacy to the notion of special rights for the natives of Guam. It read:

The Governor... in making appointments and promotions, preference shall be given to qualified persons of Guamanian ancestry. With a view to insuring the fullest participation of Guamanians in the Government of Guam, opportunities for higher education and inservice training facilities shall be provided to qualified persons of Guamanian ancestry.

In a more significant part of the Organic Act, the U.S. citizenship provision declared the people to be U.S. citizens according to two criteria. One required being native-born and the other required ancestry on Guam from before 1898. Failing that, it amended the Nationality Act of 1940 to include a new subparagraph "Guamanian and persons of Guamanian descent."

In the only Congressional act that ever openly altered the political status of Guam, it is clear that it was on behalf of the Chamorro people that legislation was being passed. However, they were officially called the Guamanian people. It is instructive to note that despite the Organic Act, the U.S. continued to submit reports on Guam to the U.N. in recognition of the fact that full self-determination had yet to be exercised. Indeed, how could such an assertion be made when the Organic Act originated in the halls of the U.S. Congress and was not even given the benefit of a perfunctory referendum.

Since 1950, both provisions have been repealed from the Organic Act without the knowledge or agreement of the people of Guam. However, this does not alter the reality that the Chamorros are a distinct national people with political legitimacy to pursue self-determination.

Guam has changed significantly since 1950. The Chamorro proportion of the civilian population has continued to drop rapidly to the point where the natives are approximately 50% of the population. The fact that the U.S. government controls entry into the territory from foreign nations through its Immigration and Naturalization Service and allows free access from the U.S. through so-called rights of U.S. citizens to travel freely within U.S. borders, has contributed to this reality. Moreover, the application of U.S. Supreme Court decisions regarding residency for voting has meant that any U.S. citizen can come to vote in any Guam election as soon as they get off the plane.

Historically, many U.S. citizens came to Guam as a result of military activities and decided to

stay. The U.S. military also employed large numbers of Filipinos and other aliens in constructing the numerous military bases built after World War II. Huge camps of foreign workers and the application of U.S. immigration laws to Guam has meant a continual stream of immigrants which threatens to make Chamorros strangers in their own land. Many of the newcomers to Guam have made fine contributions to the island and have lived in peace and harmony with the Chamorro people. We do not wish to deny them the respect and dignity which people all over the world deserve by being a fellow human being. However, we do ask that our right to determine our political destiny be recognized and that as long as we have not exercised our option, Guam's ultimate status has yet to be determined. An inalienable right to self-determination has yet to be exercised fully on Guam because the people of Guam (the Chamorro people) have been denied their rights in the past. Immigrant citizens, U.S. citizens from Wisconsin or Indiana have no right to self-determination of Guam. It is illogical and unfair to allow them to move to Guam and participate in Guam's self-determination because the Chamorro people have yet to exercise their self-determination.

One of the greatest ironies of history in the Pacific is the fact that the U.S. has allowed other Chamorros to exercise their right to self-determination while Guam's Chamorros wait. The Northern Marianas have now become a U.S. Commonwealth. It is problematic whether you will ever receive a report from the U.S. on their political, social and economic progress once the Trusteeship of the Pacific is finally dissolved. If the U.S. decides not to submit any reports, they may have legal justification. The people of the Northern Marianas have decided in legally binding plebiscites what their fate will ultimately be. In their elections, only the natives of the Marianas were allowed to vote. It is a tragic irony indeed that due to the misfortunes of colonial power politics, one set of Chamorros exercised their right to self-determination whereas the Chamorros of Guam may be swallowed up in some other process. The greatest irony of all is that both groups of Chamorros were administered by the same nation.

We have given you this information regarding the history of the Chamorro people not just for the purpose of providing a historical framework. It is an important component of our beliefs regarding the right to self-determination. Our organization believes that the concept of "self-determination" belongs to people who have a special historical relationship to a given area. It is crucial for the powers that be to recognize that peoples have the right to self-determination, not pieces of land. Land enters the picture when it can be determined through reasonable interpretation of historical factors that a given group of people have a special claim to the area in question. For the sake of clarification, it is pivotal to say that Wake Island has the right to self-determination because it is a dependency of the United States and its status is

unclear. Wake Island has no inhabitants, no individuals with a special relationship to the island and no history, because it has no people to remember it. All of the individuals who currently live on Wake are there because of American ownership and sovereignty, not in spite of it. This was clearly acknowledged in President Carter administration's Task Force Report on the territories in 1979. It read:

Also excluded are those islands over which the United States exercise sovereignty, but which have no native populations, e.g. Palmyra, Wake, Midway. They are "territories" as a matter of law, but they represent no policy problems of the sort dealt with herein.

II. EFFORTS TO EXERCISE GUAM'S POLITICAL SELF-DETERMINATION

Since the passage of the Organic Act in 1950, the administering power has not taken any major steps towards the resolution of the question of self-determination for Guam. Instead, it has been curiously cautious and only under the Carter administration has there been an attempt to draft a comprehensive policy statement on the political status of America's off-shore territories. However, even this commitment to self-determination was limited. In Carter's message to the U.S. Congress on February 14, 1980, the former President stated:

In keeping with our fundamental policy of self-determination, all options for political development should be open to the people of the insular territories as long as their choices are implemented when economically feasible and in a manner that does not compromise the national security of the United States.

The administering power has taken three steps which effect the political development of the island, but do not directly address the question of political status and self-determination. These were the granting of elective governorship in 1958, the creation of the non-voting Guam delegate to the U.S. Congress in 1972 and the authorization given to the island to write a constitution in 1977. The latter step had an enabling act (P.L. 94-684) which narrowly defined the powers that a Guam Constitution Convention had. Among the many restrictions that the U.S. placed were the recognition of U.S. sovereignty and the establishment of a three branch system of government patterned after the American model. A Constitution drafted under such restrictions, even if approved by the people, could hardly be called an exercise in self-determination.

The administering power has not taken any major steps towards legally recognizing Guam's inherent right to self-determination nor has it encouraged the political status process. Instead, it has been the Government of Guam which has

taken significant steps toward the resolution of political status and the exercise of self-determination. Spurred on by political developments in the surrounding islands, the Guam legislature established the first Political Status Commission in April 1973. In P.L. 12-17, the Guam Legislature took it upon itself to state that various alternatives were available to Guam, including incorporated territory, statehood, independent affiliation with another nation, commonwealth and disassociated free state. The Guam Legislature appropriated \$150,000 from Government of Guam operating revenues to carry out the task of investigating the status question.

During the course of their efforts, the first political status commission under the direction of Guam Senator Frank Lujan issued numerous bulletins which discussed the denial of self-determination to the Guamanian people. Placed within a historical framework, this could have meant only the Chamorro people. In one of Senator Lujan's articles, he urged that the granting of U.S. citizenship "has merely served to deny us the right to draft our own constitution by subjecting us to the provisions of the U.S. Constitution and the sovereignty of the U.S. Congress."

One year later, the Guam Legislature passed the first numerous resolutions regarding political status and self-determination. Resolution 326 made special mention of the Special Committee of 24 and U.N. Resolution 1514 of December 14, 1960. The resolution not only extended the Legislature's support to the Special Committee's report on Guam in 1974, it requested the U.S. Government to allow the Special Committee to come to Guam for the purpose of establishing a dialogue on the issue of political status.

In the 13th Guam Legislature, the Political Status Commission was restructured to reflect the Legislature's new membership. Acting again on its own, the Government of Guam authorized a referendum to accompany the primary election in September 1976. The results were not binding on anyone and since the U.S. did not authorize it, the administering power was not obligated to respond in any fashion. Furthermore, the administering power ignored numerous requests from Government of Guam officials to discuss and negotiate the question of political status.

Instead, the U.S. Congress authorized the development of the Guam Constitution under the provision of a narrow enabling act. In the bitter debate over the ratification of the proposed Constitution, it became clear that the opponents wanted a resolution of the political status question. After the sound defeat of the document by 5-1 margin, the President of the Constitutional Convention, Carl Gutierrez, acknowledged that the status question led to the document's defeat. Governor Paul Calvo proclaimed that the defeat indicated that the people are "ready to consider our status with the United States."

The administering power's response to the mandate to fulfill the promise of self-

determination was the aforementioned White House Task Force Report issued in 1979. Interestingly, the Report acknowledged the applicability of the U.N. Charter to the U.S. territories in terms of the right to self-determination. However, while acknowledging the U.S. responsibilities to its dependent peoples, it studiously avoided advocating binding plebiscites and instead offered only the possibility of discussion. Moreover, it seemed to foreclose the possibilities of statehood (full integration into the American system) and independence. In relationship to the latter, the report read that "independence, at least for Guam, would be so disadvantageous to the United States as to raise the possibility of U.S. resistance."

As the issue of self-determination became more serious, the question of whose self-determination was at stake became similarly serious. A Pacific Daily News Editorial on October 2, 1979 asked the question of who the people of Guam are? Although the answer for purposes of self-determination was hinted at, it refused to take a clear stand. At least the question had surfaced openly. Continual in-migration in the 70's had made the issue important, but volatile.

It was in this situation that the latest step to resolve the issue of self-determination was engaged in by the Government of Guam. In 1980, the local legislature's P.L. 15-128 established the Commission on Self-Determination and appropriated \$150,000 towards Commission operations. Although there are doubts about the value of the strategy advocated in the law for the resolution of Guam's political status, it represents yet another attempt by the Government of Guam to take unilateral action.

In the Commission's first meeting in 1980, one of the members, Senator Richard Taitano, asked about the right of the Chamorro people to determine their fate. The other members were not ready to take up the question and Senator Taitano refused to attend any other meetings in protest. Taitano, as a former Director of the Office of Territories in the U.S. Department of Interior in the early 60's, was well acquainted with the issue of self-determination.

The Commission on Self-Determination avoided the question of Chamorro self-determination until May 21, 1981 when it was openly discussed at a Commission meeting. Two of the task forces developed under the aegis of the Commission recommended that the law regarding self-determination be clearly specific in its definition of the people of Guam. Despite the fact that some opponents ridiculed the subject, it became clear that the right to self-determination was becoming a major issue in its own right, occasionally dwarfing the particular options which the planned "plebiscite" was offering.

In village meeting after village meeting, forceful advocates of the Chamorro right to self-determination presented their case. Eventually, the Commission on Self-Determination recommended to the Guam Legislature on November

12, 1982 that the "indigenous right to self-determination" be recognized. However, because of the political risks of such a position in the election for governorship and legislative seats in 1982, the very same politicians who supported the Chamorro right to self-determination began to soft-pedal their stance immediately after.

Even the Pacific Daily News which was suspicious in the beginning began to understand the issue in a historic framework. On November 18, 1981, editor Joe Murphy wrote, "Each people should, in my opinion, have a chance to vote for their own self-determination. The Guamanian people have never had that chance. The U.S. moved into Guam with the USS Charleston, a gang of cannon, and some Marines and physically took the island. That takeover was endorsed later by the Treaty of Paris. The island people have never had an opportunity to vote for self-determination, or to be Americans." From the island's only daily newspaper, the social definition of Guamanian is obvious. It means the Chamorro people.

The bill to recognize the right of the Chamorro people to self-determination died for lack of majority support in the Guam Legislature's Committee on Criminal Justice on January 19, a scant eleven days prior to the scheduled "plebescite." The following day, attempts to bring the bill to the floor proved futile. Our organization consequently filed motions in the Superior Court of Guam and U.S. District Court in order to postpone the election. Interestingly, the Courts refused the motion for legal technicalities. Our attorney argued that the "plebescite" was not binding since it was not authorized by the U.S. Congress, the body which has U.S. Constitutional jurisdiction over American territories.

OPI-R also sent a two man delegation to the U.N. Office in Tokyo under the mistaken assumption that such office was more than an information center. We expressed our dissatisfaction with Guam's political status process to your Committee at that time through telegrams. We also sent a telegram to the President of the United States.

The election occurred on January 30 and only 37.2% of the registered voters participated. In our opinion, two factors contributed to this low turnout in an area which always brings out 80% of the electorate in elections. The first was the general confusion about the political status options which was prevalent among the population and the second was the indigenous right to self-determination issue. Although there was no organized boycott of the election, it was clear that the people wanted a firm decision on the right of the Chamorros to self-determination and needed further clarification of the political status options. The grassroots leaders of Guam, the village commissioners, attempted to make this clear to the Guam Legislature. Essentially the same statement has been made by the Commissioners to this Committee. We are submitting that statement along with this report. It is signed by all but one of the village commissioners.

Throughout this process, the U.S. government has not acted decisively. Officials of the Department of Interior have not recommended that U.S. Congress pass legislation on the self-determination question for the people of Guam. Instead, they have written letters and made statements which say that the people of Guam will be listened to. A good example of federal insincerity on the issue was the January 1982 visit to Guam by Pedro San Juan, Interior's officer for territories. San Juan stated that the Reagan administration will do its best to support Guam in its status choice. He also assured the public that he would look into the possibility of securing federal funds for the self-determination process. In reference to indigenous rights, he told OPI-R members that he would request the U.S. State Department to look into the question. To date, none of those have occurred.

In the meantime, Guam Delegate to the U.S. Congress, Antonio B. Won Pat has introduced two resolutions in the House of Representatives. The first H. Con. Res. 172 reads:

Whereas the people of Guam have never freely chosen the form of their present association with the United States having been ceded to this country by the Spanish government in 1898; and

Whereas successive United States administrations since that time have continued to be publicly committed to the fundamental principle of self-determination for the people of Guam; and...

With the historical context set by the resolution, it is clear who the people of Guam are. The resolution's intent was to have the Congress take the "opportunity to reaffirm its commitment to respect and support the right of Guam to determine their own political future through a peaceful, open and democratic process."

It has not been passed by the U.S. Congress. A second resolution (HR Con Res 114) was again introduced by Won Pat. It is essentially identical to first. No action has been taken on either to date.

This brief review of the steps taken to resolve the political status question indicates that the U.S. has not seriously lived up to its commitment to give the process legal legitimacy within the Constitutional framework of the U.S. system. Moreover, as the population of Guam continues to be altered under current federal laws and regulations, the issue of Chamorro self-determination becomes more urgent.

A fiduciary relationship exists between the dependent people and the administering authority. The dependent people of Guam need the cooperation of the U.S. to exercise their inalienable right to self-determination. It is unrealistic and a violation of the obligations outlined under Article 73 to expect a dependent people to unilaterally engage in self-determination without the support of the administering power. Yet this is precisely the situation on Guam.

Since the first request by Delegate Won Pat to President Nixon in the early 70's to discuss

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political status, the people of Guam through their elected representatives have asked for negotiations, consultations or statements relative to the political self-determination of Guam. The Guam Legislature has passed numerous resolutions during the administrations of Presidents Nixon, Ford, Carter and Reagan relative to political self-determination. In return, the U.S. has acknowledged only the receipt of such documents, but never made a firm commitment to get the process underway.

Until such time as the administering power recognizes openly the right of Chamorro self-determination and engages in serious discussions of the topic, nothing can occur. The Commission on Self-determination on Guam has fallen on hard times and is currently inactive. It has lost the financial support of the Legislature and the run-off election scheduled for September is in question. The reasons for this unfortunate reality are many and varied. However, the overriding condition is the fact that the United States has not lived up to its responsibilities by recognizing legally, in accordance with its own Constitutional provisions, the Chamorro right to self-determination. Moreover, it has not educated the people on the options available to them and has not assisted the process in a serious and concerned manner. The administering power may hide behind the logic that it does not wish to unduly interfere in the political status process on Guam. However, the reality is that the U.S. has Constitutional provisions for such an eventuality and the U.S. is obligated to facilitate the process by its own democratic ethos and signature to the U.N. Charter.

III. OBSTACLES TO CHAMORRO SELF-DETERMINATION AND SOME SOLUTIONS

In this section, we will outline the main impediments to the free and unfettered exercise of Chamorro self-determination.

The most significant obstacle to the right of the Chamorro people to engage in an act of self-determination is the lack of seriousness attached to the question by the administering power. Under the Treaty of Paris, and Article Four of the U.S. Constitution, the U.S. Congress has plenary power over the territories of United States. Their legal jurisdiction on the issue is not in dispute. Rather, we are hopeful that they exercise it by recognizing the right to self-determination of the people of Guam. In keeping with the provisions of the United Nations Charter, Article 73, such recognition should be specifically related to the people who are historically a non-self governing people. This cannot be interpreted in any reasonable fashion as meaning any other people than the Chamorros when discussing the case of Guam. Thus, is based on documents and reports issued by the administering power itself. To date, the administering power has failed to take the political status process seriously by failing to legal-

ly recognize this inherent right in accordance with its own constitutional provisions.

Part of the problem is that the island of Guam simply does not have enough presence in the psychology of American politics to require serious attention. Outside of the Pentagon, there are only a few people in Washington circles who are actively concerned about Guam's future. It is simply too small and too insignificant to worry about. Yet, it is precisely for these kind of reasons that the Non-Self Governing Territories system was organized. The review process which you represent is designed to give the small dependent people of the world an opportunity to be taken with greater seriousness.

Of even greater significance is the presence of military bases on Guam. Guam's image to the world is not that of an island society struggling to survive as a political and social entity. Rather it is tied up with overwhelming reality of the presence of the U.S. military in large numbers. Your Committee has taken the stand that the presence of military bases should not be an impediment to the exercise of self-determination on Guam. Yet, any serious student of politics would recognize that it ultimately has a great deal of bearing on the question.

Approximately one-third of Guam's current acreage is devoted in military purposes. Guam represents an especially important component of American's advance defense posture on the Pacific and extension of political and military influence in the region. Viewed from the U.S. point of view, it would be foolhardy to jeopardize all the current benefits which accrue to the nation's foreign and military policy for the sake of Chamorro self-determination. Even if the eventual outcome were sure to be favorable, such a risk would simply be unusual to take for the sake of political principle. For example, the slim possibility of Guam's independence was categorically rejected on this basis by the White House Task Force Report in 1979 when it suggested that independence would be resisted by the U.S. It was noted in the report that this was especially applicable to Guam's case because of its strategic location. Geography and international intrigue have played a cruel trick on the Chamorro people. By virtue of having been born on a strategic piece of property, they apparently must be denied the right to self-determination.

The administering power has also contributed to the general state of confusion on Guam by failing miserably in the past to advise the Chamorro people of their inherent right to self-determination. The administering power has studiously avoided the question of any inherent or residual sovereignty on the part of the Chamorro people, by discussing self-government within the American political structure as if it were a foregone conclusion that the island must always be a part of the American political framework. Actions such as the Organic Act and the enabling legislation for the Guam Constitution of 1977 are indicators of this tendency. To behave legally in

Decolonization

*Through the
Self-Determination
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*An Overview
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Decolonization

Through the Self-Determination of a People: An Overview of Guam's Status and Options

The Road Ahead

In this information package we examine Guam's current status and an overview of Guam's political development under the United States. In addition to looking back at our island's history and where we are today, we also look forward toward the self-governing status options of Independence, Free Association and Statehood. A matrix that looks at a host of issues from the perspective of the Status Quo, Independence, Free Association and Statehood is intended to serve as a guide for what we should expect as a new status is implemented.

This information package is but the first of a larger program to raise

awareness, encourage discussion and promote an informed debate about which status option is best for Guam's future. The Commission on Decolonization's study of the economic impact of the status options will be also be published to give us a better understanding of how a self-governing status will affect our island's economic potential and our pocketbooks.

In looking to the road ahead, read, watch, listen. Prepare to become involved in the debate and the self-determination process that will shape the future of our island.

FAQs - Frequently Asked Questions

Why Change?

Change is occurring in Guam all the time. Our island's population is being changed by immigration. Our island's economic structure is being changed by decisions the military makes. Technology has changed the world more rapidly in the past fifty years than at any time in human history.

We have little or no control over some aspects of change, such as world economics and technology. Other aspects of change that affect us, such as immigration, economic planning and land use, are critical to what Guam is and what Guam can be.

A self-governing status would give us the tools to manage many aspects of change that are now controlled by others. Rather than having others decide change for us, with the tools of a self-governing status we will be in a position to better manage our island and deal with the changes that are shaping today's world.

Is the Status Quo Good Enough?

Guam is one of 16 remaining Non-Self-Governing Territories in the world. At one time there were over 100 internationally recognized colonial territories. In 1946 almost half of the world's population lived in a colonial territory. Today less than 2 million people live in colonies.

The status quo has brought Guam impediments and benefits. It has also brought continuing change to our island that we have no voice in shaping. Under the status quo Guam's future will continue to be shaped not by Guam's interests but by what others want from Guam. Is it good enough for our children and grandchildren that our future is being shaped by others? Where are our voices to be heard in Guam's future?

Which Status Is Best For Guam?

A change from a non-self-governing to a self-governing status will give all those who make Guam their home a voice in the affairs of Guam. Each status option -- Independence, Free Association, Statehood -- would accept our voice in different ways. Each option would affect our future in different ways. It is up to each of us to be informed about the options and to make up our own minds about which status is best for Guam.

What Happens After The Vote?

A self-determination vote is the beginning of the decolonization process. No matter what option is selected, a Constitution to support the status that is selected will have to be put in place to end Guam's status as a Non-Self-Governing territory.

The constitutional process in Guam is one that all who make Guam their home will be eligible to participate in. The United States, as Guam's administering power and as a signatory to international treaties of social and political rights, is not likely to support an end to Guam's Non-Self-Governing status unless a stable constitution guaranteeing equal rights to all has been adopted by Guam residents.

What Is Guam's Current Legal Status?

Unincorporated Territory - A designation given by the U.S. Supreme Court in 1901 to islands taken during the Spanish-American War. Unincorporated territories are possessions of the United States but not a part of the United States. Guam was declared an unincorporated territory in the Organic Act of 1950.

Non-Self-Governing Territory - A designation given to colonial possessions which were extended the promise of full self-government in accordance with the anti-colonial framework of the United Nations Charter. Chapter XI of the UN Charter is devoted to the rights and responsibilities related to such territories. Guam was inscribed on the United Nations' list of territories by the United States in 1946.

What Is Colonialism?

a : control by one power over a dependent area or people.
h : a policy advocating or based on such control.
(Webster's Dictionary)

The process and continuation of colonization is dependent on one government, or group of people, imposing on another government, or group of people, the rules under which they live. The exercise of external control over a dependent area or people usually affects both the people of the area and their resources, which the colonial power seeks to use or exploit.

The exercise of colonial power over a people is considered a violation of the most basic human right of a people to make their own decisions about how they are governed, and how their natural resources are used.

What Is Decolonization?

Decolonization is the movement of a colony from a dependent status to a self-governing status. The colonial people's expression of their desires for a decolonized status is usually evidenced through a process of self-determination.

What Is Self-Determination?

Self-Determination is the process by which the people of a colonial territory express their desire for a self-governing status. The expression of their desire for a decolonized status forms the basis of actions/negotiations to implement a self-

governing status. The foundation of the principle of self-determination in international law comes from the process of decolonization, or (1) the affirmation of a people's right to be self-governing and; (2) the right to be free from undemocratic external decision-making.

Why the Chamorro People?

In the process of decolonization, it is the colonized people who have the right to self-determination (i.e. the colonized people are the "self" in self-determination).

In Guam's case, the people is clearly understood through the identification of "native inhabitants" in the Treaty of Paris (Article IX). These people were subsequently those who received U.S. citizenship under the Organic Act of 1950.

In international law, "the people of the territory" is understood to be those who would have made up a nation in the absence of colonialism. This is underscored by the separate personality of (1) "the people" (or sometimes "the colonial people") of a territory and (2) "settlers" and "migrants."

Self-Governing (Decolonized) Status Options

The attainment of a self-governing status is evidenced when a colony's status has been changed and that change provides for the former colony to be either (1) an independent sovereign; (2) an equally integrated part of another country (e.g. Statehood in U.S. system), or (3) an associated state sharing its sovereignty with another country. While these statuses are common wisdom, they have been the international basis for evaluating whether a territory has attained full self-government in accordance with the United Nations Charter. The United States was the principal proponent of these status options being adopted in U.N. General Assembly Resolution 1541(1960).

Guam Is Guam

There are some things that a new political status will not change. Guam's geographically strategic location, the infrastructure that we have developed, the interest of others in Guam, our expectations about our future and our children's, these are all things are not going to simply disappear.

Guam has a distinct personality. Today Guam is very different from other American territories like American Samoa or the U.S. Virgin Islands.

Similarly, one would not expect that an independent Guam will be like the Philippines or Panama, which were once U.S. territories and are now independent. Neither should one expect that Guam will be like the Federated States of Micronesia or the Marshall Islands if we choose Free Association. Nor would the State of Guam be like the State of California.

Guam is unlike any other place. A self-governing status will allow us to shape what we have in the way that we believe is best for our future.

This is not new. For over a century the people of Guam have sought to improve their political and economic status with the United States.

Before the establishment of the colonial administration of the United States, one of the first who tried to give voice to the stirrings of political consciousness was Joaquin Perez, who made an effort to establish an independent Legislature (1899).

Several more moderate attempts were made through the 1920s and 30s, with an emphasis on limiting the power of the U.S. Naval Governor. The push for home rule after WWII was aided by the U.S.'s promotion of the right to decolonization for colonial peoples — a right which was included in the United Nations' Charter. In Guam, efforts for more home rule were realized with the election of a Legislature following the Organic Act of 1950; the lifting of the military's Security Clearance program in 1962; and the Elective Governor Act of 1970.

In the early 1970s, Guam's leaders discussed political status, but in 1976 the U.S. government instead authorized a Guam Constitution. In 1979 Guam voters rejected a proposed constitution primarily because it did not change Guam's political status. A plebiscite on political status options in 1982 led to a draft Commonwealth Act in 1987. Ten years of unsuccessful discussion and negotiation with Washington (1988-1997) on the issues of concern to Guam made it clear that Commonwealth status for Guam was not going to be realized.

In Article 1 of the draft Commonwealth Act, the ultimate right to self-determination by the Chamorro people of Guam was recognized, and was to be exercised according to provisions to be contained in the Commonwealth's Constitution. Thus, the Commonwealth Act called on the U.S. to also recognize the rights of Guam's colonized people. In view of the unsuccessful efforts to gain passage of the Commonwealth Act, the Commission on Decolonization was

created under Guam P.L. 23-147 (1997). The Commission was established to give the colonized people the opportunity to exercise their right to self-determination and select a self-governing political status for their island homeland.

Guam's Current Status

Guam's colonial status is clear in the legal standards and the practices that flow from the United States' relationship with Guam. The "internal" U.S. legal standards and the "external" international standards both identify Guam as being non-self-governing. Guam is not only a colony in legal terms, but also in the way in which the U.S. administers Guam.

"Internal" (U.S.) Legal Standards

The "internal" (U.S.) legal standard that applies to Guam is the status of "unincorporated territory." This status in U.S. law was created by the U.S. Supreme Court (Insular Cases, beginning 1901, See *Bidwell v. DeLima* and *Downes v. Bidwell*) specifically for those islands that were ceded to the United States at the end of the Spanish-American War (1898).

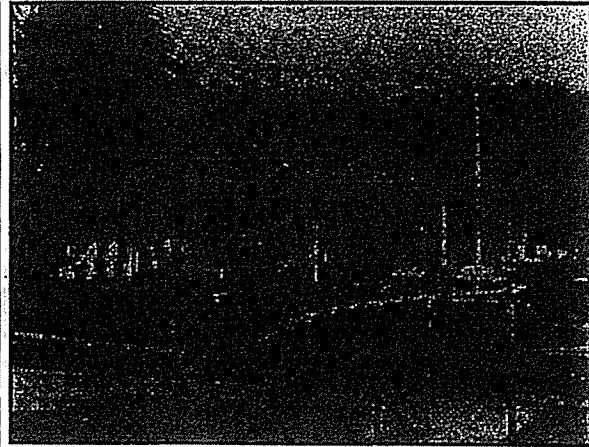
The "Territories Clause" of the U.S. Constitution provides,

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory and other property belonging to the United States. (U.S. Constitution Article 4, Section 3, Clause 2)

The provisions of the Treaty of Paris provide,

The civil rights and political status of the native inhabitants of the islands hereby ceded to the United States shall be determined by the Congress. (Article IX, 1898)

Based on the above, the U.S. Supreme Court found that former Spanish



Government House and the Governor's Palace, 1940. (Photo courtesy of the R.F. Taitano Micronesian Area Research Center)

territories, (unlike earlier territories which had been acquired by the United States), were not promised to become a part of the United States. Where the U.S. Constitution had been the standard of governance in earlier acquisitions (later called "incorporated territories"), Congress, not the Constitution, was the guide for governance in the island territories. The creation of the status of "unincorporated territory" provided for one-sided colonial governance. As the United States considered the extension of civil government to Guam, along with limited U.S. citizenship, a Congressional report openly stated the colonial nature of the relationship

Guam is appurtenant to the United States and belongs to the United States but is not a part of the United States. (H.R. No. 1365, 81st Congress., 1st Sess. 8 (1949))
The 1950 Organic Act of Guam provided for a civilian appointed Governor (elected Governor, 1970), an

elected Legislature, and a judicial branch. The Organic Act also provided for U.S. citizenship to those "native inhabitants" who traced their ancestry to the Treaty of Peace between the U.S. and Spain by granting citizenship the U.S. Government established the mechanism to claim title to over 1/3 of the real property in Guam. Also, for the first time in U.S. law, Guam was declared an "unincorporated territory" of the United States (Organic Act, Section 3).

The legacy of Guam's status as a possession of the United States has been repeated time and again in judicial reviews of the applicability of U.S. legal standards to Guam.

Guam marches squarely to the beat of the federal drummer; the federal government bestows on Guam its powers and, unlike the states, which retain their sovereignty by virtue of the Constitution, Guam's sovereignty is entirely a creation of federal statute. (*Ngrinaingas v.*

Decolonization: An overview of Guam's Status and Options

<p>“Congress has granted [Guam] far fewer powers of self government than the State of Colorado has granted the City of Boulder.” -9th Circuit Court</p>	<p><i>Sanchez</i>, 858 F.2d 1368, CA9 1988, <i>aff'd</i> U.S. Supreme Court on other grounds) Congress has granted [Guam] far fewer powers of self government than the State of Colorado has granted the City of Boulder. (<i>Sakamoto v. Duty Free Shoppers</i>, 9th Circuit Court). After over a century of American colonial rule, the structure of the legal relationship between Guam and the United States remains unchanged. Guam is an “unincorporated territory” subject to the plenary authority of the U.S. government.</p>	<p><i>External (International) Legal Standards</i> The United Nations is a Treaty of Nations. Article VI, Clause 2 of the U.S. Constitution says that “all treaties made...shall be the supreme Law of the Land.” Guam was voluntarily inscribed by the United States on the United Nations list of Non-Self-Governing Territories (NSGT); in 1946 and became Guam’s administering power (U.N.G.A. Resolution 66-1). Today Guam remains one (1) of 16 territories that have yet to attain full self-government.</p>	<p>U.N. CHARTER The basis of the rights of the people of a NSGT can be traced to Article 73 of the United Nations Charter. Members of the United Nations which assume responsibility for the administration of territories whose people have not yet attained a full measure of self-government recognize [...] the principal that the interests of the inhabitants of these territories is paramount. (Article 73) In accordance with the Charter at Article 73, administering Powers accept(ed) as a sacred trust the</p>
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Fundamental Assumptions:
 For the purposes of comparing and contrasting the existing status quo with the prospective conditions under each of the three political status options under consideration, it must be assumed, 1) that Guam drafts and adopts a constitution by general referendum after one of the status options is selected by plebiscite, and 2) that a basic system of laws reflecting new political and economic relationships is prepared for implementation immediately after the transition to the new status is accomplished.

	Immigration	Citizenship
STATUS QUO	U.S. control; point of entry for immigration, habitual residents; U.S. decides conditions on entry; U.S. rejects Guam requests for limits on immigration; systematic influx of immigrants from Asia and habitual residents continues; moderately liberal H-visa program; unrestricted access to U.S. labor market	U.S., as provided by statute, with economic and political benefits at the discretion of the U.S. government; little meaningful congressional representation; legal tiers of citizenship exist between native born, naturalized (both constitutional) and Chamorro (statutory) U.S. citizenship
INDEPENDENCE	Guam controls; not a U.S. point of entry; habitual residents subject to an income means test; immigration offers tied to commercial investment and other economic benefits to Guam; entry of U.S. and U.S.-associated citizens negotiated with impact aid from U.S. if they are admitted; few social or economic benefits for short-term immigrants; free emigration to U.S. for U.S. citizens; liberal B-, H- and L-type visa program; moderate-to-high risk of labor emigration during the early years, especially among settler and immigrant populations; somewhat restricted access to U.S. labor market.	One of the key levers manipulated by U.S. to secure a better negotiating position, as there is ambiguity on the subject; citizenship is assumed to be Guam; current U.S. citizens may be allowed dual citizenship (provided that the U.S. is willing to recognize that current U.S. citizens have a status of residing in a foreign country, and to build upon the European model under Maastricht, the U.S.-Israel model and the proposed U.S. Puerto Rico model); U.S. citizenship for future generations is unlikely regardless of jus sanguinis, and U.S. citizenship for non-U.S. citizens of Guam at cutover is unlikely; Guam citizenship is possible in exchange for commercial investment or other activity of economic benefit to Guam; Guam and U.S. exchange diplomatic representatives at the State Department level, enabling cooperative resolutions in most areas of contention
FREE ASSOCIATION	U.S. control unlikely; Guam controls driven by local decision-making process based upon needs and economic benefits; not a U.S. point of entry; U.S. habitual residents unlikely; U.S. security concerns accommodated; free entry of U.S. and U.S.-associated citizens probable, but with few social or economic benefits for short-term residents; free emigration to U.S. for U.S. citizens; liberal B-, H- and possibly L-type visa program; moderate risk of labor emigration during early years; minimal to no restrictions on access to U.S. labor market.	One of the key levers manipulated by U.S. to secure a better negotiating position, as there is flexibility on the subject and the nature of citizenship for Chamorros, just as with Puerto Ricans and Panamanians; U.S. and Guam dual citizenship is assumed for those with existing rights at the time of the status transition; U.S. citizenship for future generations is possible if not likely under jus sanguinis, but U.S. citizenship for non-U.S. citizens of Guam at cutover is unlikely; Guam and U.S. exchange diplomatic representatives with U.S. at State Dept level enabling easy resolution of most matters, including economic cooperation; annual funding of negotiated federal aid programs; economic and political benefits will be negotiated.
STATEHOOD	U.S. control; point of entry for immigration, habitual residents; entry consistent with uniform application of U.S. immigration law; moderately restrictive H-visa program; integration into U.S. labor market	U.S., with uniform economic and political benefits of member States of the Union.



President Truman signs the Organic Act of Guam in 1950. The Act extended U.S. citizenship to Chamorros and established Guam's status as an "unincorporated territory." (Photo courtesy of the R.F. Taitano Micronesian Area Research Center)

obligation to promote to the utmost...the well-being of the inhabitants of the[se] territories, and to this end:

(a) to ensure with due respect for the culture of the peoples concerned, their political economic, social and educational advancement, their just treatment and protection against abuses;

(b) to develop self-government, to take due account of the political aspirations of the people...

(c) to promote constructive measures of development...

DEVELOPMENT OF STANDARDS

Administering Power's support for these positive steps to provide for full self-

government were bolstered by the General Assembly's call for more specific factors to guide administering Powers (and Member States) in determining if a territory had achieved self-governance (U.N.G.A. Resolutions 567 (VI) and 648 (VII), 1952 and 742 (VIII), 1953). The process of self-government was elaborated on and clarified by attaching the principle of self-determination to the process of attaining full self-government. (U.N.G.A. Resolutions 1514, 1541 (XV), 1960).

These resolutions created the framework for the customary practice for NSGT's to achieve a fully self-governing status through the process of self-determination. Independence, the most obvious evidence of decolonization, was not the only form of self-government identified. The full integration of a

	Land	Defense	Individual Rights
STATUS QUO	Secure title to private property; federal landholdings withheld, with the turnover of identified excess properties unilaterally delayed for an extended period and at the convenience of the U.S.; there is a trend toward the return of some lands, but with counterbalancing increased U.S. interest in Guam land for wildlife preservation; the Chamorro land trust exists under Guam law.	U.S. authority; deterrence is the primary objective; moderate but declining industrial impact; the basic driver of U.S. policy in Guam is the military leadership; change in local impact of defense policy and strategy occurring as a result of unpredictable national policy decisions, an area in which local impact is largely irrelevant.	Protected, with most rights of U.S. except voting; rights of the indigenous group are indistinguishable from population at-large.
INDEPENDENCE	Chamorro property rights will come first, with probable limitations on land alienation to non-Guam citizens or non-indigenous persons for public and released U.S. federal lands; Guam leases bases to the U.S. for a combination of monetary fair market value and long term economic development aid; foreign investment in land will be significantly influenced by confidence in judicial system.	Guam takes part in a regional defense pact led by U.S.; Guam is mainly responsible for local National Guard, Coast Guard operations, and providing limited land for military bases; U.S. technical and financial assistance to improve defense capabilities and to closely align Guam and U.S. military forces; U.S. sponsors Guam's participation in bi- and multilateral pacts for regional defense; moderate-to-high industrial impact depending on the U.S. view of the Asian region and Guam's acceptance of U.S. military presence as it relates to other nations in region.	Rights protected in Guam constitution reinforced by acceptance of international standards of individual human rights and history of association with the United States; deferential benefits to individuals in indigenous group likely to be affirmed.
FREE ASSOCIATION	Secure title to private property; possible restrictions on transfer of government and released U.S. federal land to those who are neither Guam nationals nor indigenous; constitution to define land tenure for foreign nationals and commercial interests; federal landholdings reduced to a more reasonable level; U.S. military bases possibly leased at fair market rates, but more likely under a negotiated agreement in exchange for economic development and defense aid; as more land is requested by U.S., more aid is received by Guam as substitute for fair market exchange; foreign land ownership allowed, with some restriction on use and sale of government lands to non-citizens; likely prohibition on ownership of land by foreign governments under agreement with U.S.; tax incentives for private development of land spurs local and international investment, increasing the economic value of land in the medium term.	U.S. responsibility; this is the primary U.S. interest in Guam and a defining part of the relationship; U.S. dominance in the region is the primary objective; but ongoing U.S. military investment in Guam will be directly related to U.S. interests in deployment; U.S. retains the right to limit foreign access to Guam in case of a military emergency in exchange for economic aid over the long-term; bilateral and multilateral pacts are possible; local influence of U.S. military leadership fluctuates indirectly to the performance of Guam's other economic sectors.	Rights protected in Guam Constitution likely to be substantially similar to U.S. model, reinforced by close association with the U.S. and acceptance of international standards of individual human rights; deferential benefits to indigenous group likely to be affirmed.
STATEHOOD	Secure title to private property; federal landholdings and policies toward land are maintained, but their economic effect may be mitigated by increased political power in the U.S. system; U.S. recognition of the Chamorro Land Trust is likely.	U.S. responsible; fortification likely; higher industrial impact; the political influence of the military leadership is reduced by accountability to Guam's representatives in the U.S. Congress, leading to a more consistent application in Guam of military policies and strategy.	Strongly protected, with all rights of U.S. including voting; rights of the indigenous group are indistinguishable from population at-large.

Territory into the political system of an administering Power was also a form of full self-government -- when the people and the Territory have equal standing with other jurisdictions of the administering Power.

Somewhere between independence and integration - between full sovereignty and integrated sovereignty - is the equal status of shared sovereignty or "free association."

As the process of administering Power oversight of Non-Self-Governing Territories continued into the second, third and fourth decade of the United Nations, the encouragement to administering Powers at times took on the direct approach of reminding administering Powers what they should and should not do. These explicit references to the responsibilities of an administering Power appear to have resulted from the slow rate of compliance by an administering Power, with the commonly understood anti-colonial framework of the Charter.

Administering Powers had an obligation to treat the non-self-governing Territory of Guam in a way that promoted economic development, and increasingly the General Assembly adopted language that called for the protection of the permanent sovereignty of territories over their land and resources.

The General Assembly repeatedly discouraged migrant and settler populations being permitted into Territories, and called for the preservation of "the cultural identity," as well as the "national unity" of Territories. The General Assembly's actions with respect to providing both affirmative and negative guidelines to administering Powers speaks directly to the role which administering Powers have in the process of a Territory's movement to full self-governance.

WHY THE CHAMORRO PEOPLE?

As the scrutiny of the process of the decolonization became more directed by the United Nations (beginning with Resolution 1514 and 1541), "the people" of NSGT's became known as "colonial peoples" and peoples under "colonial and alien domination." This characterization of the peoples of NSGT's make it even more clear that "the people" were those who were in fact colonized.

Settlers or migrant populations in

The United Nations is a Treaty of Nations. Article VI, Clause 2 of the U.S. Constitution says that "all treaties made ... shall be the supreme Law of the Land."



NSGT's allowed there by administering Powers were seen to have a distinct personality that was separate from "the people of the Territory."

Beginning with the inscription of a territory on the list of NSGT's, "the people" or "inhabitants" as used in the Charter has meaning. As noted by the by the Special Rapporteur of the Subcommittee on the Prevention of Discrimination and Protection of Minorities, for the purposes of self-determination, the term "people" should apply to:

...peoples occupying a geographical area which, in the absence of foreign domination, would have formed an independent state. (1981)

Generally, this principle created a distinction between immigrants and

	Protection of Rights	Cultural	Health
STATUS QUO	Stable system, although rights generally available in the U.S. are selectively applied: rights of Chamorros are largely indistinguishable from the population at large; the U.S. is, historically, unresponsive to Guam's call for recognition of Chamorro rights	Liberal acceptance of multicultural backgrounds, with a tendency toward assimilation of outside cultural traits that has resulted in the gradual displacement of Chamorro cultural dominance.	Fairly equal application of health care grants and technical assistance as in most states; Guam not included in all new initiatives until information trickles in; on-site advisors discontinued nearly 10 years ago, putting Guam further out of touch; regional health organization participation (WHO, SPC etc) limited on rotating basis with other U.S. territories; health-related welfare programs limited by capped amounts (Medicaid, Food Stamps, AFDC).
INDEPENDENCE	Guam's constitution and laws are anticipated to be consistent with the Universal Declaration of Human Rights, perhaps modeled after those of the U.S.; constitutional preferences for Chamorros (e.g. government jobs, land tenure, economic development programs) are likely; Guam does not abridge the rights of any guest resident or visitor, instead conveying an ongoing feeling of welcome.	Chamorro cultural and language resurgence, with possibility of mandated use of Chamorro for government activities, but U.S. English remains the language of instruction; continued open acceptance of other cultures, particularly for those who contribute significantly to the economy of Guam.	Discontinuance of formal direct U.S. health program funding thru grants; assistance possible thru foreign aid directly or via international organizations; as health is a high international priority, the U.S. will likely make every effort to maintain a base line level of health care services; technical assistance much more complicated thru international organizations, although international assistance now readily accessible.
FREE ASSOCIATION	Guam's constitution and laws are very close to the U.S. model, but there are some constitutional provisions for Chamorro preferences (e.g., government jobs); Guam does not abridge the rights of any guest resident or visitor, instead conveying an ongoing feeling of welcome.	Stronger manifestations of Chamorro culture, but generally very liberal and open acceptance; U.S. language remains as the common means of communication, reflecting close ties to U.S., but Chamorro language is in ascendancy.	Continued application of most major health programs likely as a negotiated item; also likely to continue and possibly elevate in status as the health care center for Micronesia; full participation in all international health organizations and aid programs.
STATEHOOD	Stable Constitution, universally applied; rights of Chamorros are largely indistinguishable from the population at large, with indigenous rights issues problematic.	Liberal acceptance of multicultural backgrounds, with an understanding and acceptance of the assimilation and displacement of Chamorro cultural dominance.	Application of all health programs/grants and technical assistance; likely that discontinued participation in any international health organization; information relayed through Federal channels, i.e., State Department/CDC to States; delay or absence of information on regional health trends could compromise preventative efforts.

Decolonization -- An overview of Guam's Status and Options



The return of land no longer used by the military has been pushed since the First Guam Legislature, in the draft Commonwealth Act and by original landowners. Ownership of land is a defining element of Guam's political status and economic development.

settlers and the people of colonized peoples. In specific cases, the United Nations has weighed in to establish the rights of the people in a particular Territory. The latest example is the identification and registration of the legitimate people of Western Sahara, who are eligible to vote in a plebiscite on that Territory's status (U.N. Security Council Resolutions, 1997-99).

From its first reports to the United Nations, the United States clearly understood that the people of Guam were the Chamorro people. In the late 1940s and 1950s, U.S. reports to the U.N. did not identify military personnel, white civil servants or other immigrants as part of the people of Guam.

Even in the 1960s, when questioned at the U.N. about military personnel

stationed in Guam, U.S. representatives made a point that they did not participate in Guam politics. The role of immigrants from Asian countries was similarly disregarded by U.S. representatives as having any effect on Guam's government.

Migration policies of colonial powers have long been seen as a traditional practice of colonial control; either to assume control over the peoples of colonial territories, or to assimilate their populations. International standards in opposition to migration as an instrument of colonialism was made even more clear by the *U.N. Plan of Action for the Implementation of the Declaration* (on Decolonization, U.N.G.A. Res. 35/118) in 1980 which noted:

8. Member States shall adopt the necessary measures to discourage or

	Legal and Judicial Framework	Education
STATUS QUO	Guam legal rights guaranteed by Organic Act and Guam Code, and limited protections under U.S. Constitution; legal rights generally follow U.S., with a few exceptions; standard guarantees of individual protection against abuses by government; Organic Act incorporates Bill of Rights, except grand jury indictment and civil trial by jury; Article I, section 9, clauses 2 and 3, ensure habeas corpus and no bill of attainder, prohibit ex post facto law, and law impairing obligations under contracts; Article IV extends to Guam the relation of States to each other, including the full faith and credit clause and privileges and immunities clause of citizens of the various States; Guam's judicial/ legal system is an established system of jurisprudence based on precedents of U.S. law; relatively stable legal and economic climate; Court system generally patterned after other U.S. jurisdictions, except Ninth Circuit Court of Appeals, rather than the U.S. Supreme Court, has appellate jurisdiction over decisions of the U.S. District Court of Guam.	Poorly funded due to fiscal constraints on GovGuam and turnover of immigrant children in school systems; DODEA has established a two-class public educational system; costs of public education unusually high due to multilingual, multicultural background of student population; significant federal support of non-DoD programs; Dept of Education grants and student financial aid programs.
INDEPENDENCE	Legal rights negotiated, but subject to Guam constitution and laws; legal and economic stability at least temporarily affected, even if legal structure is maintained; economy adversely affected if legal stability and the protection of economic rights are removed or significantly altered.	Continuation of existing standards with large resource allocation directed to long-term residents; negotiated level of U.S. federal education grants and student financial aid programs lower than status quo; local school system empowered to develop locally/regionally relevant curriculum; international standards applicable; DODEA continues under U.S. standards.
FREE ASSOCIATION	Legal rights partially negotiated, generally controlled by Guam constitution and laws; Guam could either reenact existing laws or create an entirely new code and constitution different from the status quo; legal and economic stability potentially affected temporarily, even if legal structure is maintained; economy could be adversely affected if legal stability or protection of economic rights are significantly altered; major change in the current judicial structure of the island unlikely, except recourse to U.S. federal courts; federal funding of the judiciary subject to negotiation.	Continuation of existing educational standards, with resource allocation directed toward long-term residents; negotiated level of U.S. federal education grants and student financial aid programs (likely lower than status quo); DODEA continues under U.S. standards; local school system empowered to develop locally/regionally relevant curriculum; U.S. (and other) accreditation standards applicable.
STATEHOOD	Legal rights same as status quo, except enhanced by adoption of entire U.S. Constitution; Guam Code Annotated has provisions respecting business and the economy, with U.S. federal oversight; contracts clause in Article 1 of U.S. Constitution, the takings clause of the 5th Amendment, civil procedure, remedies, business regulation, real property law, business structure and function, Uniform Commercial Code and Uniform Consumer Credit Code all apply; legal stability and the protection of economic rights; any major change in the current judicial structure of the island unlikely, except a slight change in role played by Ninth Circuit Court of Appeals relative to Supreme Court of Guam; U.S. federal funding assistance to Guam Courts continues.	Likely to adopt state-level property taxes to fund education; adoption of U.S. performance standards and higher federal education grants; reintegration of DODEA schools and establishment of uniform U.S. standards; costs of public education high due to multilingual, multicultural background of student population; educational grants, student financial aid from U.S. increases because of influence of voting representatives in U.S. Congress.

“Members of the United Nations which assume responsibility for the administration of territories whose people have not yet attained a full measure of self-government recognize [...] the principle that the interests of the inhabitants of these territories is paramount.” (United Nations Charter, Article 73)

prevent the systematic influx of outside immigrants and settlers into Territories under colonial domination, which disrupts the demographic composition of the those Territories and may constitute a major obstacle to the genuine exercise of self-determination...by the people of those Territories.

Clearly a distinction has been made between “outside immigrants and settlers” and the “exercise of self-determination ... by the people” of NSGT’s. Consistent with this distinction, the General Assembly has annually adopted resolutions regarding the responsibility of Member States with respect to the “permanent sovereignty of the people of the Non-Self-Governing Territories over their natural resources...”

Since Guam’s inclusion on the list of NSGTs, the U.S. has made no effort to remove Guam based on the attainment of self-government. Not at the time of the Organic Act, elected governor, or at any other time has the U.S. asked for Guam to be removed from the list of NSGTs. Over the period of time which Guam’s self-governance has been denied, international law has become more specific with respect to the rights of the people of NSGT’s (International Court of Justice cases, *Western Sahara, Namibia*).

General Assembly resolutions on Guam have also become more specific, reflecting the views of Guam and the concerns raised by representatives of Guam about the conduct of the United States. Guam remains one of the 16 territories on the United Nations list.

	Travel	Affirmations	Foreign Affairs
STATUS QUO	Relatively unrestricted	The U.S. has unilateral rights, with liberal application at the moment: Guam’s agenda in general has had few applications in past practice, nor has it been regularly applied throughout most of Guam’s economic and political development; U.S. policy oversight is bureaucratic, with a shifting set of national political agendas; petitions from Guam to respond to Guam’s agenda are largely ignored; there is delegation of authority in areas such as local legislation, customs, tax collections; Guam has no inherent right to govern itself.	Official representation by the U.S. in all international political forums and for all international treaties; Guam’s interests and agenda have little impact on U.S. policy positions or negotiations; calls by Guam for inclusion in organizations (e.g., APEC) and instruments (e.g., tax treaties) are largely denied or ignored; Guam’s personality is represented through observer status in some international forums (SPC, ESCAP) and in the Olympics.
INDEPENDENCE	Mostly unrestricted; visa access to U.S. for all except U.S. citizens (who travel to U.S. without visas), but liberal visa administration; totally unrestricted for Guam citizens’ international travel with appropriate visas, no requirement to adhere to U.S. foreign travel restrictions.	Unilateral decisions by Guam are affected primarily by desires of the local populace; there is less relative concern for the U.S. agenda, except in areas of dependency and mutually beneficial cooperation, which are almost exclusively related to defense and historical ties of friendship (i.e., many economic ties are primarily driven by Guam’s preferences for U.S. goods); more harmonious relations with the U.S., as affirmations are based on mutual respect and mutually agreed sovereign ties.	Guam provides its own international representation; Guam and U.S. exchange diplomatic representatives, enabling economic cooperation and easy resolution of most matters; U.S. political relationships and agenda are of little relevance, except mutual issues of security; key relationships are state-to-state, with emphasis on U.S. and Asia-Pacific nations; new economic, political alliances forged within limits of mutual defense pact; potential for new investment and additional sources of economic growth through negotiations with Asia-Pacific governments; Guam has UN membership.
FREE ASSOCIATION	Relatively unrestricted travel to U.S. as there is no visa requirement because of U.S. citizenship; completely unrestricted for Guam citizens’ international travel with appropriate visas, since there is no requirement to adhere to U.S. foreign travel restrictions	Association can end by unilateral decision of either U.S. or Guam, but this is unlikely on either side; however, there are unilateral decisions by Guam in all other contentious matters except defense and areas of mutual cooperation; Guam agrees to primacy of U.S. military interests, enabling U.S. to deny access for national security, with significant U.S. economic development aid provided in exchange for this concession; there are few areas of contention as the U.S. freely accepts Guam’s political status and Guam freely accepts the continuation of U.S. policy in many significant areas.	Guam, U.S. exchange representatives at State Department level, enabling resolution of most economic cooperation matters; U.S. handles significant affairs of state for Guam while Guam maintains separate personality and economic consulate in a few key countries; Guam enters bilateral trade negotiations and international/regional organizations where desired, but defers to U.S. on many issues because U.S. can leverage more in negotiations; closer affiliation for mutual benefit with other U.S.-affiliated Chamorro and Micronesian states is likely over time; UN membership.
STATEHOOD	Relatively unrestricted	State’s rights with Guam agenda represented by two U.S. Senators and one U.S. Congress Representative; U.S. federal powers are defined by the uniform application of the U.S. Constitution; mutual consent has the meaning applied in U.S. Constitution.	Official representation by the U.S. in all international political forums and for all international treaties; access with limited status in some international forums (SPC, etc.); however, Guam’s agenda is more important in formulating U.S. policy positions and negotiations due to the representation of Guam by voting members in the U.S. Congress.

Political Aspirations and a Brief History of Guam's Status Initiatives

It did not take long for Guam's Chamorros to appreciate the American system of democracy, and to desire a greater degree of self-government than was provided under Guam's early naval government. Petitions for citizenship - an effort to limit naval authority over Guam - began in 1902. In response to the continuing expression of Guam's peoples' desires, the First Guam Congress was established (1917-30) to serve as an advisory group between the Chamorro population and the military administrators.

The Second Guam Congress was formed in 1931. This body played much

the same role as its predecessors, but was better organized. In 1936, they supported a long and arduous trip to Washington, D.C. by B.J. Bordallo and E.B. Leon Guerrero. Their purpose was to petition the Congress for U.S. citizenship, and an improved political status for the people of the island.

Although citizenship had been given to Puerto Ricans (1917) and Virgin Islanders (1927) that was not to be the case for Chamorros whose efforts were cut short by the Japanese occupation during World War II (1941-44).

After the War, it took little time for the Chamorros of Guam to resume their efforts toward greater internal political authority. Ironically, it was the federal government's desire to acquire land in Guam for its military operations, as well as

the anti-colonial position of the U.S. at the newly formed United Nations, that forced the issue of citizenship for the Chamorros.

The 1950 Organic Act of Guam was an important event in the political history of the Chamorro people because it enhanced the status of individuals and provided a modest degree of internal self-government. However that same federal document applied the title "unincorporated territory" to Guam for the first time.

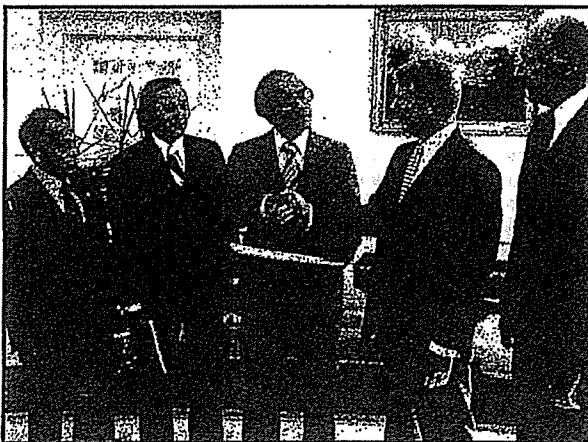
While the Organic Act represented an advancement toward internal political authority for the civilian inhabitants of Guam, the people wanted more.

In 1960, President Eisenhower appointed the first Chamorro Governor of Guam. This was a meaningful, albeit

token, gesture acknowledging Chamorro rights to the civilian governance of the island. In 1968, Congress responded to Guam's push for an elected chief executive and passed the Elective Governor Act. It provided the people of Guam the ability to elect their own executive leadership for the first time since Spanish colonization began, some 300 years before.

In the early 1970s, with rising standards of living and new pressures from immigration, the discussion of political status began. Status Commissions in the 13th 14th and 15th Guam Legislatures looked at Guam's potential and the limits put on Guam by federal laws. In 1976, in response to Guam's concerns, Congress allowed for Guam to adopt a Constitution, but limited the issues that Guam could address in its Constitution.

"Status Commissions in the 13th 14th and 15th Guam Legislatures looked at Guam's potential and the limits put on Guam by federal laws. In 1976, in response to Guam's concerns, Congress allowed for Guam to adopt a Constitution, but limited the issues that Guam could address in its Constitution."



The draft Guam Constitution being presented by Guam leaders to President Jimmy Carter. (Photo courtesy of the R.F. Taitano Micronesian Area Research Center)

	Nationality	Natural Resources
STATUS QUO	Increasingly a mix of Chamorro, Asian and U.S. cultural and linguistic linkages	Subject to U.S. environmental constraints; ascendant view toward increasing restrictions in use of property, including returned excess federal property; trend toward greater strain on renewable resources as a result of population growth, exacerbated by virtually unlimited immigration.
INDEPENDENCE	Relatively more Chamorro with relatively more Asian linkages	Redefinition of local law to accommodate local conditions and economic development prerogatives; however, standards are compatible with international conventions; increased participation in Pacific regional environmental and resource management programs; strain on renewable resources reduced, partly as a result of reduced immigration.
FREE ASSOCIATION	Relatively more Chamorro with relatively more U.S. linkages	Subject to local law, international convention, with more flexibility in environmental standards, especially as related to use of private land; likely continued coordination with U.S. government environmental programs; increased participation in regional environmental and resource management programs; strain on renewable resources reduced, partly as result of reduced immigration.
STATEHOOD	Relatively more U.S. cultural and linguistic linkages	Subject to U.S. environmental constraints with stricter enforcement leading to continuing conflict with property rights and development; political power within U.S. system may mitigate, but not eliminate conflicts; U.S. position and interests in regional environmental and resource management programs likely to be staffed by Guam representative; strain on renewable resources not well regulated.

In 1979, under United Nations observation, Guam voters rejected the proposed Constitution that had been pre-approved by the U.S. Congress. The fact that the Constitution would not change Guam's colonial status as an unincorporated territory was a driving force behind the Constitution's defeat. Guam Public Law 15-128 (1980) established the Commission on Self-Determination. The Commission's initial responsibility was to remedy this situation by conducting a plebiscite on the political status that all registered voters desired.

The first plebiscite was held on January 12, 1982, resulting in a plurality vote for commonwealth (49%), followed by statehood (26%), status quo (10%), incorporated territory (5%), free association and independence (4% each) and "other" (2%). A runoff plebiscite was held on November 2, 1982, resulting in the selection of commonwealth status (73%) over statehood (27%) as the preferred political status of the Guam electorate.

Guam's leadership spent the next several years drafting and refining a legislative initiative for approval by the island's voters before submission to the U.S. Congress.

The "Guam Commonwealth Act" was introduced in the U.S. House of Representatives on February 17, 1988, and in the Senate on March 7, 1988. The first hearings on the Bill were held before the Subcommittee on Territorial and Insular Affairs of the Interior Committee of the House of Representatives in Honolulu, Hawaii, in December, 1989.

At the end of two days of hearings on the legislation, Subcommittee Chair Ron DeLugo, of the U.S. Virgin Islands, directed the Guam Commission on Self-Determination to gain the concurrence of the federal Executive Branch on the wording and provisions of the Commonwealth Act. Once obtained, Guam was to resubmit the resulting legislation to the Congress.

What Happened to Commonwealth?

In 1990, President Bush's administration organized a high-level Task Force to study and discuss the Commonwealth Act. Every second month, the Task Force and the Commission met face-to-face in attempts to agree mutually upon language and provisions for Guam's commonwealth

"In 1987, Guam voters approved of limits on immigration and the Chamorro right to self-determination."

status. After more than two years of intensive discussions, a common ground could not be achieved. The effort, while a success in many areas, was an overall failure.

Although attempts to achieve Commonwealth status continued, little progress occurred with the Bush Administration Task Force after late 1992. When the Bush Administration released its final report in January 1994 (a few days before President Clinton was sworn into office), it backed out of signed agreements with Guam (such as limits on immigration) and proposed continued U.S. governance of Guam without Guam's input.

Appealing to the newly elected Clinton Administration, Guam leaders sought a Special Representative of the U.S. President to negotiate with Guam. It was hoped that a Presidential representative would be able to move beyond the narrow bureaucratic views of the U.S. Executive Branch. After four years of negotiations with the Clinton Administration (and three different Special Representatives) it became clear that efforts to advance Guam's relationship with the United States beyond that of a possession would not occur. As the Clinton Administration's report to the Congress (October 1997) noted:

The Administration believes that various agencies with knowledge and expertise on a particular subject...should continue to be vested with ultimate authority to enact and apply federal regulations to Guam.

The overall experience of Guam was one of frustration. The desires of Guam voters were not just pushed aside by U.S. officials, they were actively undermined. For example: Guam voters asked for a limit on immigration in the Commonwealth Act, but between 1988 and 1997, the United States admitted almost 50,000 persons to Guam as



Governor Carl T.C. Gutierrez and U.S. Special Representative John Garamendi in meeting with federal agencies (1996).

naturalized U.S. citizens, permanent resident aliens or habitual residents. This number is over 35% of Guam's 1990 census population.

Furthermore, while the Guam Commonwealth Act sought the return of lands not used for military purposes, the U.S. Department of Interior's Fish and Wildlife service increased claims in the 1990s on Guam lands.

Attempts to change the status quo through Commonwealth were not only rejected by the United States, but Guam's interests were actively undermined.

Current Efforts

Public Law 23-147 (1997) created a Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination (the Commission on Decolonization).

A decision has been made to move forward with a Chamorro vote to select the island's ultimate political status in relation to the United States.

Chapter 21, Section 21106 of the Guam Code Annotated, created by Public Law 23-147, establishes three Task Forces to study and advocate the three options to be considered for Guam's prospective political status: One for Independence, one for Free Association, and one for Statehood. Section 21110 of the same Chapter specifies the language of the ballot on which votes shall be cast, as follows:

In recognition of your right to self-determination, which of the following political status options do you favor? (Mark ONLY ONE):

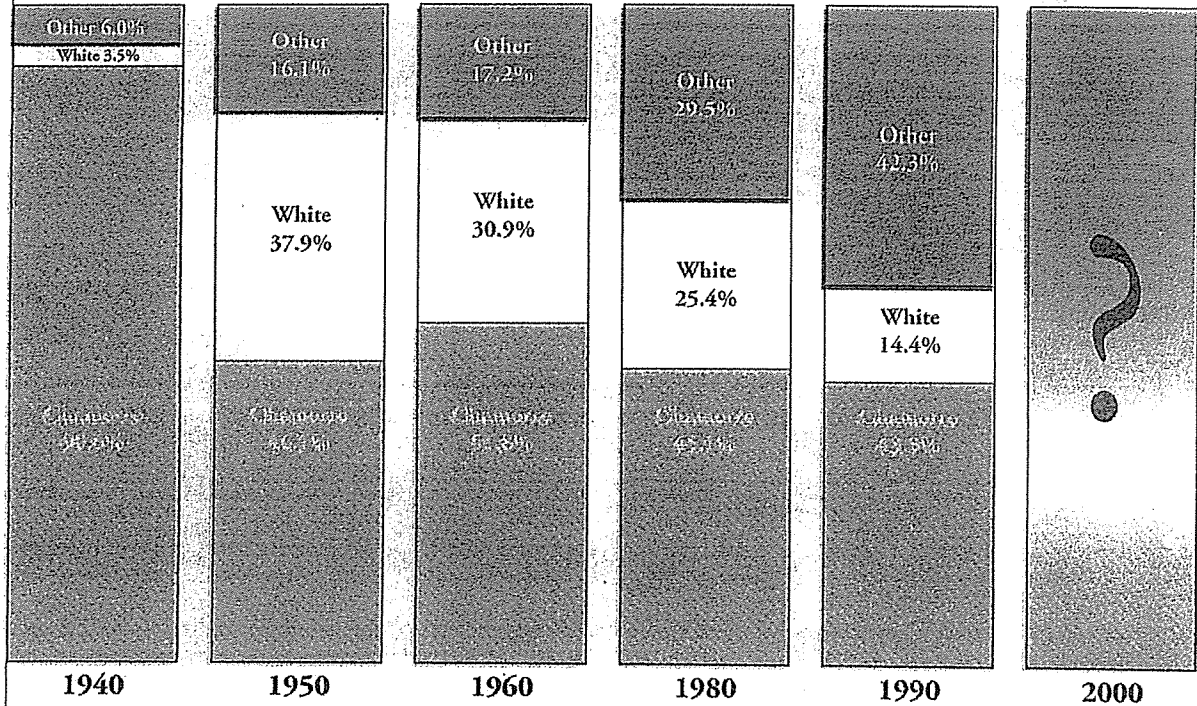
1. Independence ()
2. Free Association ()
3. Statehood ()

A plebiscite is to be held to accord Guam's "native inhabitants" (as defined by the United States in the Treaty of Paris) the opportunity to exercise their right to self-determination. The "native inhabitants" are those defined by the United States through the extension of U.S. citizenship on August 1, 1950, or persons who trace their ancestry from a person who was in Guam on or before April 11, 1899 (or such persons born before that date but temporarily absent on that date.)

In order to better educate the voting public on the three political status options, the three Task Forces were formed with the objective, in part, to assist in a public education campaign on each of the status options. This campaign is necessary to clarify the prospective conditions in Guam under each of the respective status options, so that the people can make a more informed choice.

"Attempts to change the status quo through Commonwealth were not only rejected by the United States, but Guam's interests were actively undermined."

Population Distribution by Percentage



SOURCE: U.S. Bureau of Census Decennial Reports, 1990
 OTHER: Filipino and other immigrants primarily from Asia

What Happens After the Vote?

Guam's Self-Determination Vote -- or choice of the people's preferred self-governing status -- is the first step in the Decolonization process.

Moving from a non-self-governing status to a self-governing status requires more than just a vote. It requires an end to colonial rule and the establishment of a new government.

This process requires the administering Power to turn over its control to the new governmental system.

The transfer of self-governing powers to the people of Guam requires two interrelated components: (1) the transfer of powers from the administering Power; and, (2) the non-

self-governing territory's preparation to assume the powers of self-government. The first element requires the administering Power's agreement to transfer Powers, while the second (and related element) requires the development of a constitutional government to assume the powers of self-government.

The U.S. is obligated to transfer self-governing powers to Guam should Guam choose independence. The sharing of powers under Free Association would be a negotiated process, while Statehood would require the approval of the United States Government and States of the United

States. The U.S., through the U.N. Charter and its subsequent ratification of the International Covenant on Civil and Political Rights (1993) is committed to support a self-governing status for Guam although obviously it has rights of its own when it comes to transferring powers or establishing negotiated ties with Guam.

Part of the U.S. obligation in the transfer of powers to Guam is to assure that the self-governing status that Guam chose -- and the Constitution that Guam establishes -- satisfies international standards of human rights. Thus, as Guam develops its Constitution it is assumed that that

document would conform to the internationally accepted standards of universal franchise and the equal protection of the rights of all citizens without regard to race, sex or religion (See, International Covenant on Civil and Political Rights).

After Guam has established a Constitution and the United States has extended the powers of self-government to Guam consistent with the Constitution of Guam, then Guam will be self-governing.

The hope of self-government, which has remained alive through almost four hundred years of external rule, awaits our informed decision.

COMMISSION ON
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Senator Mark Forbes
Senator Ben Pangelluan
Mayor Isabel Haggard
Marilyn Mambusan
Chris Perez Howard
Sanjay Sharma

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INDEPENDENCE:

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475-9821 Fax: 477-1036
Tony Salllan, Chairman

FRET ASSOCIATION:



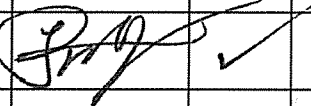


#827 East Sunset Blvd. Tiyon
475-9660 Fax: 475-9659
Joe Garrido, Chairman

STATEHOOD:

#621 East Sunset Blvd. Tiyon
475-9692
Eddie Duenas, Chairman

COMMITTEE VOTE SHEET

Resolution No. 52-34 (LS) – Relative to supporting that the Government of Guam not enter into a consent decree without approval of the Guam Legislature and the Governor of Guam regarding the recent threatened lawsuit proposed by the United States Department of Justice over the Chamorro Land Trust Act.

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Vice Speaker Therese M. Terlaje Chairperson	3/17/2017 	✓				
Senator Telena C. Nelson Vice Chairperson		✓				
Speaker Benjamin J.F. Cruz Member						
Senator Frank B. Aguon Member	3/17/17 	✓				
Senator Louise Borja Muna Member						
Senator Joe S. San Agustin Member		✓				
Senator Fernando Barcinas Esteves Member	FBE 	✓				

I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN
2017 (FIRST) Regular Session
LEGISLATIVE SESSION VOTING RECORD

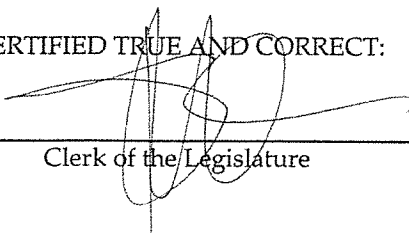
Resolution No. 52- 34 (LS)

Speaker Antonio R. Unpingco Legislative Session Hall
 March 17, 2017

NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator Thomas C. ADA					√	√
Senator FRANK B. AGUON, JR.	√					
Senator William M. CASTRO	√					
Speaker B.J.F. CRUZ					√	√
Senator James V. ESPALDON	√					
Senator Fernando Barcinas ESTEVES	√					
Senator Régine Biscoe LEE	√					
Senator Tommy MORRISON	√					
Senator Louise B. MUÑA	√					
Senator Telen Cruz NELSON	√					
Senator Dennis G. RODRIGUEZ, Jr.	√					
Senator Joe S. San AGUSTIN	√					
Senator Michael F.Q. SAN NICOLAS				√		√
Vice Speaker Therese M. TERLAJE	√					
Senator Mary Camacho TORRES		√				

TOTAL:	11	1	0	1	2	3
	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused

CERTIFIED TRUE AND CORRECT:



 Clerk of the Legislature

I = Pass



OFFICE OF THE VICE SPEAKER

THERESE M. TERLAJE

Chairperson of the Committee

On Culture and Justice

I Mina'trentai Kuåttro na Liheslaturan Guåhan

34th Guam Legislature

COMMITTEE REPORT DIGEST

I. OVERVIEW

Resolution No. 52-34 (LS), *relative to supporting that the government of Guam not enter into a consent decree without approval of the Guam Legislature and the Governor of Guam regarding the recent threatened lawsuit proposed by the United States Department of Justice over the Chamorro Land Trust Act*, was introduced on March 9, 2017 by Vice Speaker Therese M. Terlaje, and was subsequently referred by the Committee on Rules to the Author on March 10, 2017.

Resolution Nos. 51-34 (LS) and No. 52-34 (LS) were introduced during the March 9, 2017 session within hours after Vice Speaker Terlaje learned about the threatened lawsuit against the Chamorro Land Trust Commission (CLTC) and a day after the Davis v. Guam District Court decision was released. It was urgent that both resolutions be passed immediately given the April 7th appeal deadline for the Davis case, and the CLTC deadline of January 2017 (2 months ago). The matters discussed in Resolution Nos. 51-34 (LS) and 52-34 (LS) are complicated legal issues that will require extensive analysis and immediate decisions by the Attorney General and Governor of Guam. The resolutions were meant to show the support and solidarity of the Legislature with the Executive Branch and the AG, and in no way prevent the government of Guam from seeking other options. There were enough votes and support from the other senators during the March 9th session to pass both resolutions, but Senator Michael F.Q. San Nicolas and a couple of other senators requested that a public hearing be held. Speaker Cruz indicated that a special session would be called as soon as a public hearing was

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held, since the next session was not planned until after April 17th. Unfortunately, Speaker Cruz left off-island on the day of the public hearing, which was held five working days after the March 9th session.

The public hearing notice was sent out on March 9, 2017, with ample time for senators to consult with or invite interested parties to participate in the public hearing. The hearing lasted over 5 hours; only Senator San Nicolas and Vice Speaker had questions for the panel. One attorney was asked to wait for further questioning by Senator San Nicolas after the other testifiers had their turn. The attorney waited, but Senator San Nicolas left before the hearing was concluded without resuming his questions to the attorney.

The audio from the public hearing was uploaded to the Legislature website and attached to the committee report, along with all written testimony, a digest, and all other requirements per the standing rules.

The committee report was filed with the Committee on Rules but the COR Chair refused to approve it for upload to the website prior to the March 17, 2017 session. The report was made available on the session floor.

Discussion on the resolutions was halted by a motion of Senator Thomas A. Morrison which Vice Speaker Terlaje did not support. Senator San Nicolas left the room during the vote. Both resolutions were adopted.

These resolutions do nothing to change current Guam policy and simply convey that the Legislature supports the defense of current policies and preservation of options at this time. Nothing in this resolution prevents the pursuit of all avenues available to the government of Guam, nor prevents any senator from proposing another policy or course for the government and people of Guam.

The Committee on Culture and Justice convened a public hearing on Resolution No. 52-34 (LS) on March 17, 2017 at 9:00 AM in *Liheslatura's* Public Hearing Room.

Public Notice Requirements

Notices for this public hearing were disseminated via email to all senators and all main media broadcasting outlets on March 9, 2017 and again on March 14, 2017. The notice was also published in the Guam Daily Post on March 10, 2017 and in

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the Pacific Daily News from March 14th through 16th .

Senators Present

Vice Speaker Therese M. Terlaje, Chairperson
Senator Telen Cruz Nelson, Vice-Chairperson
Senator Joe S. San Agustin, Member
Senator Frank Blas Aguon, Jr., Member
Senator Louise Borja Muna, Member
Senator Fernando Barcinas Esteves, Member
Senator James V. Espaldon
Senator Thomas A. Morrison
Senator Mary Camacho Torres
Senator William M. Castro
Senator Michael F.Q. San Nicolas
Senator Régine Biscoe Lee

Appearing Before the Committee

Bob Pelkey
Harold Cruz
Ofing (Josephine) Jackson
Vicente Garrido
Enrique Torres
Senator Carmen Kasperbauer
Senator Hope Cristobal
Lasia Casil
Amanda Santos
Attorney Michael Phillips

Submitted Written Testimony

Genedine Aquino
Dr. Elizabeth Bowman
Ned Pablo
Anghela Santos
Mayor June U. Blas and Vice Mayor Jessie P. Bautista (Barrigada)
Kelly Marsh
LeRoy Moore

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II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing was Called-to-Order at 9:08 AM. Resolution 52-34 (LS) was the second item on the agenda. The following individuals provided the same testimony for Resolution Nos. 51-34 (LS) and 52-34 (LS). They are included here as follows:

Bob Pelkey: In support of Resolution 52-34 (LS). Written testimony is attached.

Harold Cruz: - In support of Resolution 52-34 (LS). Written testimony is attached.

Ofing (Josephine) Jackson: - Buenas. Manana si Yu'os para hamyo todú guenno hulo'. Hu tungo' ha' na Mátso pá'go na mes, noh? Pat Biba Ha'ánen Nuebu para hamyo todú guenno hulo'. Ántes di bai hu sângan háfa bai hu sângan, fanmanohge fan ya ta cho'gue fan este i Inifresi sa' ginen i kerason-ta este yan ayu i Fanohge Chamoru. Yanggen en tingo'...

[Recitation of *INIFRESI*.]

Manana si Yu'os para hamyo mañaina-hu yan mañe'lu-hu. I na'ân-hu si Sainan Ofing Jackson yan i asaguâ-hu si Danny Jackson. Guâhu i sekretârian Nasion Chamoru ya hunggan gi Nasion Chamoru ginen i Maga'hâga si Catherine McCollum yan i Maga'lâhi si Danny Jackson, in apreba este na "Resolution." Dângkolo na saina ma'âse' sa' manhuyong hamyo ya en cheche'gue este. Hunggan direcho este para hita i taotao tâno'. I direcho-ta este ginen i saina-ta--our ancestries... i guelo' yan i guela'—si Nâna yan Tâta. Hagas ma gotte na estague pá'go na nisisita pá'go na para ta fanmanohge ya ta cho'gue este i bidan-ñiha este siha i taotao sanhiyong. Háfa na para hita ha', bula "unconstitutional"? Puet ayu i fishing rights... Public Law 29-127. Ma sângan ta'lo gi i A.G. "unconstitutional." Háfa na para hita guini gi tano'-ta, bula "unconstitutional"? Taya' âmbre iyo-ta *Constitution!* I *Constitution* i Amerikânu este--âhe' ti hita. Ti hita--kumahulo' si nanâ-hu, yan si tatâ-hu, si guelo' yan si guela'... kao manngahulo' gi siyan-ñiha... gi gima'-ñiha... gi maseha amânu para u fanmanohge ya para u ma *swear in* gi i *Organic Act*? Ti u ma cho'gue ayu i *Organic Act* para hita. Para i taotao sanhiyong—âhe', ti para hita. Anggen un taitai ayu i *Organic Act*, atan--sen atan, sa' parehu ha' yan i *Constitution*-ñiha. Háfa iyo-ta *rights* gi i *Constitution*? Tâya'! Ti siña hit mambota gi delegâdu. Gi delegâdu, tâya' iyo-ta *rights*, para u kuentos gi halom. Tâya' iyo-ta *rights* ta'lo para in fambota para presidente. Háfa ayu na *Constitution? Constitution* Brodie! Para siha ayu. Áhe' ti para hita i taotao tâno'. Tâya' iyo-ta *Constitution*. Iyo-ta *Constitution*: Inifresi... Fanohge Chamoru. Kontra. Maila' pá'go ya ta fanngontra. Maila' pá'go ya ta cho'gue este. Háfa na este na taotao si Dave

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Davis... hâfa gui' yan hita ni' Manchamoru? Humâlom ya ma cho'gue hâfa malago'-ñiha. Si Gatewood, ha bira gui', ya lâstima -- CHamoru -- Tydingco, taotao CHalan Pâgo, parentes-hu, ha cho'gue gui'. Mângge CHamoru gui' na hâga'? Mângge? Mângge? Dinanche si Harold ni' ayu i, "hâfa este i *District Court of Guam*?" Ti debi di este i *District Court of Guam* gaige guini gi i tano'-ta. Manhâlom i protesta, u hungok gi nigapña na manhâlom, na manggaige guihi ni' manma protetesta. Manhânao gi sanme'nan i *District Court of Guam*, manma dulalak. Yanggen gaige hu' guihi ti bai hu ma dulalak sa' un tungo' hâfa bai hu sângan? "Tâno'-hu este. Hâyi hamyo? Kao mâtto mângi i presidenten-miyu ya ma nâ'i hamyo na tâno'? Tâya'. Tâya' guini tâno'-miyu. Fanmambâsta manmañule' tâno' ni' ti tano'-miyu. Humânao yu' hulo' un biâhi para ayu i *GCIC Building*, ya ma sangâni hu' na hu nisisita na bai hu huyong guihi sa' i tano'-ñiha. Tumohge ha' yu', "Ya hâyi hamyo? Mângge i tano'-miyu? Gaige i *lot* guini gi iya Guâhan. Gaige i *building* gi iya Guâhan. Anggen ilek-miyu na tâno'-miyu este, pues chule', kâtga i Guahan, yan pega guatto gi Amerika. Hâfa na sigi ha' hamyo ilek-ña estague tâno' Guam? Chule' edda', hatsa edda' gi guma'-miyu. Oh, maseha gi halom tâno', ya un nginge'. Kao pao Amerikânu pat pao CHamoru. Chule' i edda' ya un bira huyong sa' bula --- ya ginen i saina.

Hu sapotte, in sapotte este i *Resolution* yan este ginen i Chamorro Land Trust--tododu. Maolek sa' manmanohge ya ta cho'gue este ya ta kontra este siha na ma bibida di u ma cho'gue gi i tano'-ta sa' manggaige i saina-ta guihi pâ'go na ora, pâ'go no momento, ni' manmâtai... manma a'atan hit pâpa'. Manma bibira siha--sigi ha' manma sângan na manma bibira siha gi halom atuhot, ti siña âmbre. Ginen i tataotao-ñiha na manggaige ha' guini na mane'ekungok. Pues na'direcho este. Vice Speaker, saina ma'âse' nu este. Un lakngos ya un manna'hungok ni' i taotao. Hamyo ni' Manchamoru, fanmanohge. *Enough is enough. It's time... it's time.* Ti Para hita este na pâpet. Para i famagu'on-ta, ya i famagu'on ni' manatatte. Hasso i famagu'on-miyu. Hasso i ñeta yan ñeta siha. Hasso i ñetu yan ñetu siha. Hasso hâyi manggaige gi santatte-ta. Esta kuânto na buñelos dâgu ta kânno', kuânto na buñelos mânglo' ta kânno'? Nâ'i pâ'go i famagu'on-ta , i ñetu yan i ñeta. Saina ma'âse' ta'lo nu este yan biba CHamoru.

Vicente Garrido: Buenas. Guahu si Vicente Garrido. Saludu para hamyu todû ni man senadotpagoni man presenteyan eye man maposnatiempo. Hunggang of supputiestina bill. Hu gofsupputi. Para guahuiopinuhunibanda, i ruling by Judge Gatewood on his pleblecite to me is terrible and insulting to the Chamorro people. It's totally a slap in the face for the Chamorro people. And it's also a sad month, for the Chamorro people. Knowing that this month is Mes Chamoru and

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the Chamorro is also celebration Guam history and Chamoru heritage. Matu de mafasineksiesti. Dave Davis, and I don't care whether he is here or not. I don't care. He's listening. Dave Davis is a racist. He is a pure white man racist. He is an interloper. And if you don't know what an interloper mean? Interloper? The one that interfere in somebody's business or personal business [nai]. Ume entilunabisnisnaChamoruni put estiyunnihani put pleblicite. Si Dave Davis ti ma colonized nataotao. HitaniChamoruna man colonized. Ahetiguiya. Kontodueyusihai man matumaguni put fanagaguiniyanpon fan cheluioppotunitidotguinigiislata. Ti man ma colonized enaosiha. Ha tunguhasi Dave Davis natayabisnisna para halomnapon fan botaginipleblecite. Pues para guahu Judge Gatewood, I believe is confused about this pleblecite, Chamorro only vote. That's the way I see it. That's my opinion. I am not a lawyer. And I also, Judge Gatewood says, this pleblecite is a public issue. It's not a public issue. This is not a public issue. The pleblecite for Self-Determination is a Chamorro sentiment, it's a human rights issue. Human rights issue. Hafa un na para public issue? Hitani Chamoru man ma colonized guinigiislata. If Judge Gatewood is so hot shot about the 14th and 15th Amendment in the Constitution. How come he's isn't saying, that we are supposed to become U.S. citizens and we cannot even vote for the United States president? How come she's not saying that? But she went on and agreed to support a racist person, who come here and make Guam their home? And this is the same guy, Dave Davis, who is trying to destroy us on the Chamorro Land Trust. Lanya. I know that for a long time. I know it. I'm a member of Nacion Chamoru. I'm a former Ma'ga'la'hi of Nacion Chamoru. Also, a veteran of the enlisted Army, Infantry, Combat Veteran. I've been around. I've been around. I've been through hell. And I know what it's like. But this is another hell for me here on this island. Chamorros must stand up gachong. I heard some of the senators say, 'Oh, we're already here,'. Esta man dadanahitguini. Hunggannai man dadanahit lo ti man hihita. Ti man hihita! Ti man hihita, umbre. Todulainapinitilai. Napiniti. Wow, man, when I see the headline, "Pleblecite Law Unconstitutional," tayayuta constitution [1:05:54]. hafana para, munggii constitution? We don't even have a constitution. Puesta'lu, you know, Judge Gatewood's decision, really, is a true example of what it's like to be a colonized judge. Let's face it, lai. Let's face it, and make no mistake, that Guam's government is nothing more but a puppet government. A puppet government being ruled by a foreign power, the United States federal government. And another thing that Judge Gatewood said, 'Oh, I can understand the people, they colonized, for their desire to decolonize themselves.' And we must recognize the people who are giving me pas...now. I think it should be the opposite. I think Judge Gatewood should say that the people who come to this island should respect us and recognize ourselves. Siha debri du

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respetá. Hafa. Lanngamatuhao magi gi I tano'hu' des pues para bai, siguihamurespetitirespetihao? You kidding me? Lao I'm sorry, but that's the way I see it. I support in this appeal and I hope, Judge Gatewood, because, like I said, the decision on this plebiscite that Judge Gatewood is terrible and is insulting to the Chamoru people. Si Yu'us Ma'ase.

Enrique Torres: Good morning, everyone. Good morning madam chair. Good morning the rest of the body. My name is Enrique Torres; I'm from the village of Yoña. I come here on my own, as a private citizen. Remember these slogans or the battle cries as you may call, "The British are coming," remember the "Alamo" remember "Lusitania" remember "Pearl Harbor" remember "The World Trade Center" remember "The Pentagon" and "the flight crash in Pennsylvania" Nowhere in history does anyone ever ask or ask us to remember "Guam" The occupation of Guam. The atrocities committed here. Nowhere else in the United States, when there where there's are concentration camps. Nowhere else where there are properties taken away. Also the Jews, where their were in the process of being eliminating from the face of the planet, to genocide. The Spanish tried to do that to the Chamorros and during the occupation of the Japanese. I've I have looked at the war, videos and listen to my parents. These are real human rights violations. But then again human rights were here before you asking for you to help us with our human rights. Not our privileges, this is our human right. We're asking you to help us with our human rights, not our privilege. So, the Governor, the leaders, my brothers and sisters, the sons and daughters, and referring also to my brothers and sisters in the continental United States of America, and to the rest of the world. Join us, join us with this appeal. Show us our solidarity. Don't forget we also feel that the war reparation is still injustice. In many parts of the world, when it comes to human rights of the native inhabitants they are recognized in Canada, the tribe there is called the "First Nation" we are just asking that the Chamorro people of native descent or at least the belief in the culture belief in the tradition consider themselves to be Chamorro and after the fact that they were born here, their parents who were born here, their great grandparents were born here, so the aborigines in Australia. I was in the Philippines, just getting my teeth looked at, and I was listening to the discussion, they were in Filipino tagalog language, and it was between my dentist and his colleague, the plastic surgeon, they were talking about citizenship, on the United States citizenship wow I was really wanting to get into the discussion, so I kinda asked them to clarify what they were saying well they were saying you know after the war, World War II, they were asked to decide they wanted to become American citizen, decide, wow, and their fathers were in that, that responsible citizen to decide the determination and they turned it down because they didn't

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want to be considered brown Americans and they said, I don't know but I am a brown American and I told them some of the privileges of an American citizen, not all and I hope one day that I get to be rewarded with what is due us, if we are going to be U.S. citizens, full fledged Americans, and also in that discussion, I know made that distinction we got that American lots of freedom, we got liberties, we can own homes, and all that are our human statuses, civil rights, we live in a civilized society, and if you know the Philippines, you can see there's from a third world country and maybe now it's considered closer to the equivalent to the United States, so it was then we were talking well he so all of that and there's still some issues right, "yeah we still have issues", and he stated " How old is the United States government? To look upon, and then I thought back and well they moved, they removed themselves from the British and they became self governing in 1776, so roughly two hundred and sixteen years, and he kind of laughed and the Philippine government is only seventy six years old, yes we have corruption, not to say that the United States has no corruption, yes they are some violations of human rights and all the things you can come to realize, the United States are not really a, or is all built up to be, so they still have some more time to develop, time to change, change is what we are asking for, so Guam, you are government leaders, give our people, Chamorro nation, First Nation, however you part of this second chance or move forward, rethink about, the native inhabitants, rethink what it is qualify for plebiscite, I am not an expert, but give us a choice, give us a dialog, rethink about it, and we want to be recognized in this global community, as self governing, madam chair I support this bill, this resolution, and you, in front of us our leaders, almost have eight hundred twenty five years, of experience, we don't look at you as young, Chamorros, or leaders or people who want to carry our fight forward, you are the ones who are here before the rest of us to bring us to this quest, I applaud you for taking this opportunity to move our request forward, look amongst yourselves, look amongst deep in your hearts, deep within your ability to research, the ability to expert consultation throughout not just Guam, at the rest of the world, United Nations, do your due diligence for us. So in closing I say to Matthew, Patrick, and Nathan, my sons, your dad asks, would you make your choice for your life decisions but remember my legacy, as I remember my legacies of my ancestors, I supported our quest, I support this bill, resolution 52-34, towards self determination, for as long as long as it takes, thank you very much.

Carmen Kasperbauer: Thank you senators, please forgive me if I don't mention each individual names, so we can go faster, but honorable senators thank you for having this and Senator Terlaje for spearheading these resolutions, and for all of

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you to be here, to hear us, before I go on, wanted to add a little of humor with your interaction with Mike Phillips, I told him just tell them to just rage war with them, and we'll use machete for our weapons, because them seem to always have the upper hand. Anyway, I'm Carmen Artero Kasperbauer, I'm here to support both resolutions, Resolution 51 and Resolution 52, namely the Davis case and the dispute on the Chamorro Land Trust. My stand on both issues is that the Federal Government has discriminated the indigenous people of Guam and their descendants since the beginning of their take over our island as a spoil of their war against Spain in 1898. We were made a colony of America and we are still a colony, never mind that Congress passed the law making the Chamorros of Guam U.S. citizens. It was a deceitful gift of the U.S. federal government. They had to hastily introduce that Bill and passed it without a public hearing with the people of Guam but the people of Guam did not know, that the bill was in the making, the bill was passed, until one day, as a child we was chorale in the school court, and they raise the American flag, and they told us to pledge the allegiance, because you are American, and I got mad, and I said NO, I'm Chamorro, and they said NO, you are American, I said I don't care, I am still Chamorro, I'm Chamorro. But for them to do that, I found out that they hastily introduced that bill, and passed it without public hearing, the natives of Guam, just to legitimize their force taking of Chamorro lands before 1950. They took Upi from the Artero family before 1950, and gave they forced the family to 1/8 of a penny of a square meter. They did not pay for the Ifil trees and you know Upi is not was not jungle, it was a forest, of Ifil trees, and Arteros own the land, and it takes about five to six men to stretch hand and that has it was used to measure the Ifil trees. And they were cutting them down, and dragging by bull cart to Tagua oh by the way Upi is Anderson Air Force base, and they are dragging it down to Tagua and of course Tagua is NCS now, and that was where the Artero's saw mill, the only commercial sawmill on the island, and so the Ifil lumber were being cut there and the Artero's were the providers of the lumber, Ifil lumber to all the churches and all the homes on Guam, there are others but you know the smaller scales, But the Artero's had the saw mill and the Ifil forest out there. The military forced my grandfather's family to take the money or else they were going to deport my grandpa to Spain because he was not U.S. citizen, he was married to my grandmother, before 1898. And during that treating, my grandfather had a right to be a citizen of the island, but yet he didn't know, and the family didn't know, and they were scared, that they will deport our grandfather, my grandfather so they accepted it reluctantly and we all cried, because let me tell you, all of you chamorro's here, hang onto your land, you know what my father said when I was a little girl during the war, he looked at Tagua which is NCS now, and he said,[2:12 "Katmenatanâestinatano.

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TanotaTagoesti" I'll translate for those who did not understand, "Carmen, look at this land, this is my father's land." And he said, "Le tanotatahu, titanona. Tano'hu'." But my father's land is not his father's land it is my land, then he looked at me and said "Le tanotatahu, titanomu. Tano'hu'." but my land is not my land it is your land, "Puesadahi I tano pat famago'un" then protect your land for the children "I hagumamalagu" 2:13] the children are the future. But what do we do us Chamorro, we want money, we want to have beautiful houses, so we sell our land, and many of our own relatives are becoming homeless, we have to stop that, and no federal government, and no other government should take our rights to our own lands and to provide homes to our own people, and we have to like I said if we have to wage war we will take our machete and war with the federal government because show case to the whole world we are made a colony and we are still a colony, I don't care what you say, we are still a colony, and they are talking about discrimination, we are still being discriminated, I introduced the law that we should vote for president and we do, but they never honored it, so they only care for us because of what they want from us, we should go to Sumay, and wage war there and take back the land and give back to the people of Sumay, and so when Davis says and any federal courts says discrimination they are the biggest bigots they are the biggest discriminators, and taking advantage of little people, and the whole world should know that. And so this is the part of my testimony, but we must continue the fight, and not let it rest. We are kind and generous; Chamorro's are always kind and generous. We allowed a lot of people to be here and we share with them but every country has their own rights to their identity, to their indigenusness. When you go to Japan you respect and adhere to the Japanese way of life and when you go to the Philippines you do the same thing, when you go to China or to Europe. Why should we lose ours? You young people I'm glad you are here, please fight hard, all of you that are here, I am eighty one, I'm at the end of the battle, but you are just emerging please continue to fight for our rights, because you need it not only for yourselves but for your children, your grandchildren, and your great grandchildren. Thank you and God Bless You.

Hope Cristobal: I'm here in support of both of the resolutions, 51-34 and 52-34. And I want to thank you because I see, Vice Speaker, your name on the resolution and I'm wondering whether any of you senators up there are going to be supporting this resolution after hearing all of us here today. We are not just a rag tag group of the people here. We are here because we want to express our heartfelt petitions to you to continue the fight. And if I could, I don't know how many of you understood what Ray has just said. I don't know how many of you truly understood but I'm sure that if you didn't understand his words, that you

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could perhaps absorb the vibrations and the vibes that he brought with him today. This is a very emotional time for our people and I think we come here because we look at you as our leaders. We can touch you. We can feel you. You can talk. You can respond to us. And you are the only ones that we can hope to find remedy for our problems here on our island. I do not have a prepared statement today but I will speak from my own experience. As you know, I authored the Decolonization Commission Law. As you know I authored the Chamorro Registry Law as a companion to the Decolonization Commission. That occurred after I returned from testimony in Congress in October of 1995, I believe, '96 when they, House Resource Committee had a hearing on the Guam Commonwealth draft. We knew then after that hearing, the sentiments, the two sentiments of the United States government. And we knew then that the United States government has failed us. The United States government continues to fail the people of Guam. If we fight the fight through the court. There is little room through US jurisprudence to win but we will fight because that is what gives us hope to see that our leaders are going to pick up the best that you know, what you have told us during the campaign that you would stand by us and we are looking to you to do that for us. It's a challenge because our land, which by the way is perhaps the connection to the United States. It's about our land. The takings our lands. The United States didn't come here because they are interested in giving us rights. Excuse me. They came here because they took, they wanted to take our lands. And that is the only connection the United States has with us. They don't care that we are human beings. That we have human rights that they have to contend with. The loftiest ideas of America is despicable to us. When you look at our Chamorro culture and how we deal with ourselves and our connections among ourselves, so they talk democracy? This is not just American democracy. We have learned of about democracy and the ideals of democracy but we see that the practices of democracy hinders our growth and development as a people of the land. And with all due respect, Senator San Nicolas, the idea to seek voting for president is not going to maximize the existence of the Chamorro people in the homeland. It will do nothing but allow them to go into the ballot box and put a little tick on a piece of paper that does not acknowledge who I am as a Chamorro in my homeland. Please withdraw that resolution. It does not benefit us at this time. We can perhaps, once we decide on a political status be looking at a presidential vote. At this time we need to hold up our people. We are all out here, many of us crying, pleading, hugging each other, giving each other warmth, trying to survive through these times during Mes Chamorro. We need to bring back the Chamorro registry. And you can do like former Vice Speaker Ben Pangelinan has done. We can take all those who were registered in the Chamorro Land Trust and put them in the Chamorro registry.

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The Chamorro registry was passed by law so that we can identify ourselves as Chamorro people that need special care in our homeland. It's still alive and it's still in the books. The Decolonization idea came from the Chamorro Registry but the from the Chamorro Registry stands. If you look back, even Pacific Daily News supported the idea of having a Chamorro Registry so we can identify ourselves for cultural purposes. I understand the difficulties and the struggles that you will have and I understand that perhaps we will lose and we will lose in the US courts. But we look to you. We look to you perhaps through a resolution like this but perhaps through other remedies where you can craft out a way where we the people of Guam can survive as a people. The difficulties that you will have is because Guam has two personalities. We are a US territory and we are also a non-self-governing territory, acknowledged by the United States. Every year acknowledged by the United States, every year at the United Nations. And at the UN, you know although it's just a forum, we go and we plead our case as to how the Chamorro people are faring in a colonial setting. And just to digress quickly, I think one of the best things that any of you can do is relocate your senatorial offices to the steps of the White House and sit there and hold up a sign, "Chamorro Self-Determination". That will get us somewhere, not to the courts but it will make a statement to the world that we are denied this historical right of ours as a non-self-governing territory we talk about decolonization. The only people to decolonize are those who are colonized. And so senators, the vote for decolonization is qualitatively a different kind of a vote. It is not the same as the vote for senator. When you vote once as a people to decolonize, that's it. You're done. We move forward and we decide what status we want. It's a different kind of a vote. You must ask yourselves, why are the people in Arizona, and by the way, Dave Davis is a resident of Arizona, why is Arizona not conducting a plebiscite? They are done. They are done and over with. They have decided to become a state. We don't vote on our decolonization every two years. It's once in the lifetime of a people. It's a people's right, not an individual right. It's a people's right. And it is not the right of the land called Guam. That's why Davis is wrong because when we arrived on that airplane on the US air force up at Andersen, he voted with his feet when he arrived here. People who come here for other reasons than the fact that they are interested in the Chamorro people come for other reasons like economic reasons. They have already voted with their feet. They should not be voting for another people's right. It is the most flagrant discriminatory act that the United States has imposed on us but the ruling of the District Court. They have now perpetrated a racist discriminatory act on us. The US has failed us will continue to fail us but we must not stop fighting. My suggestion regarding the land trust and how we can perhaps quickly remedy and I go along with the idea of some of you, is that we have over

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5000 people sitting, waiting for Chamorro Land Trust lands for so many years. Give it out tomorrow. Give all the land out to all those people on the land and we'll be done and over with. We'll solve that problem. There is a lot going on island and I know you have your minds on all these little struggles but this is a big, big fight for us. And I really applaud and I beg you and I know Senator Will Castro, you campaigned on protecting and helping people with the Chamorro Land Trust and I hope that you fight that good fight. And thank you Senator, you recognized the need to touch base with the grassroots. I applaud that. And Senator Mike San Nicolas, I applaud you looking for remedies, but you have to get our people's consent to move forward with a presidential vote, I'm sorry to say. I beg to differ with you. We need to not go that route at this time. So again, Guam with its dual personality of a non-self-governing territory and you're made to address it and the recognition that you are a senator of a colony. You must realize that. You're a senator of a colony. We need dignity and you are the leaders that will help us get our people to attain political dignity. And we look to you. We cannot just do lip service. We've got to fight tooth and nail and a resolution must evolve into something bigger. Yes, let's take the fight to Congress, but let's fight. It's what gives us the energy. We need to energize our people right now. We are all lying down. We feel defeated because these decisions by the US Department of Justice, by the District Court and all the talk by the media out there. You know we need friends but we also offer you our prayers as you do your work that is very difficult. Difficult decisions knowing that you are just a senator of a colony. I know you took the oath but we need to begin to re-think that oath because the reality is, the fight that we are fighting is because we, the Chamorro in our home. You know I just saw my old professor, Dr. Batansas and he drilled into our head how home is a place that you go to feel good. Isn't it? Home is a place that you go to feel good yet when you look around our home, you look at the social stats, and look and find out who is not feeling good in our home. It's not our visitors. It is not all those people driving around in their BMWs. It is not these businessmen that have come out here to establish business because there is militarization of the Chamorro people happening and they are going to exploit that. We are the ones that are not feeling good in our home. We occupy the lower statistics of our people. Our homeless are increasing and voting for president is not going to remedy that. But fighting for dignity, fighting for political dignity is worth the fight. Just to add a little more, when you look around, we are the ones making the mistakes in our home. We are the most incarcerated people in our home. Those are symptoms of being a colony so we need to lift those burdens off the shoulders of our people so we can thrive. That's what we are looking at when we look at you as everyone has expressed how youthful you all are but behind that youth is the energy and some

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positive vibes that we get. And we hope and pray that you will all succeed for us. Si Yu'os Ma'ase and thank you very much. I'm sorry Senators, can I just finish? I'd like to invite all of you and everyone here in this room. We are holding a rally at Adelup from 4 p.m. to 6 p.m. on the 31st of this month to express our Chamorro-ness and to request for respect for the Chamorro people. Today I brought this banner, "Respect the Chamoru People" to emphasize the fact that we need to improve in that area. Si Yu'us Ma'ase.

Lasia Casil: Hafa adai Vice Speaker and Senators. Saina Ma'ase for allowing me to speak today. I'm here to testify in support of Resolutions number 51 and 52. Si Yu'os Ma'ase Senator Terlaje for moving swiftly to introduce these bills. My name is LassiaCasil, I'm the founder and president of Save Southern Guam. I am a resident of Santa Rita and Agat; my family is originally from Sumay. In 1865, African Americans were granted 40 acres and a mule as reparations for the newly freed slaves. I'm not going to sit here and compare plight to those of the African Americans that were stolen from their homeland and enslaved. That's not my point. My point is that the president of the United States and the U.S. government took action and make right what was wrong. In 1868, they made all the former slaves U.S. citizens, forbidding the States to restrict their rights. In 1870, the 15th amendment was ratified allowing African Americans to vote; this didn't include African Women but that's not my point. Again, the president of the United States took action to make right what was wrong. In 1941, the U.S. government fled our island and left us to fend ourselves. When they came, there were no reparations, they took our land, there's no citizenship. And even when we were given citizenship, it's a second class citizenship. 67 years later, we're still second class citizens. The U.S. government and the president has not taken any action to make any of these wrongs and make them right. We're still fending for ourselves. We created the Chamorro Land Trust for ourselves. This is our 40 acres and a mule. We created the plebiscite for ourselves; this is our 14th amendment. We are paying back our own war reparations from our own pockets because the U.S. government still refuses to step up to the plate and make things right. With all due respect to Judge Tydingco-Gatewood and her ruling, this proves that the game is rigged. To systematically oppress our people for over 400 years based on our race and turn around and use those same rules, put in place by foreigners not our people, to deem us racist on a nonbinding vote breaks my heart and my spirit. But it also makes me stronger. Senators there is a monster eating away at our island, bite by bite. Were fighting it in Pago bay, were fighting it in Agat, were fighting it in Talafofo, were going to fight it at Gun beach, Lost pond; it's all going to be gone. This is what we do in Southern Guam. The land that connects us to our culture without the land, we have no culture. Senators I brought this book today to share

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with you. It's a book about Sumay. In it is a list of 775 names, I'm not going to read it out loud I'm just going to add it to my testimony. There is many more names that need to be added this. But twice a year, were allowed to visit Sumay. We don't need to add another chapter to this book. We don't need a lost village of Yona, a lost village of Dededo or a lost village of Merizo until, what? We have a lost island of Guam? And then what? Do we get to come twice a year on liberation day and all souls day? When there's nothing left for us. I'm going to be brief, but I want to close with this. My father served in the U.S. military for 20 years and when he came home, all he wanted was land to farm with. This is his land, Chamorro Land Trust Application, he's been waiting. Last year, my father is so old now. He's probably never going to get it. He transferred it over to me. Other than my life, it's the most precious thing my father has ever given me. And I look forward to one day being the steward of this land as so many other people waiting for their lands. So please, I implore you, Senators. Please protect us, our people, our culture, our way of life, from further harm. Si Yu'os Ma'ase.

Shannon McManus: Ungil Kebesengei, Hafa Adai senators and vice speaker. My name is Shannon Kedei McManus I'm the daughter of Steven Camacho Castro Familian Loddo from the village of Chalan Pago, and Andresina Obak Sengebau from the hamlets of Ngaraard and Peleliu in the Republic of Belau. I am here as a daughter of Micronesia to stand in solidarity in support of both bills with the self determination plebiscite and with The Chamorro Land Trust. My father's family along with many Chamorros who suffered and continue to suffer displacement in their own home haps yet to receive land since applying in 1995. My mothers family is a different story of displacement and immigration post WWII. She has invested her life here as an educator but she has made it adamantly clear that this plebiscite is not her right or the right of the non-Chamorros. We celebrate our independence as a Palauan community every year here in Guam as well as our Filipino Kababayans, while our Chamorro people celebrate Liberation or rather our recolonization by the US. The people of Belau had their turn and made their choice. It's the Chamorro people right and your duty to uphold that right. So we thank you for taking up this cause. I just wanted to read something that I think reflects today's gathering. This is a poem by my grandfather's brother, Palauan author Valentine Sengebau. It's called Microchild. Si Yu'os Ma'ase and Ke mal mesulang.

Poem entitled Moonchild is attached.

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Amanda Santos: Buenas tãddes mañelu Hu Senadot yan senadoras. Pã'gu na ha'ãne annai Hu sente', ya Hu hunguk pute este na Public hearing. Ha ep'ok yu para bai fãttusa' CHamoru yu', ya de'be di bai fan danña yan i man CHamoru ni man in afek'ta nu este na asunto pat prublema! Guãhu nanan Anghet Santos, ni amumuyi este i Land Trust ni para i man CHamoru. Ni man tai tanu' Ya kosa ki u fan mãs lebiã ñu yanggen Guaha tanu' niha, para hu fan ma hãtsa guma' niha para i familian niha. Hãfa na kada pat ta fan lebiã ñu, guaha kontralu ta? Senadot Therese Terlaje, Hu agradezi na un introduce todú este dos naresulation. Hu suppote' todú este I dos. Hu deseseha na gi na mamaila na tempu, si Yu'us hu bendisi hit todus ni man CHamorus Kosa Ki na fan na lebiã ñu put estei CHamoru Land Trust. Si Yu'os Ma'ãse'.

Vice Speaker Therese M. Terlaje: Si Yu'os Ma'ase talo for everybody who has testified today. Attorney Phillips is here does the panel have any questions for him? We promised we would get back to him. Attorney Phillips I do have one question, if I may ask you. My colleagues are concerned with the timing of these resolutions whether they are necessary to be passed today versus a month from now versus a week from now, and if you have any comment on that.

Mike Phillips: My recommendation, with all due respect, with the pressure placed upon other government leaders and the intent of all of this is for you to be heard, and to a larger extent, for the people of Guam to be heard. I think it's of the utmost urgency that you pass resolutions as soon as reasonably possible. When I learned that the threat had been made in the past, the deadlines have passed; we have no idea what's going to happen in the interim. Of course the questions, for example, in hindsight, why did we delay? If there was truly that resolve if we heard, at least what I heard today, as far as the people are concerned, the message is unified; it's clear, I think it remains urgent. I think it explains, what appears to be efficient movement towards the drafting and hearing of the resolutions and the response by the community I think matched it; if not maybe exceeded it. And so because of that I think it would be quite frankly reckless to wait and hope that nothing happens. There's nothing to gain from what I can see from waiting and a lot to lose if you're one day late.

Vice Speaker Therese M. Terlaje: Si Yu'os Ma'ase.

Mike Phillips: And if I could just state for the record, I think I speak for everyone that testified that intended this but may not have said it, I said that I'm testifying in favor of Resolutions 51 and 52, and of course I didn't know until the end that they weren't being heard at the same time because to me, they're really

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the same thing. I just wanted to make sure that the record reflects that and I think that speak for a lot of the people that testified earlier also.

Vice Speaker Therese M. Terlaje: Si Yu'os Ma'ase. Do my colleagues have any questions or comments? I thank you so much, oh Sinot Torres?

Enrique Torres: I just pulled something up on the internet and I'll just state the quote and maybe you can use this. It says here, "But most land is held in the trust of blank people. So yes, there is a legal basis for what we would flat-out call discriminatory practices." I'll share this with you at the end if you wish to come and approach me. I don't want to put this in the public. And if you have a question, I can answer. Thank you.

Vice Speaker Therese M. Terlaje: Thank you. Thank you. Thank you my colleagues. I am going to call this hearing adjourned. The time is now 2:23. Si Yu'os Ma'ase.

The public hearing was adjourned at 2:23 PM.

III. FINDINGS & RECOMMENDATIONS

The Committee on Culture and Justice to which was referred Resolution No. 52-34 (LS) RELATIVE TO SUPPORTING THAT THE GOVERNMENT OF GUAM NOT ENTER INTO A CONSENT DECREE WITHOUT APPROVAL OF THE GUAM LEGISLATURE AND THE GOVERNOR OF GUAM REGARDING THE RECENT THREATENED LAWSUIT PROPOSED BY THE UNITED STATES DEPARTMENT OF JUSTICE OVER THE CHAMORRO LAND TRUST ACT, hereby submits these findings to *I Mina'trentai Kuättro na Liheslaturan Guåhan* and reports out Resolution No. 52-34 (LS), with recommendation TO DO PASS.

I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUAHAN
2017 (FIRST) Regular Session

Resolution No. *52*-34 (LS)

Introduced by:

Therese M. Terlaje *TMT*

RELATIVE TO SUPPORTING THAT THE GOVERNMENT OF GUAM NOT ENTER INTO A CONSENT DECREE WITHOUT APPROVAL OF THE GUAM LEGISLATURE AND THE GOVERNOR OF GUAM REGARDING THE RECENT THREATENED LAWSUIT PROPOSED BY THE UNITED STATES DEPARTMENT OF JUSTICE OVER THE CHAMORRO LAND TRUST ACT.

2017 MAR -9 PM 4:36
[Signature]

1 BE IT RESOLVED BY *I MINA'TRENTAI KUATTRO NA*
2 *LIHESLATURAN GUAHAN*:

3 WHEREAS, the United States Department of Justice has stated in its January
4 13, 2017 letter to the governor of Guam, Governor Eddie B. Calvo, that in order to
5 defer filing of a complaint in federal district court against the Government of Guam,
6 the Chamorro Land Trust Commission (CLTC), and its Administrative Director
7 relative to allegations of discrimination on the basis of race or national origin in
8 violation of the Fair Housing Act (FHA), Guam must be “willing to enter into pre-suit
9 negotiations in an effort to resolve this matter expeditiously in the form of a consent
10 decree to be entered by the court”; and

11 WHEREAS, the people of Guam were not aware of this letter, but through
12 local media reports on March 9, 2017 that the United States Department of Justice will

1 defer a lawsuit against the government of Guam provided that relief “ ‘addressing the
2 specific violations and preventing future violations’ of federal housing laws, including
3 lease of land, that discriminate based on race or national origin”; and

4 **WHEREAS**, it has been the experience of the government of Guam with other
5 consent decrees that most of the people of Guam are only informed after the decrees
6 have been signed and when it is too late to object; and now, therefore, be it

7 **RESOLVED**, that the *I Mina'trentai Kuåttro Na Liheslaturan Guåhan* does
8 hereby, on behalf of *I Liheslaturan Guåhan* and the people of Guam, request the
9 Attorney General of Guam to fight the assertion made by the Department of Justice,
10 and does further support that the government of Guam not enter into a consent decree
11 or other stipulation as to the merits of the case, without approval of the Guam
12 Legislature and the governor of Guam regarding the recent threatened lawsuit
13 proposed by the United States Department of Justice; and be it further

14 **RESOLVED**, that the Speaker and the Legislative Secretary attest to, the
15 adoption hereof, and that copies of the same be thereafter transmitted to the Honorable
16 Elizabeth Barrett-Anderson, Attorney General of Guam; Mr. Michael J.B. Borja,
17 Director, Department of Land Management; Mr. Pascual V.A. Sablan, Board
18 Chairman, Chamorro Land Trust Commission; and to the Honorable Edward J.B.
19 Calvo, *I Maga'lahren Guåhan*.

DULY AND REGULARLY ADOPTED BY *I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN* ON THE ____ DAY OF MONTH YEAR.

Friday, 17 March 2017

"CHamoru must stand up, ga'chong" - Island leaders challenge local lawmakers

Written by Timothy Mchenry (/local/author/9200-timothy-mchenry)



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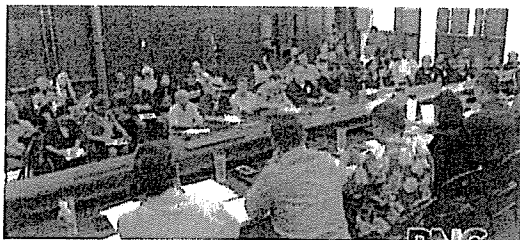
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the hearing was held at the Guam Congress Buidling.

Guam - It's an issue that has captured the hearts and minds of CHamorus across the island. The recent Davis decision has sparked daily protests everywhere, from the District Court of Guam to the Guam Congress Building. Friday, dozens of Guam residents testified in front of lawmakers to bring to light what they call years of oppression and unfair treatment of the CHamoru people.

It's an issue that has been thrust back into spotlight after Chief District Court Judge Francis Tydingco-Gatewood ruled that the guidelines for which the plebiscite was created are discriminatory in nature. Friday, dozens of community members testified on a pair of resolutions, both debating whether or not legislature should support an appeal in the Davis case and for approval from the Guam Legislature and the governor of Guam before possibly entering into a consent decree with the Federal Government over the Chamorro Land Trust Act.

Young men's league of Guam President Bob Pelkey, was first to take the stand. Pelkey affirmed the YMLG's position supporting an appeal to the highest court.

"My brothers are here to remind anyone and everyone listening that the indigenous CHamoru people have suffered from historical injustices spanning centuries and that the ruling by the U.S. District Court of Guam is another straw upon the back of our colonized people. Further, the threat by the United States Department of Justice is but a splinter in the eyes of our people who toil day in and day out to sustain a living and live in peace to marry, love and raise a family free of political interference and imperial oppression," says Pelkey.

Gatewood ruled earlier this month that Dave Davis, a non-native, non-indigenous CHamoru was discriminated against by not being allowed to participate in the plebiscite vote, a political demonstration given to native inhabitants of people who were living on Guam at the time congress created the organic act. The plebiscite is intended to allow native inhabitants of Guam to choose Guam's political status with the us-free association, independence, or statehood. As Pelkey stated earlier and Vicente Garrido reinforced, the Davis decision is an example of the unfair and often uneducated treatment of the CHamoru people at the hands of the united states government. Garrido's statements along with many others captures the angst felt by members of the community regarding recent actions by Guam's local court and the us government.



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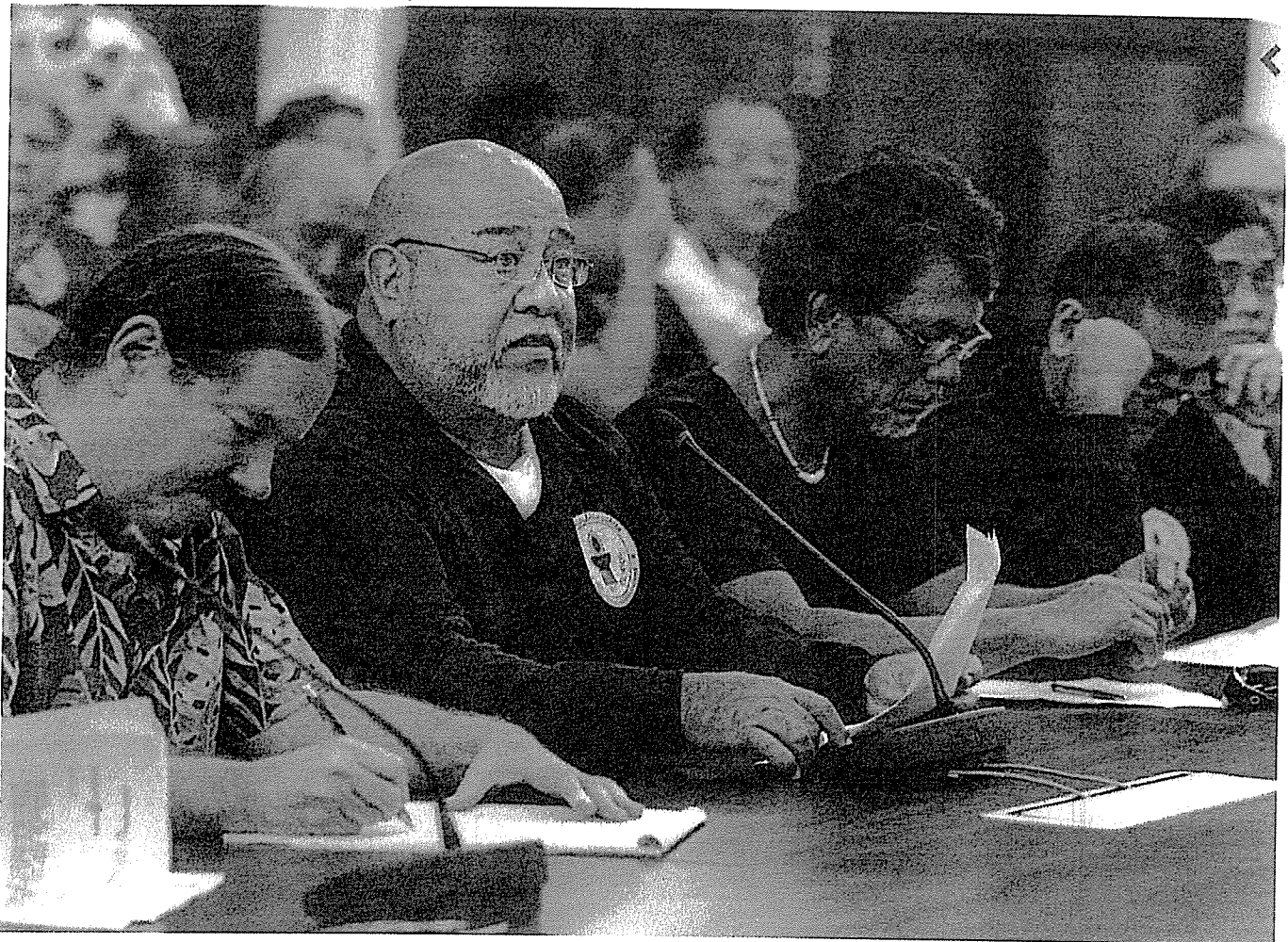


https://www.postguam.com/news/local/testimony-we-will-fight/article_43c8bf4-0abf-11e7-830a-f33c34b89193

Testimony: 'We will fight'

Legislature votes on plebiscite and land act resolutions

John O'Connor | The Guam Daily Post Mar 18, 2017 Updated 14 hrs ago



INDIGENOUS RIGHTS: Bob Pelkey, second from left, testifies during a public hearing on indigenous voting rights before the 34 Legislature, Friday, March 17. Norman M. Taruc/The Guam Daily Post

After hours of deliberation and with an impromptu late-night session, lawmakers yesterday vote

adopt resolutions 51-34 and 52-34. The vote came just a few hours after a public hearing on both resolutions, which stemmed from recent developments regarding self-determination and Chamorro land rights.

Vice Speaker Therese Terlaje introduced the resolutions at the conclusion of the March legislative session, shortly after Chief Judge Frances Tydingco-Gatewood of the District Court of Guam ruled that Guam's plebiscite law was race-based and therefore unconstitutional. The judge's ruling followed the U.S. Department of Justice's notice in January that it found the Chamorro Land Trust Act discriminatory in nature. The DOJ used similar arguments regarding racial preference.

Resolution 51 intends to express support for an appeal of the District Court plebiscite ruling, while Resolution 52 would support holding off on entering a consent decree regarding the Chamorro Land Trust Commission without first gaining approval from the legislature and governor. The Justice Department offered the government of Guam the chance to enter into a consent decree to avoid getting sued in federal court over land trust policy.

Resolution 51 passed unanimously with Sens. Tom Ada, Michael San Nicolas and Speaker Bernice Cruz excused. Sen. Mary Torres was the sole opposition vote to Resolution 52. Torres had raised some concern earlier in the evening as to the urgency with which the legislature was moving forward with the resolutions, remarking that the public hearing had occurred just hours before and the bill had difficulty reaching its legal counsels for advice.

Residents raise concerns

Activists, former senators and everyday residents testified before legislators for nearly five hours yesterday morning and afternoon in a culmination of anger, support and spontaneous recitals of Inifresi and Fanohge Chamorro as a matter of expressing respect for Guam and the rights of its indigenous people.

Former Sen. Hope Cristobal, who authored Guam's decolonization commission and Chamorro registry laws in the late 1990s, stated that the U.S. government continued to fail the people of Guam. She said that while taking the issue through the U.S. justice system would likely lead to more disappointment, Cristobal said it was still necessary to see local leaders take a firm stance on the issues.

"We will fight because that is what gives us hope," Cristobal said.

Attorney Michael Phillips, who played a role in the implementation of the Chamorro Land Trust, said he believed these matters should still be pursued in court, despite the likely chance of failure. He added that local leaders should also urge Congress to take up these issues for Guam because the federal government has ultimate authority over the territory, and an act from Congress would likely not fall so easily to judicial scrutiny as an act from local lawmakers.

He also urged senators to support the government in holding off on a consent decree regarding CLTC because a decree could be used against Guam's interest in the future.

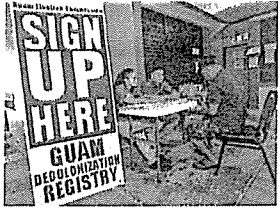
In a release issued after the public hearing, Gov. Eddie Calvo said he had no intention of engaging in a consent decree to resolve potential legal liability with the Justice Department regarding the CLTC. Calvo said his administration would be working with Attorney General Elizabeth Barrett-Anderson to determine available options, which would also be discussed with the Legislature. He also urged cooperation between his administration and the Legislature, despite differences in other matters.

John O'Connor

Reporting on utilities, healthcare, education and other topics.

Chamorros express support for federal-challenge resolutions

Shawn Raymundo , sraymundo@guampdn.com 5:34 p.m. ChT March 17, 2017



(Photo: PDN file photo)

Emotions ran high during a public hearing Friday morning at the Guam Congress Building, where Chamorro residents criticized a federal court decision that states the island's proposed political status plebiscite is unconstitutional.

Dozens of residents attended the public hearing to testify in support of a pair of legislative resolutions, calling for Guam to appeal the federal ruling.

Vice Speaker Therese Terlaje introduced the resolutions, the first of which – [Resolution 51-32](http://www.guamlegislature.com/COR_Res_34th/STATUS%20Res.%20No.%2051-34%20(LS).pdf) ([http://www.guamlegislature.com/COR_Res_34th/STATUS%20Res.%20No.%2051-34%20\(LS\).pdf](http://www.guamlegislature.com/COR_Res_34th/STATUS%20Res.%20No.%2051-34%20(LS).pdf)) – urges

Attorney General Elizabeth Barrett-Anderson to appeal the District Court of Guam's ruling to strike down the plebiscite law that limits voter participation to native inhabitants.

[Resolution 52-34](http://www.guamlegislature.com/COR_Res_34th/STATUS%20Res.%20No.%2052-34%20(LS).pdf) ([http://www.guamlegislature.com/COR_Res_34th/STATUS%20Res.%20No.%2052-34%20\(LS\).pdf](http://www.guamlegislature.com/COR_Res_34th/STATUS%20Res.%20No.%2052-34%20(LS).pdf)) also asks Barrett-Anderson to challenge the U.S. Department of Justice's claims that Guam's Chamorro Land Trust lease program is discriminatory against other races. It states that GovGuam should not enter into any agreements without approval from the Legislature and Gov. Eddie Calvo. The Chamorro Land Trust holds public land for the benefit of the island's indigenous Chamorros, who are allowed to receive low-cost, long-term leases for residential and agricultural use. The Land Trust also leases some of the land commercially to generate revenue for programs to benefit the Land Trust.

"The plebiscite is not a public issue, this is a human rights issue," Dededo resident Vicente Garrido told lawmakers.

The plebiscite vote, which has been delayed several times since the late 1990s, would determine the island's preferred political status with the U.S. government – statehood, free-association or independence.

Last week, in response to a legal challenge by non-Chamorro resident Arnold "Dave" Davis, Chief Judge Frances Tydingco-Gatewood ruled the plebiscite law is unconstitutional and violates the 15th Amendment because it imposes race-based restrictions. The Guam Election Commission has stopped allowing people to register for the Guam Decolonization Registry, which is a list of eligible voters for the plebiscite.

Robert Leon Guerrero Benavente, 64, said he's a veteran who's gotten too old for this type of thing.

"It's only us that can fix the problem," Benavente said, adding: "We must work together."

Bob Pelkey president of the local group Young Men's League of Guam, criticized the recent court ruling and the DOJ's charge against the Chamorro Land Trust program, noting that Guam's native Chamorro inhabitants have suffered from colonial rule for centuries.

"My brothers are here to remind everyone and anyone listening that the indigenous Chamorro people have suffered historical injustices spanning centuries and the recent ruling from the District Court of Guam is yet another straw upon the backs of our colonized people," said Pelkey. "Further, the threat by the U.S. Department of Justice is another splinter in the eyes of our people who go day in and day out to sustain a living. To live in peace, to marry, to love and raise a family free of political interference and political oppression."

Piti resident Jamela Santos, 39, is a Filipina born and raised on Guam.

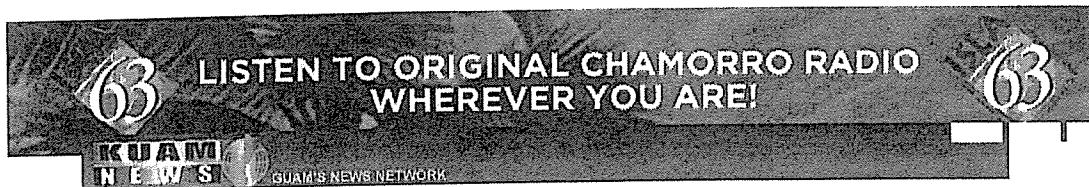
"I have called Guam my home. I have left home and I have returned home. Guam is the only place I know as home," Santos said.

"And even though I breathe the air I breathe; eat foods from the rich soil of this blessed land; drink of the waters; swim in the ocean abundant with life, even though my existence today is shaped and supported and nurtured by Guam, my home, I do not claim any identify as Chamorro, or as a native inhabitant," she added. "That is not for me to claim."

Santos objected to Davis' argument that his rights were violated because the law wouldn't let him participate in the political status vote.

"As a person of Filipino ancestry who calls Guam home, I do not feel that my rights are being violated because I cannot participate in the political status plebiscite," she said, adding, "This vote is not for me. It's for my Chamorro brothers and sisters, mothers and fathers, nanas and tatas."

[Election Commission closes Decolonization Registry](#)

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Dozens voice support for appeal of federal court ruling

Posted: Mar 17, 2017 4:17 PM

Updated: Mar 17, 2017 4:18 PM

By Ken Quintanilla [CONNECT](#)

More than a week after District Court decision that ruled a native-inhabitants only plebiscite is unconstitutional, dozens of island residents came out packs to the Guam Legislature to support efforts for an appeal. Public outcry and passion against a recent decision by the US District Court of Guam made its way to the Guam Legislature Friday.

"We don't vote on our decolonization every two years," said former senator Hope Cristobal. "It's once in the lifetime of a people, it's a people's right - not an individual right, it's the people's right!"

Last week District Court of Guam Judge Frances Tydingco-Gatewood ruled in favor of plaintiff Arnold "Dave" Davis that a native inhabitants only vote would impose race-based restrictions on the voting rights of non-natives, in violation of the 15th Amendment. Today a hearing was held on Senator Therese Terlaje's Resolution 51 - expressing support for its appeal.

Bob Pelkey is the president of the Young Men's League of Guam, the region's oldest Chamorro fraternity. "My brothers are here to remind anyone and everyone listening that the indigenous Chamorro people have suffered from historical injustices, spanning centuries and the ruling by the US District Court of Guam is another straw upon the back of our colonized people," he said.

And while she's not Chamorro, Jamela Santos says Guam is the only home she knows. She says with her Filipino ancestry, this vote's not for her adding she doesn't feel her rights are being violated because she can't participate in the political status plebiscite. "It's okay, I stand by you. I want you to be able to say how you wish to govern yourselves, make rules that make sense for you again because those were taken away from you against your wishes," she said.

Attorney Mike Phillips played a role in getting the Chamorro Land Trust implemented in 1995. While he told senators he didn't think they'd win the Davis case, he does believe not pursuing an appeal will have serious ramifications. "From everything that I've seen in my lifetime, and everything I've read, under that system, the more likely path to success is through the Congress," he said. "It's not for the faint at heart, it can go on and on."

And while he say's it'll be a difficult path, others like Cristobal says they must not give up. "They have now perpetuated a racist, a discriminatory act on us. The US has failed us and will continue to fail us, but we must not stop fighting."

Acting Speaker Therese Terlaje called lawmakers late today to vote on Resolution 51 along with Resolution 52 regarding the recent threatened lawsuit proposed by the US Department of Justice over the Chamorro Land Trust Act.

2 Comments

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COMMITMENT



Chelu Cruz

And at the end of the day, what does all this get us? Do we get to be more free? Do we get to think more independently? Do we get to sit around more all day or work our butts off more? Do we get to travel more when and wherever we want? We already have all that. If the US Congress gave us what we want, would we be more free, think more independently, work harder, or sit around, travel more? Nope, nothing will change. Guam offers the US a strategic location, a buffer zone for Hawaii and the West Coast. That's what we offer the US. What does the US offer us? Freedom, independence, ability to work and earn a living, travel and countless more benefits we do not appreciate because we take it for granted. I am happy just the way we are. Heck, we could be like Chuuk or Yap. I have lived there and although it's nice for awhile, I miss the air conditioning, US steaks, ability to earn a good wage and the freedom to fly wherever I want. Think about it long and hard. On Guam, we have it pretty darn good. What messes us up is our political leadership, corruption, lack of respect for each other and the environment. Think long and hard. What some think is independence works well in the academic environment. But in the real world, it will fall flat on its face. I have and will always vote in favor of keeping Guam's political status exactly where it is. I am not the only one, thousands will vote the same way.

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...GWA production well which is over the northern water lens. "The issue is the hazardous material that may seep into the ground over time and affect the northern aquifer, which supplies our drinking water, the water we shower in," Lee said. He thanked the list of at least six government agencies... More >>

Family of murdered woman wants \$103K in restitution from Keith Garrido

Garrido is serving life behind bars with the possibility of parole after 25 years for three convictions, including the murder of 63-year-old Nancy Mafnas.

More >>

GCC international competition teaches students everyday importance of math

Over 400 students participated in the Guam Community College Math Kangaroo international competition today. The event is geared toward students from first through twelfth grade and aims to not only teach math skills, but apply them to fun and everyday activities. GCC education department chair Marsha Postrozny explained, "It's a national competition, and then we kind of want to treat the students after taking the test to a free carnival. But the carnival is math themed, so..."

17/03/17/002618/voice-support-for-appeal-of-federal-court-ruling

Guamlegislatur... Unified Courts of Gu... Free Online YouTube

restrictions were lifted in 1962 and Chamorros have suffered great historical injustices and populational trauma and catastrophe under colonialism before the Organic Act was put into place and there is hope that justice institutional justice will prevail for the Chamorro people

It will be hard fought and should be fought every step of the way.

The administering power led by President Truman, did not think through all the implications of producing and passing an Organic Act over time nor did the White House at the time, understand fully, the sense of betrayal, and powerlessness and resentment and frustration and confusion that the Chamorro people of Guam felt from September of 1944 up through 1950 and beyond.

English language and Chamorro language gaps and understandings did nothing to assuage the stress felt by the Chamorro people

Focus by the administering power, the colonizer, was placed squarely on the strategic importance of Guam within the context of the overall national security desires of the United States winning Micronesia from World War Two battles for these Japanese administered islands and fear of Soviet gains regarding the nuclear arms race

Cabinet representation at the Departments of State, Defense and Interior failed in one aspect; that aspect was to fully include in all steps of deliberation and negotiation, equal input, robust debate, and equal decision making powers for the Chamorro people of Guam, without continual on the ground naval interferences and populational restrictions and arbitrary standards and rules put into place by the navy

Guam remains of immense geo-political value to the Pentagon and the national security services and homeland security communities because of the island's location in the western Pacific. Guam is also home to a politically colonized people and colonization has greatly impacted both the Chamorro people and it has greatly impacted elements of the U.S. federal government that have derived use from Congress owning Guam.

Let the public conversation continue and appeal the District Court of Guam ruling because Guam is our homeland, an ancient space that was not even fully debated in the United Nations at the time when the United States was in negotiations with the U.N Security Council. The scope of discussion at the time was tied to the Trust Territories only. Talks were also strictly limited for U.N Security Council deliberations without Islander input, because of the "strategic area" designation agreed upon by its membership with U.S. support and sponsorship. Debates on Guam and Micronesia did not take place at any level within U.N. General Assembly sessions.

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https://www.postguam.com/news/local/ag-briefs-governor-senators-on-political-status-efforts/article_2841dba8-0dc1-11e7-b1ea-d3a6ead683f3.html

AG briefs governor, senators on political status efforts

John O'Connor | The Guam Daily Post Mar 21, 2017 Updated 1 hr ago

Several Guam officials met yesterday at the invitation of the governor to discuss further action on the District Court of Guam plebiscite ruling and GovGuam's response to a January letter from the Department of Justice regarding race-based nature of the Chamorro Land Trust Act.

In a press release issued earlier today, Attorney General Elizabeth Barrett-Anderson said she would issue a decision on the appeal before the deadline on April 7. The release stated that the plebiscite vote under Guam law pertained to those born on Guam between April 11, 1899 and August 1, 1950. It does not change law or "confer any benefit to anyone." Rather, the attorney general argues, the plebiscite is meant to be political expression by a Congressionally defined category of people, with the majority being native Chamorros.

The District Court, on the other hand, found the plebiscite race-based and unconstitutional.

"This is the second voting rights case in our region to be struck down by the federal court, and I understand the (Commonwealth of Northern Mariana Islands) might also be contemplating an appeal of their case. Any fight through our federal court system is extremely challenging when Constitutional rights are in question, especially when the fight involves the right to vote. And while the residents of a territory do not share in many Constitutional votes as are afforded residents of states, federal courts are quick to strike down laws that do not give equal voting rights to all," Barrett-Anderson stated.

Regarding the CLTC, the attorney general stated that she made known to senators and the governor she had no intention of signing a consent decree, as proposed by the DOJ as part of pre-suit discussions. Barrett-Anderson noted that Guam already has to pay millions through consent decrees issued by the federal court and it was her prerogative to see these cases closed.

"Both the plebiscite case and the attack upon the Chamorro Land Trust are resurrecting new political status debate. This is good because the debate has been too quiet for too long. It's time to return to the doorsteps of Congress as our lawmakers did in 1950. Congress must exercise its constitutional power over this territory once again for the preservation of Chamorro traditions, values, and culture through their land, and to accord the 'inhabitants' of Guam as they defined it in the vote of self-determination," Barrett-Anderson stated.

John O'Connor

Reporting on utilities, healthcare, education and other topics.

Accessibility [-A+](#) Text size: [Smaller](#) [Reset](#) [Larger](#)

Chamorro Standard Time: Tuesday, March 21, 2017 - 03:58 PM



NEWS: Governor calls for unification on native rights

by Governor (<http://governor.guam.gov/author/governors/>) | Mar 19, 2017 | Decolonization (<http://governor.guam.gov/category/decolonization/>), Press Releases (<http://governor.guam.gov/category/pressreleases/>) | 0 comments (http://governor.guam.gov/press_release/news-governor-calls-for-unification-on-native-rights/#respond)

"We may have our disagreements here, in our house, but when we face the world we MUST STAND UNITED with ONE VOICE."



— Governor Eddie Baza Calvo

Governor Calvo agrees with Vice Speaker Therese Terlaje that the leaders of Guam should stand up for the rights of the indigenous people whose desires have been pushed aside for too long.

"Guam is now faced with the possibility of another consent decree that would, once again, disenfranchise the native inhabitants of this island by stopping or changing a program that was created to right a wrong levied upon the native people of Guam," the Governor stated.

Today, the Legislature discussed two resolutions related to the rights of the native inhabitants of Guam. Resolution 52 calls for the Attorney General of Guam to fight the Department of Justice's call for a consent decree on the Chamorro Land Trust program.

The U.S. Department of Justice stated in a Jan. 13, 2017 letter their determination that the Chamorro Land Trust program discriminates on the basis of race. DOJ has called for pre-suit negotiations to resolve the issue in the form of a consent decree. The administration will be working with the AG to discuss available options, which also will be discussed with the Legislature.

The Governor has no desire of moving in the direction of a consent decree.

"In my two terms now as Governor, I have seen and had to deal with consent decrees that have not been good for the people of Guam. The judicial activism that has been liberally exercised by the District Court has cost the people of Guam hundreds of millions of dollars," Governor Calvo stated. "This newly proposed consent decree can deprive the indigenous people of Guam from the justice the CLTC program is meant to provide."

The quest for self determination cannot end here



(<https://twitter.com/governorcalvo>)



(<https://www.facebook.com/eddiebazacalvo>)



(<https://www.instagram.com/eddiebazacalvo>)



(<https://youtube.com/user/GovernorofGua>)

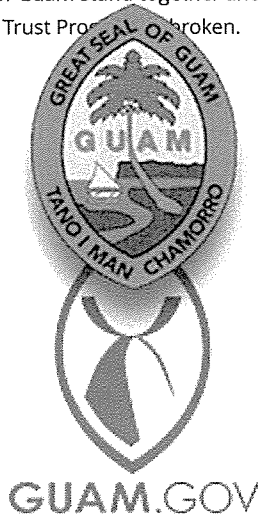
The Governor also agrees with the intent of Resolution 51, also written by Vice Speaker Terlajae and discussed by Senators today.

“The fight to allow the native inhabitants of Guam to vote for their political future should not end with the District Court,” the Governor said. “We MUST continue to work together to ensure the voice of the native people is heard.”

The Governor firmly believes that a self-determination vote should be held and that the leaders of the executive and legislative branches must stand firm in this belief if a vote is to be realized.

“These rules have been written by a court that the native people of this island had no say in creating and yet it determines what the native people can and cannot do regarding their political status,” the Governor stated. “That’s not right.”

Governor Calvo shares Vice Speaker Terlajae’s desire that the leaders of Guam stand together and speak with one voice, ensuring that the native people’s decision on political status is heard; and keeping the spirit of the Chamorro Land Trust Program unbroken.



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AG will fight feds on Land Trust

Jerick Sablan , jpsablan@guampdn.com 4:17 p.m. ChT March 21, 2017



(Photo: Frank San Nicolas/PDN)

Guam's attorney general is looking at the options in two ongoing indigenous rights cases.

"Both the plebiscite case and the attack upon the Chamorro Land Trust are resurrecting a new political status debate. This is good because the debate has been too quiet for too long," Attorney General Elizabeth Barrett-Anderson said in a news release.

Chamorro Land Trust

Barrett-Anderson said she won't sign a consent decree over the Chamorro Land Trust, which is important because the Chamorro culture is rooted in the land.

The Chamorro people were self-sustaining because of the land and the ocean. It's important the Land Trust exists for people who, in certain circumstances, may not have access to land, she said.

"More than likely they do not have land upon which to raise their children and then to continue the Chamorro culture. I think it's important," Barrett-Anderson said.

The U.S. Department of Justice wrote a letter in January to Gov. Eddie Calvo. It stated the Land Trust violates the Fair Housing Act and the Justice Department may sue if the local government doesn't enter a consent decree. Calvo has said he won't enter another consent decree with the federal government.

Related story:

[DOJ threatens lawsuit over Chamorro Land Trust
\(http://www.guampdn.com/story/news/2017/03/10/doj-threatens-lawsuit-over-chamorro-land-trust/98996242/\)](http://www.guampdn.com/story/news/2017/03/10/doj-threatens-lawsuit-over-chamorro-land-trust/98996242/)

Barrett-Anderson said when she was the attorney general 25 years ago, she signed a consent decree for the Department of Corrections, and she's still dealing with the issue today.

She's trying to close the consent decrees the government has and doesn't want to open another one, because the decrees have cost island taxpayers hundreds of millions of dollars.

Her office will respond to the Justice Department by the end of the month, informing it the government of Guam won't enter a consent decree. She expects the Justice Department to file a suit in response, but said she'd rather fight the issue in court.

"Let's go into court. Let's argue the issues very clearly and whoever wins, wins. We'll take it from there," Barrett-Anderson said.

She acknowledged that defending a local statute against federal law in a federal court is an uphill battle.

Plebiscite law

The AG's office has an April 7 deadline to appeal a recent U.S. District Court of Guam decision on the island's self-determination plebiscite law.

In a March 8 decision, Chief Judge Frances Tydingco-Gatewood ruled the plebiscite law imposes race-based restrictions on voting rights of non-native inhabitants, which is against the 15th Amendment.

Related story:

[Judge: Plebiscite law unconstitutional: AG may appeal
\(http://www.guampdn.com/story/news/2017/03/08/judge-arnold-davis-plebiscite-law-unconstitutional/98888880/\)](http://www.guampdn.com/story/news/2017/03/08/judge-arnold-davis-plebiscite-law-unconstitutional/98888880/)

Arnold "Dave" Davis is a non-Chamorro resident of Guam who applied to vote in the plebiscite. When he was denied, he sued the Guam Election Commission and others in the government in 2011.

Barrett-Anderson said her office is reviewing the 26-page decision to see whether it has the potential to appeal — not only to the Court of Appeals for the Ninth Circuit, but to the Supreme Court.

"It's not an easy determination to make," Barrett-Anderson said.

Two-tier approach

She said the island can take a two-tier approach to the Chamorro Land Trust issue. Local leaders can have a unified voice and speak to Congress about making a federal law that allows Chamorros a land program like other laws its granted for other indigenous peoples.

Related story:

[Island leaders support fight for indigenous rights](http://www.guampdn.com/story/news/2017/03/20/island-leaders-supporting-fight-indigenous-rights/99400912/)

[\(http://www.guampdn.com/story/news/2017/03/20/island-leaders-supporting-fight-indigenous-rights/99400912/\)](http://www.guampdn.com/story/news/2017/03/20/island-leaders-supporting-fight-indigenous-rights/99400912/)

And since Congress has authority over the territories, it has the power to change law to allow for programs like the Chamorro Land Trust. They've already done so for other native peoples from Hawaii and Alaska, she said.

"Congress hasn't acted for the Chamorro people. We have acted on our own, as best as we possibly can," she said.

But the local government is coming up against a brick wall that is the federal system and a federal government that says all people must be treated equally, she said.

She said Congress either needs to give the island greater autonomy — either through independence or closer union with the U.S. — or they'll going to have to keep answering the territory's call to make changes.

Read or Share this story: <http://www.guampdn.com/story/news/2017/03/21/ag-fight-feds-land-trust/99439358/>





OFFICE OF THE VICE SPEAKER
THERESE M. TERLAJE
Chairperson of the Committee
On Culture and Justice

I Mina'trentai Kuattro na Liheslaturan Guahan
34th Guam Legislature

March 17, 2017

MEMORANDUM

To: All Members
34th Guam Legislature

From: Acting Speaker Therese M. Terlaje

Re: Call to Session - Friday, March 17, 2017 at 5:30 PM

Hafa Adai! *I Liheslaturan Guahan* will be called into an Emergency Session on **Friday, March 17, 2017 at 5:30 PM**, in the **Speaker Antonio R. Unpingco Legislative Session Hall, Guam Congress Building**, concerning the following resolutions which had a public hearing at 9:00 am on March 17, 2017:

Resolution No. 51-34 (LS) - Therese M. Terlaje
RELATIVE TO SUPPORTING THAT THE GOVERNMENT OF GUAM MOVE FORWARD TO APPEAL THE RULING OF THE DISTRICT COURT OF GUAM TO ASSIST IN DEFENDING THE RIGHTS OF THE NATIVE INHABITANTS OF GUAM.

Resolution No. 52-34 (LS) - Therese M. Terlaje
RELATIVE TO SUPPORTING THAT THE GOVERNMENT OF GUAM NOT ENTER INTO A CONSENT DECREE WITHOUT APPROVAL OF THE GUAM LEGISLATURE AND THE GOVERNOR OF GUAM REGARDING THE RECENT THREATENED LAWSUIT PROPOSED BY THE UNITED STATES DEPARTMENT OF JUSTICE OVER THE CHAMORRO LAND TRUST ACT.

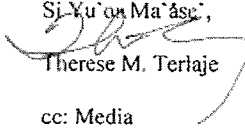
The Session will address Resolution No. 51-34 (LS) relative to the appeal of the Davis v. GEC case referenced in Resolution No. 51-34 (LS) and attached decision, which permanently enjoins the political status plebiscite and further actions by GEC in that regard.

Resolution 52-34 (LS) is urgent in light of the January 2017 deadline to respond to the Department of Justice threat of lawsuit, referenced in Resolution No. 52-34 (LS) and attached letter from the Department of Justice. An injunction or consent decree on the Chamorro Land Trust potentially impacts thousands of Guam residents.

Further, it is necessary to call session immediately on Resolutions 51-34 and 52-34 given that 1) the opportunity for the Government of Guam to appeal Judge Iydingco-Gatewood's recent opinion in Davis v. Guam is fast approaching and the Attorney General must file said appeal by April 7, 2017, and 2) that the public only recently became aware of the Department of Justice's threat to file a lawsuit against the Government of Guam if it does not enter into a consent decree to resolve allegations of the discriminatory nature of the Chamorro Land Trust Act as stated in the Department's letter to the Governor dated January 13, 2016.

The Legislature has reason to believe that the rapid pace of the aforementioned events calls for immediate action on its part, on behalf of the People of Guam, to timely render its support or opposition to both Judge Iydingco-Gatewood's opinion in Davis v. Guam and the Department of Justice's position on the Chamorro Land Trust Act, as both issues have significant legal and political implications for the Government of Guam and its residents.

Sj-Yu'on Ma'ase',


Therese M. Terlaje

cc: Media



OFFICE OF THE VICE SPEAKER
THERESE M. TERLAJE
Chairperson of the Committee
On Culture and Justice

I Mina'trentai Kuáttro na Liheslaturan Guåhan
34th Guam Legislature

**VICE SPEAKER SHARES WITH THE PUBLIC ALL TESTIMONIES FROM THE
PUBLIC HEARING IN HOPES OF MOVING FORWARD TOGETHER**

FOR IMMEDIATE NEWS RELEASE (March 20, 2017 – Hagåtña) - Senator Therese M. Terlaje (D-Yona) is encouraging all those who were unable to attend the hearing on Resolution Nos. 51-34 (LS) and 52-34 (LS) on Friday, March 17, 2017 to watch the video or read the full transcripts of the testimonies at <http://senatorterlaje.com/>.

“We must move forward together, educate ourselves, listen to each other, and be prepared for the fight for self-determination that generations before us have worked hard to preserve for us today. No self-determination has ever been handed on a silver platter. Nations have fought long and hard. If it is time to fight, we will be educated and united,” stated Terlaje.

###

For more information, please call the Office of Vice Speaker Therese M. Terlaje at (671) 472-3586.

2 GCA LEGISLATIVE BRANCH
CH. 2 STATUTES

CHAPTER 2
STATUTES

- § 2101. Enacting Clause.
- § 2102. Resolving Clause.
- § 2103. Public Hearings Mandatory.
- § 2104. Number of Votes Required.
- § 2105. Effect of Repeal or Amendment.
- § 2106. Equal Rights for Women.
- § 2107. Separate Consideration of Land Bills.
- § 2108. Separate Consideration of Unrelated Matters.
- § 2109. Submission of Fiscal Year Budget to *I Maga 'lahi*.
- § 2110. "Land Zoning Consideration Reports" Required for Land Zoning Legislation.
- § 2111. Separate Consideration of Debt Ceiling Adjustments.

§ 2101. Enacting Clause.

The enacting clause of all laws shall hereafter read,
'BE IT ENACTED BY THE PEOPLE OF GUAM'.

SOURCE: GC § 1101. Amended by P.L. 24-165:1.

§ 2102. Resolving Clause.

The resolving clause of all resolutions shall read,
'BE IT RESOLVED BY THE LEGISLATURE OF GUAM.'

SOURCE: GC § 1102. Amended by P.L. 24-165:2.

§ 2103. Public Hearings Mandatory.

(a) No bill may be passed by *I Liheslatura* unless it has received a public hearing, except that when the presiding officer of *I Liheslatura* certifies that emergency conditions exist, involving danger to the public health or safety, the requirement for a public hearing may be waived and in the event the bill is identical to a bill introduced earlier, which later bill received a public hearing, then a public hearing for the identical bill may be waived.

(b) No substantive resolution that is to be transmitted to the U.S. President, a member of the U.S. Congress, or a head of a foreign state, may be passed by *I Liheslatura* unless it has received a public hearing. Said public hearing shall be conducted by the primary author of the resolution. The resolution may then be placed on *I Liheslatura's* agenda upon the

2 GCA LEGISLATIVE BRANCH
CH. 2 STATUTES

written request of the primary author to the Speaker without further committee action and without a committee report.

SOURCE: GC § 1102.1. Amended by P.L. 25-022 and P.L. 28-012:2.

§ 2104. Number of Votes Required.

No bill shall be passed by *I Liheslaturan Guahan* with less than eight (8) affirmative votes of its members.

SOURCE: GC § 1102.2. Amended by P.L. 24-213:1.

§ 2105. Effect of Repeal or Amendment.

The repeal or amendment of any statute shall not affect any offense committed or any act done or right accruing or accrued or any action or proceeding had or commenced prior to such repeal or amendment; nor shall any penalty, forfeiture or liability incurred under such statute be released or extinguished, but the same may be enforced, continued, sustained, prosecuted and punished under the repealing or amendatory statute save as limited by the ex post facto and other provisions of the Organic Act, in which event the same may be enforced, continued, sustained, prosecuted and punished under the former law as if such repeal or amendment had not been made.

SOURCE: GC § 1103.

§ 2106. Equal Rights for Women.

(a) The Legislature finds that the proposed “Equal Rights Amendment” to the United States Constitution whereby women are to be treated under law equally with men is an appropriate expression of law that should apply to Guam, but also finds that even if such amendment is ratified by the necessary number of States, it is not at all clear that the provisions thereof will apply to Guam, since not all of the U. S. Constitution so applies and the proposed amendment itself speaks only of a “State.” The Legislature has therefore determined to enact as local law the provisions of the proposed amendment.

(b) Equality of Rights under the law shall not be denied or abridged on account of sex. All laws, rules, regulations and executive orders with the force of law which are inconsistent with this section are hereby repealed to the extent of such inconsistency.

(c) The Attorney General shall, within six (6) months after the effective date of this Act, submit a report to the Legislature enumerating therein all



COMMITTEE ON RULES

Senator Michael F.Q. San Nicolas, *Chairman*
I Mina'Trentai Kuåtto na Liheslaturan Guåhan • 34th Guam Legislature



COMMITTEE REPORT CHECKLIST

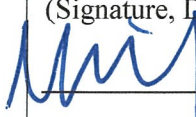
Part 1 / 2

RESOLUTION NO. 52-34 (LS)		
RELATIVE TO SUPPORTING THAT THE GOVERNMENT OF GUAM NOT ENTER INTO A CONSENT DECREE WITHOUT APPROVAL OF THE GUAM LEGISLATURE AND THE GOVERNOR OF GUAM REGARDING THE RECENT THREATENED LAWSUIT PROPOSED BY THE UNITED STATES DEPARTMENT OF JUSTICE OVER THE CHAMORRO LAND TRUST ACT.		
Referred to: <i>Vice Speaker Therese M. Terlaje</i>		
(A) PUBLIC HEARING	(1) HEARING NOTICES SR §§ 6.04(a)(1) and 6.04(a)(2), Open Government Law (5 GCA, Ch. 8)	
	<input checked="" type="checkbox"/> (a) Five (5) working days prior (ALL Senators & ALL Media) Date and Time of Notice: <i>3/9/17 7:15 pm</i>	
	<input checked="" type="checkbox"/> (b) Forty-eight (48) hours prior (ALL Senators & ALL Media) Date and Time of Notice: <i>3/14/17 1:33 pm</i>	
	(2) Date and Time of Hearing: <i>3/17/17 9:00 am</i>	<i>or</i> (4) HEARING WAIVED by Speaker in case of emergency SR § 6.04(a)(1)
	(3) Location: <i>Public Hearing Room, Guam Congress Bldg.</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A If YES: Attach memo indicating WAIVER



Committee Report Checklist on Resolution No. 52-34 (LS)

Part 1/2

(B) COMMITTEE REPORT	<p>(1) Committee Report filed with COR? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> <p><i>If YES:</i> Date & Time: <u>3/17/17 5:45 pm</u></p>	<p><i>If NO:</i> UNABLE TO PLACE ON SESSION AGENDA SR § 6.04(d)(1)</p>
	<p>(1)(a) Secondary CMTE Report filed with COR? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A</p> <p><i>If YES:</i> Date & Time:</p>	
(2) COMMITTEE REPORT COMPONENTS		
	(a) Front Page Transmittal to Speaker	<input checked="" type="checkbox"/>
	(a)(1) COR Chair Signature Line	<input checked="" type="checkbox"/>
	(b) Title Page	<input checked="" type="checkbox"/>
	(c) Committee Chair Memo to All Committee Members	<input checked="" type="checkbox"/>
	(d) COR Referral Memorandum	<input checked="" type="checkbox"/>
	(e) Notice of Public Hearing & Other Correspondence	<input checked="" type="checkbox"/>
	(f) Public Hearing Agenda	<input checked="" type="checkbox"/>
	(g) Public Hearing Sign-in Sheet	<input checked="" type="checkbox"/>
	(h) Written Testimonies & Additional Documents	<input checked="" type="checkbox"/>
	(i) Committee Vote Sheet(s)	<input type="checkbox"/>
	(j) Committee Report Digest(s)	<input type="checkbox"/>
	(k) Resolution History	<input checked="" type="checkbox"/>
	(k)(1) Copy of Resolution as introduced	<input checked="" type="checkbox"/>
	(k)(2) Copy of Bill as amended/substituted by Committee (if applicable)	<input type="checkbox"/> n/a
	(n) Related News Reports (optional)	<input type="checkbox"/> n/a
	(o) Miscellaneous (optional)	<input type="checkbox"/> n/a
	(p) Committee Report Checklist(s)	<input checked="" type="checkbox"/>
(C) COR Action	<p><input type="checkbox"/> CMTE Report duly filed; Available for Placement on Session Agenda</p> <p><input checked="" type="checkbox"/> CMTE Report non-conforming for acceptance; Return to Committee</p>	<p>COR CHAIR (Signature, Date & Time)</p> <p> <u>3/20/17</u> <u>3:11</u></p>





COMMITTEE ON RULES

Senator Michael F.Q. San Nicolas, *Chairman*
I Mina'Trentai Kuåttro na Liheslaturan Guåhan • 34th Guam Legislature



COMMITTEE REPORT CHECKLIST

Part 2 / 2

RESOLUTION NO. 52-34 (LS)	
Relative to supporting that the government of Guam not enter into a consent decree without approval of the Guam Legislature and the governor of Guam regarding the recent threatened lawsuit proposed by the United States Department of Justice over the Chamorro Land Trust Act.	
Referred to: <i>Vice Speaker Therese M. Terlaje</i>	
(A) PUBLIC HEARING	(1) HEARING NOTICES SR §§ 6.04(a)(1) and 6.04(a)(2), Open Government Law (5 GCA, Ch. 8)
	<input checked="" type="checkbox"/> (a) Five (5) working days prior (ALL Senators & ALL Media) Date and Time of Notice: <i>3/9/17 7:15pm</i>
	<input checked="" type="checkbox"/> (b) Forty-eight (48) hours prior (ALL Senators & ALL Media) Date and Time of Notice: <i>3/14/17 1:33pm</i>
	(2) Date and Time of Hearing: <i>3/17/17 9:00 am</i>
	(3) Location: <i>Public Hearing Room, Guam Congress Bldg.</i>
or (4) HEARING WAIVED by Speaker in case of emergency SR § 6.04(a)(1) <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A <i>If YES:</i> Attach memo indicating WAIVER	



Committee Report Checklist on Resolution No. 52-34 (LS)

Part 2/2

(B) COMMITTEE REPORT	<p>(1) Committee Report filed with COR? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> <p><i>If YES:</i> Date & Time: <u>3/24/17 5:24 pm</u></p>	<p>Notes: Initial committee report (CR) submitted: 3/17/17 at 5:45 p.m.</p> <p>CR deemed not duly filed by COR and returned to Author: 3/20/17 at 5:02 p.m. (see attached letter)</p>	<p><i>If NO:</i> UNABLE TO PLACE ON SESSION AGENDA SR § 6.04(d)(1)</p>
	<p>(1)(a) Secondary CMTE Report filed with COR? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A</p> <p><i>If YES:</i> Date & Time:</p>		
	(2) COMMITTEE REPORT COMPONENTS		
	<p>(a) Front Page Transmittal to Speaker <input checked="" type="checkbox"/></p> <p> (a)(1) COR Chair Signature Line <input checked="" type="checkbox"/></p> <p>(b) Title Page <input checked="" type="checkbox"/></p> <p>(c) Committee Chair Memo to All Committee Members <input checked="" type="checkbox"/></p> <p>(d) COR Referral Memorandum <input checked="" type="checkbox"/></p> <p>(e) Notice of Public Hearing & Other Correspondence <input checked="" type="checkbox"/></p> <p>(f) Public Hearing Agenda <input checked="" type="checkbox"/></p> <p>(g) Public Hearing Sign-in Sheet <input checked="" type="checkbox"/></p> <p>(h) Written Testimonies & Additional Documents <input checked="" type="checkbox"/></p> <p>(i) Committee Vote Sheet(s) <input checked="" type="checkbox"/></p> <p>(j) Committee Report Digest(s) <input checked="" type="checkbox"/></p> <p>(k) Resolution History <input checked="" type="checkbox"/></p> <p> (k)(1) Copy of Resolution as introduced <input checked="" type="checkbox"/></p> <p> (k)(2) Copy of Bill as amended/substituted by Committee (if applicable) n/a <input type="checkbox"/></p> <p>(n) Related News Reports (optional) <input checked="" type="checkbox"/></p> <p>(o) Miscellaneous (optional) <input checked="" type="checkbox"/></p> <p>(p) Committee Report Checklist(s) <input checked="" type="checkbox"/></p>		
(C) COR Action	<p><input type="checkbox"/> CMTE Report duly filed; Available for Placement on Session Agenda</p> <p><input type="checkbox"/> CMTE Report non-conforming for acceptance; Return to Committee</p>	<p>COR CHAIR (Signature, Date & Time)</p> <p><u>[Signature]</u> <u>3/23/17</u> <u>4:16</u></p>	





COMMITTEE ON RULES

Senator Michael F.Q. San Nicolas, *Chairman*

I Mina'Trentai Kuåttro na Liheslaturan Guåhan • 34th Guam Legislature



March 20, 2017

The Honorable Therese M. Terlaje

Vice Speaker

I Mina'Trentai Kuåttro na Liheslaturan Guåhan

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

Re: Return of Committee Report on Resolution No. 52-34 (LS)

Buenas yan Håfa adai Vice Speaker Terlaje,

The Committee on Rules ("COR") received the committee report on Resolution No. 52-34 (LS) on March 17, 2017. After its review process, the COR has determined that the committee report is not available to be duly filed due to the following:


1. The Committee Report Digest for the committee report on Resolution No. 52-34 (LS) does not conform to the Standing Rules. § 6.04(c)(1) of our Standing Rules states that committee reports "shall include a digest setting forth the purpose and essential elements of the bill and a digest of the testimony and evidence of those testifying at the public hearing thereon." The Committee Report Digest for the committee report on Resolution No. 52-34 (LS) provides YouTube links to the broadcasted video of the public hearing, instead of transcripts of the testimonies.
2. Resolution No. 52-34 (LS) was referred to its author and not the committee of jurisdiction. As such, vote sheets for the Resolution must garner eight (8) votes from all Members to pass.

The COR will continue to retain the committee report on Resolution No. 52-34 (LS) in its review process, subject to corrections as submitted by the Prime Sponsor. Attached, please see the COR committee report checklist for your information, which shall be attached as a committee report item to the Resolutions.

Thank you for your attention to this important matter.

Vice Speaker Therese M. Terlaje

Respectfully,


Senator Michael F.Q. San Nicolas
Chairman of the Committee on Rules

MAR 20 2017

Time: 5:02pm

Received by: PC

