

*I Mina' Trental Kaitro Na Lihelateran Gaihan*  
**APPOINTMENTS**

DOCUMENT NO.	APPOINTEE	POSITION	AGENCY	APPT. DATE	TERM LENGTH	CMTE REFERRED	DATE REFERRED	PUBLIC HEARING DATE	CMTE REPORT FILED	DATE CONFIRMED	NOTES
35GL-19-0505	Joseph M. Borja	Director	Department of Land Management	5/8/19	To serve at the pleasure of the Governor	Committee on Health, Tourism, Historic Preservation, Land, and Justice	5/10/19	8/7/19 5:00 p.m.	8/14/19 11:31 a.m.		



Senator  
**THERESE M. TERLAJE**

*I Mina'trentai Singko na Liheslaturan Guåhan*  
35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

11 4 AUG 2019

**The Honorable Tina Rose Muña Barnes**

Speaker

*I Mina'trentai Singko na Liheslaturan Guåhan*

163 Chalan Santo Papa

Hagåtña Guam, 96910

VIA: **The Honorable Régine Biscoe Lee**  
Chairperson, Committee on Rules

RRL

**RE: Committee Report on the Appointment of Joseph M. Borja**

*Håfa Adai* Speaker Barnes:

Transmitted herewith is the Committee Report on the appointment of **Joseph M. Borja** as the **Director** of the **Department of Land Management**, and which was referred to the **Committee on Health, Tourism, Historic Preservation, Land and Justice**.

Committee votes are as follows:

- 5 TO CONFIRM
- 0 TO NOT CONFIRM
- 1 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

RECEIVED  
AUG 14 2019  
R. Borja  
COMMITTEE ON RULES

*[Signature]*

2019 AUG 14 AM 11:31

Sincerely,  
*[Signature]*  
**Therese M. Terlaje**



Senator

**THERESE M. TERLAJE**

*I Mina'trentai Singko na Liheslaturan Guåhan*

35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

## COMMITTEE REPORT

### **Nomination of Joseph M. Borja**

As Director of the Department of Land  
Management, to serve at the pleasure of the  
Governor.

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Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Office Address: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com)

[www.senatorterlaje.com](http://www.senatorterlaje.com)



Senator

**THERESE M. TERLAJE**

*I Mina'trentai Singko na Liheslaturan Guåhan*

35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

August 12, 2019

**MEMORANDUM**

**To:** All Members  
Committee on Health, Tourism, Historic Preservation, Land and Justice

**From:** Senator Therese M. Terlaje *TMT*  
Committee Chairperson

**Subject:** Committee Report on the Appointment of Joseph M. Borja

Transmitted herewith for your consideration is the Committee Report on the appointment of **Joseph M. Borja** as a **Director** of the **Department of Land Management**

This report includes the following:

- Copy of COR Referral of the Appointment
- Copy of the Appointment Letter to the Speaker
- Copy of the Appointment Packet & Supporting Documents
- Notices of Public Hearing & Other Correspondence
- Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Written Testimonies & Supporting Documents
- Committee Report Digest
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

*Si Yu'os Ma'åse'!*

Senator Amanda L. Shelton,  
Vice Chairperson

Speaker Tina Rose Muña Barnes,  
Member

Vice Speaker Telen Cruz Nelson,  
Member

Senator Kelly Marsh (Taitano), Ph.D.,  
Member

Senator Sabina Flores Perez,  
Member

Senator Clynton E. Ridgell  
Member



**COMMITTEE ON RULES**  
**SENATOR RÉGINE BISCOE LEE, CHAIR**  
*I MINA 'TRENTAI SINGKO NA LHESLATURAN GUÅHAN*  
**35<sup>TH</sup> GUAM LEGISLATURE**

Senator Joe S. San Agustin,  
Member

Senator Jose T. Terlaje,  
Member

Senator Therese M. Terlaje,  
Member

Senator James C. Moylan,  
Member

Senator Mary Camacho Torres,  
Member and  
Chair, Subcommittee on Protocol

May 10, 2019

## MEMO

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

**From:** **Senator Régine Biscoe Lee**  
Chairperson, Committee on Rules

**Re:** **Referral of Appointment**

*Buenas yan Háfa adai.*

As Chairperson of the Committee on Rules, I am forwarding the referral of the following appointment:

**Appointee:** **Joseph M. Borja**  
**Position:** **Director, Department of Land Management**  
**Term Length:** **To serve at the pleasure of the Governor**

The appointee's nomination packet may be referenced in the Guam Legislature's website at [http://guamlegislature.com/35th\\_mess\\_comms.htm](http://guamlegislature.com/35th_mess_comms.htm). Please refer to the following document:

**"35GL-19-0505 - Office of the Governor of Guam - Appointment and Supporting Documents for Joseph M. Borja, Director, Department of Land Management."**

Please ensure that the aforementioned appointment is referred to **Senator Therese M. Terlaje, Chairperson of the Committee on Health, Tourism, Historic Preservation, Land and Justice.**

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

  
**Senator Régine Biscoe Lee**  
Chairperson, Committee on Rules

*I Mize' Trental Keditro Na Likelolevan Gadihan*  
**APPOINTMENTS**

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35GL-19-0505	Joseph M. Borja	Director	Department of Land Management	5/8/19	To serve at the pleasure of the Governor	Committee on Health, Tourism, Historic Preservation, Land, and Justice	5/10/19				

UFISINAN I MAGA'HĀGA  
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO  
MAGA'HAGA - GOVERNOR



JOSHUA F. TENORIO  
SIEUMMO MAGA'LAHI - LIEUTENANT GOVERNOR

May 8, 2019

Honorable Tina Muna Barnes  
Speaker  
*I Mina'trentai Singko Na Liheslaturan Guåhan*  
Guam Congress Building  
163 Chalan Santo Papa  
Hagatna, Guam 96932

35GL-19-0505  
Speaker Tina Rose Muña Barnes

MAY 09 2019  
Time 11:49 AM ( ) PM  
Received By: Matt

RE: Cabinet Appointment

Dear Madame Speaker:

By virtue of the authority vested in me pursuant to the Organic Act of Guam and the local laws applicable to the following position, I am pleased to transmit the following appointment and supporting documents for:

APPOINTEE: Joseph M. Borja  
POSITION: Director, Department of Land Management  
TERM LENGTH: To Serve at the Pleasure of the Governor

The appointment is subject to the consent of *I Liheslaturan Guåhan*. Please schedule a hearing at your earliest convenience.

Senseramente,

LOURDES A. LEON GUERRERO  
*I Maga'hågan Guåhan*  
Governor of Guam

cc: Lt. Governor of Guam

0505

2019 MAY -9 PM 2:11

UFISINAN I MAGA'HAGA  
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO  
MACA'HAGA • GOVERNOR



JOSHUA F. TENORIO  
SIGUNDO MACA'LAHI • LIEUTENANT GOVERNOR

February 8, 2019

Joseph M. Borja

**Re: Appointment as Director, Department of Land Management**

Dear Mr. Borja:

Pursuant to my authority under 5 GCA § 3109, I am appointing you to serve as a

**DIRECTOR, DEPARTMENT OF LAND MANAGEMENT**

This appointment shall be at

**THE PLEASURE OF THE GOVERNOR**

Appointing you to this position comes with great responsibility because you will have a vital role to perform which will place many demands on your time and energy. Integrity and honesty are virtues that I prioritize for my Administration to exemplify, and I know that you will do the same while in service to the people of Guam. Your responsibilities shall be significant and consequential. I trust that you will fulfill your duties and set a standard for others to follow.

I appreciate your willingness to serve in this position, and I am confident that your time will be spent in a manner to improve the island of Guam.

This appointment is subject to the advice and consent of *I Liheslaturan Guåhan*. Pending the consent of, and confirmation by the *I Liheslaturan Guåhan*, you are hereby appointed to serve as **DIRECTOR** in an acting capacity.

This appointment is effective February 11, 2019. If you have any questions or concerns, please contact the Office of the Governor.

*Senseramente,*

A handwritten signature in black ink, appearing to read 'Lourdes A. Leon Guerrero', written in a cursive style.

**LOURDES A. LEON GUERRERO**  
*I Maga'hågan Guåhan*  
Governor of Guam



**LOURDES A. LEON GUERRERO**  
Governor



**JOSHUA F. TENORIO**  
Lieutenant Governor

## OFFICE OF THE GOVERNOR OF GUAM Nomination and Appointment Information Sheet

The following information is required for submission to the  
Speaker of *I Liheslaturan Guåhan* in accordance with Title 4, Guam Code Annotated Section 2103

### NOMINEE INFORMATION

<i>Last Name</i> BORJA	<i>First Name</i> JOSEPH	<i>Middle Initial</i> M
<i>Mailing Address</i> [REDACTED]		<i>Apartment/Unit #</i>
<i>City</i> [REDACTED]	<i>State</i> [REDACTED]	<i>Zip Code</i> [REDACTED]
<i>Phone</i> [REDACTED]	<i>E-mail Address</i> [REDACTED]	
<i>Position to which Appointment is Made</i> Director, Department of Land Management		
<i>Are you a citizen of the United States?</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
<i>If no, are you authorized to work in the United States?</i> Yes <input type="checkbox"/> No <input type="checkbox"/>		

### EDUCATION

<i>SCHOOL (Name, City and State)</i>	<i>DATES OF ATTENDANCE</i>	<i>TYPE OF DEGREE</i>	<i>YEAR EARNED</i>
<i>High School</i> George Washington High School Mangilao, Guam		High School Diploma	1969
<i>College</i>	1992 - 1996 2000 - 2002		
<i>Graduate School</i>			
<i>Other Degree</i>			

## EMPLOYMENT HISTORY

<b>Name of Present/Last Employer and Mailing Address</b> Guam Legislature Office of Senator Thomas C. Ada	<b>Position Title</b> Chief of Staff
	<b>Dates Held</b> 8/2015 - 12/2018

<b>Previous Employer and Mailing Address</b> CHamoru Land Trust Commission Government of Guam	<b>Position Title</b> Administrative Director
	<b>Dates Held</b> 03/2007 - 04/2009

<b>Previous Employer and Mailing Address</b> Office of the Governor Government of Guam	<b>Position Title</b> Special Assistant
	<b>Dates Held</b> 01/2007 - 03/2007

<b>Previous Employer and Mailing Address</b> Department of Land Management Government of Guam	<b>Position Title</b> Director
	<b>Dates Held</b> 04/2004 - 12/2006

<b>Previous Employer and Mailing Address</b> CHamoru Land Trust Commission Government of Guam	<b>Position Title</b> Administrative Director
	<b>Dates Held</b> 01/2003 - 03/2004

## PRIOR GOVERNMENT OF GUAM SERVICE

<b>Agency or Department Name</b> Guam Ancestral Lands Commission		<b>Position Title</b> Executive Director
<b>Address</b>	<b>Phone No.</b>	<b>Dates Held</b> 09/2000 - 12/2002

<b>Agency or Department Name</b> CHamoru Land Trust Commission		<b>Position Title</b> Administrative Director
<b>Address</b>	<b>Phone No.</b>	<b>Dates Held</b> 08/1993 - 09/2000

**PRIOR GOVERNMENT SERVICE (EXCLUDING GOVERNMENT OF GUAM)**

<b>Agency or Department Name</b> DOJ, Division of Natural Resources		<b>Position Title</b> Special Independent Contractor	
<b>Address</b>		<b>Phone No.</b>	<b>Dates Held</b> 05/1988 - 12/1988

<b>Agency or Department Name</b> Law Offices of John A Bohn		<b>Position Title</b> Office Manager/Paralegal	
<b>Address</b>		<b>Phone No.</b>	<b>Dates Held</b> 04/1985 - 04/1988

**TRAINING**

<i>INSTITUTE/SEMINARS/ON-THE-JOB TRAINING</i>	<i>DATE</i>

**AWARDS**

<i>List all educational, professional, civic awards, and recognition for public service:</i>

**PROFESSIONAL INVOLVEMENT**

<i>List involvement on a local/national/international level. List organizations, activities participated in, and offices held:</i>

## COMMUNITY / CIVIC INVOLVEMENT

<b>List organizations, activities participated in, and offices held:</b>
Past President/VP, Carbullido Elementary School Parent Teacher Organization, 2010 - 2012 Member, Guam Grand Prix Racing Commission Chairman, Chamorro Registry Advisory Board Member, KGTF/PBS Board President, San Ramon Chapel Council, 1988 - 2002 Charter Member/Secretary, Barrigada Municipal Planning Council, Office of the Mayor, 1976 - 2002 & 2007 - Present

## PUBLICATIONS AND PRESENTATIONS

<b>List any published articles, papers delivered at professional meetings, etc.:</b>

## MILITARY SERVICE (Please attach Form DD-214)

<b>BRANCH</b>	<b>DATES OF SERVICE</b>	<b>RANK AT DISCHARGE</b>	<b>TYPE OF DISCHARGE</b>

## OTHER INFORMATION

(1) Have you ever been found guilty of a felony in any court, whether within or without the United States?

Yes  No  If so, please specify in detail: \_\_\_\_\_

Address of the Court: \_\_\_\_\_

Date(s) of Conviction: \_\_\_\_\_

Specific Infraction Committed: \_\_\_\_\_

**(2) Have you ever been declared mentally incompetent by any court, whether within or without the United States?**

Yes  No  If so, please specify in detail the reasons and facts related to such declaration:

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**(3) Have you ever been found not guilty or not punishable in any criminal proceedings by reason of insanity?**

Yes  No

**(4) Have you ever been confined to a mental institution for any reason?**

Yes  No  If so, please specify in why the appointing authority believes you that you are not suffering from any mental illness or affliction:

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**LOURDES A. LEON GUERRERO**  
Governor



**JOSHUA F. TENORIO**  
Lieutenant Governor

**OFFICE OF THE GOVERNOR OF GUAM**

**Statement of Financial Interests**

(Required by 4 G.C.A. §13104.1)

TO: The Honorable Lourdes A. Leon Guerrero  
Governor of Guam  
Ricardo J. Bordallo Governor's Complex  
Adelup, Guam 96910

FROM: Joseph M. Borja

- I have no financial interest in any business
- I do have interest(s) in the following business(es):

NAME AND ADDRESS OF BUSINESS INTEREST	TYPE AND AMOUNT OF INTEREST
Real Property Rental	Sole Proprietorship


Joseph M. Borja  
Signature

4/10/19  
Date

**AFFIDAVIT / DECLARATION UNDER PENALTY OF PERJURY**

I, the undersigned, do hereby depose and say that: (1) I have read and reviewed the information contained in the attached Appointment/Nomination letter from the Governor of Guam; (2) that the matters contained in the Appointment/Nomination letter, together with all attachments thereto, are true and correct and that I am competent to testify to said matters; and (3) that this Declaration is made for the purpose of complying with the requirements of 4 G.C.A. Section 2103.5.

I declare under penalty of perjury under the laws of Guam (4 G.C.A. Section 4308) that the foregoing is true and correct.

Joseph M. Borja  4/10/19  
Print Name and Signature Date



**Government of Guam  
GUAM POLICE DEPARTMENT  
RECORDS & IDENTIFICATION SECTION  
P.O. Box 23909  
Guam Main Facility, Guam 96921**



March 19, 2019

**SUBJECT: CRIMINAL HISTORY RECORD**

<b>NAME:</b>	Joseph Martinez BORJA		
<b>DATE OF BIRTH:</b>	[REDACTED]	<b>FINGERPRINT#:</b>	[REDACTED]
■	The individual has no record of criminal conviction(s) in GPD files that are subject to Guam law and rules and regulations of the Department.		

\*\*\*\*\*NOTHING FOLLOWS\*\*\*\*\*

*THIS INFORMATION MAY BE LIMITED TO A LOCAL CRIMINAL OFFENSE ONLY AND IS NOT INTENDED FOR USE FOR ANY LOCAL, STATE, OR FEDERAL LAW ENFORCEMENT AGENCY.*

**By Direction: BARBIE**

*Steph*  
**STEPHEN C. IGNACIO  
Acting Chief of Police**

The absence of an original GUAM POLICE seal invalidates this police clearance.  
REVISED 01/06/19





# SUPERIOR COURT OF GUAM

Guam Judicial Center • 120 West O'Brien Drive • Hagatña, Guam 96910

Telephone (671) 475-3370/475-3449

Fax (671) 472-2856

**DANIELLE T. ROSETE**  
Clerk of Court

Name: **JOSEPH M. BORJA**

SS#:

ID#



Date of Birth:



## CERTIFICATE OF SEARCH

The undersigned Clerk hereby certifies the following results of a diligent search of the records of this Court:

**Criminal Cases:**

- A.  No Case Found
- B. 1. Criminal Case No.
- 2. Criminal Case No.
- 3. Criminal Case No.
- 4. Criminal Case No.
- 5. Criminal Case No.

**Civil Cases:**

- A.  No Case Found
- B. 1. Civil Case No.
- 2. Civil Case No.
- 3. Civil Case No.
- 4. Civil Case No.
- 5. Civil Case No.

Criminal Record: Page 1 of 1

Civil Record: Page 1 of 1

Request for further information may be addressed at the Records Division of the Superior Court of Guam, Guam Judicial Center, 120 West O'Brien Drive, Hagatña, Guam. Hours of operation are Monday – Friday, 8:00 a.m. to 5:00 p.m. Closed Saturday, Sunday and local/federal holidays. Court Clearances are Non-Refundable.

Dated: 03/06/2019

**DANIELLE T. ROSETE**  
Clerk of Court

BY:   
**JEANETTE B. ROBERTO**  
Deputy Clerk

Prepared By: **JBR**



The absence of an original Court Seal invalidates this document

## **2018 BIO: Joseph Martinez Borja**

**January 2019**

**Position Held: Self-Unemployed**

**January 2017 to December 2018**

**Position Held: Chief of Staff**

34<sup>th</sup> Guam Legislature, Committee on Lands, Agriculture, Procurement, Environment

**August 2015 to December 2016**

**Positions Held: Senior Policy Analyst, Chief Policy Analyst and Chief of Staff**

33<sup>rd</sup> Guam Legislature, Committee on Lands, Agriculture, Procurement, Environment

**May 2013 to July 2015 – Part-time Private Land Use Consultant**

**April 2009 to February 2015 - Six (6) years**

**Position held: CAREGIVER - Resigned and Retired from previous position in April 2009 to care for sick mother until her death in February 2015.**

**March 2007 to April 2009**

**Position held: Administrative Director, Chamorro Land Trust Commission**

**January 2007 to March 2007**

**Position Held: Special Assistant for Land Matters to the Governor**

Office of the Governor, Governor Felix Camacho

**April 2004 to December 2006**

**Position Held: Director, Department of Land Management, Government of Guam**

**January 2003 to March 2004**

**Position Held: Administrative Director Chamorro Land Trust Commission  
(position previously held under another Governor)**

**September 2000 to December 2002**

**Position Held: (First ever) Executive Director, Guam Ancestral Lands  
Commission**

**August 1993 to September 2000**

**Position Held: (First ever) Administrative Director, Chamorro Land Trust  
Commission**

**January 1989 to April 1993**

**Position Held: Office Manager (Guam Office) / Paralegal**

Law Offices of Damon Key Bocken Leong & Kupchak  
Honolulu, Hawaii and Guam

**May 1988 to December 1988**

**Position: Special Independent Contractor**

Department of Justice, Division of Natural Resources  
United States Government Guam

**April 1985 to April 1988**

**Position Held: Office Manager (Guam) / Paralegal**

Law Offices of John A. Bohn, Guam and Piedmont, California

**1981 to February 1984**

**Position Held: Business Development Manager and General Manager**

Esta Later Charters

(MV SPAM, MV Miss Guam, MV Kadena de Amor and Speedboat Fotgun)  
Malesso and Apra Harbor

**1978 to 1980**

**Positions Held: Special Assistant and Senior Staff Assistant**

15<sup>th</sup> Guam Legislature, Office of the Speaker  
Speaker Thomas V.C. Tanaka

**1976 to 1978**

**Position Held: Chief of Staff and Staff Director**

14<sup>th</sup> Guam Legislature, Committee on Municipal Affairs  
Select Committee on Police Corruption  
Senator Howard Trapp

**1974 - 1976**

**Student** St. Mary's College of California Moraga, California

**1973**

**Position Held: General Manager**

Lawyers' Title and Escrow Co.

**1972**

**Position Held: Staff Researcher**

Law Offices of Trapp, Gayle, Teker, Weeks and Friedman

Law Office of Trapp, Gayle & Co, Guam

**1971**

**Position Held: Title Researcher**

Marianas Realty Company, Guam

**1969 – GW CLASS of 69, Mangilao, Guam**

**Community Activity**

- Past President and past Vice-President, Carbullido Elementary School Parent Teacher Organization 2010-2012
- Member, Guam Grand Prix Racing Commission (term expired)
- Chairman, Chamorro Registry Advisory Board (term expired)
- Member, KGTF (Public Broadcasting Station) Board (term expired)
- President, San Ramon Chapel Council 1988 to 2002
- Charter Member and Secretary, Barrigada Municipal Planning Council, Office of the Mayor, 1976 to 2002
- Member, Barrigada Municipal Planning Council, Office of the Mayor, 2007 to present

**Other Notes:**

- 50 years of experience on all land uses and on all land issues – concerning Federal lands, Government of Guam lands and private lands
- Guam's most informed researcher for lands condemned for national security and defense by the U.S. Government and the Naval Government of Guam from 1946 to 1961
- Fluent in Chamorro: comprehension, expression, reading and phonetic writing
- Private sector career: land information researcher
- Government of Guam career: Director or Administrator of a land agency
- Worked under 4 Governors in 6 administrations
- First person to hold director and administrator positions of all three GovGuam land agencies (Chamorro Land Trust Commission, Guam Ancestral Lands Commission, Department of Land Management) and as the Chief of Staff of the 33<sup>rd</sup> and 34<sup>th</sup> Legislature Oversight Committee on Lands.



Senator Therese Terlaje &lt;senatorterlajeguam@gmail.com&gt;

**FIRST NOTICE of Public Hearing – Wednesday, August 7, 2019 at 5:00 p.m.**

1 message

Senator Therese Terlaje &lt;senatorterlajeguam@gmail.com&gt;

Tue, Jul 30, 2019 at 4:43 PM

To: Speaker's Office <speaker@guamlegislature.org>, Vice Speaker Telena Cruz Nelson <senatorcnelson@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, "Office of Senator Kelly Marsh (Taitano), PhD." <office.senatorkelly@guamlegislature.org>, Senator Regine Biscoe Lee <senatorbiscoelee@guamlegislature.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Senator Clynt Ridgell <sen.cridgell@teleguam.net>, Senator Jose Pedro Terlaje <senatorpedo@senatorjterlaje.com>, Senator Sabina Perez <office@senatorperez.org>, Senator Wil Castro <wilcastro671@gmail.com>, Senator Louise Borja Muna <senatorlouise@gmail.com>, Senator Telo Taitague <senatortelot@gmail.com>, Senator James Moylan <senatormoylan@guamlegislature.org>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>

Cc: phnotice@guamlegislature.org

Bcc: lifestyleeditor@glimpsesofofguam.com, carlsonc@pstripes.osd.mil, dcrisost@guam.gannett.com, dmgeorge@guampdn.com, The Post Editor in Chief <editor@postguam.com>, editor@saipantribune.com, michael ko <gktv23@hotmail.com>, guam@pstripes.osd.mil, Jason Salas <jason@kuam.com>, John Oconor <john@postguam.com>, Jon Anderson <jontalk@gmail.com>, KISH <kstokish@gmail.com>, life@guampdn.com, mabuhaynews@yahoo.com, Guam PDN <news@guampdn.com>, Sorensen Pacific Broadcasting <news@spbguam.com>, Bruce Hill <pacificjournalist@gmail.com>, parroyo@k57.com, KPRG Guam <pdkprg@gmail.com>, Phill Leon Guerrero <phill@spbguam.com>, publisher@glimpsesofofguam.com, rlmtiaco@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Steve Limtiaco <slimtiaco@guampdn.com>, Manny Cruz <cruzma812@gmail.com>, Jerick Sablan <jpsablan@guampdn.com>, K57 <news@k57.com>, KPRG <admin.kprg@gmail.com>, Maria Louella Losinio <louella.losinio@gmail.com>, Pacific Island Times <pacificislandtimes@gmail.com>, cherrie@mvariety.com, emmanuel@mvariety.com, junhan@mvariety.com, bryan@mvariety.com, businesseditor@glimpsesofofguam.com, Patti Rodriguez <parroyo@spbguam.com>, heugenio@guampdn.com, raygibsonshow@gmail.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, pattiontheradio@yahoo.com, Kelly Park <kcn.kelly@gmail.com>, akaur@gannett.com, Desk Editor <deskeditor@postguam.com>, Mamie Balajadia <mamiecb@yahoo.com>, "Joseph M. Borja" <joseph.borja@land.guam.gov>, arlenebordallo@yahoo.com, AM David <amdavid@guam.net>, Roma.Basa@dphss.guam.gov, Myrna Leon Guerrero <Myrna.LeonGuerrero@dphss.guam.gov>, Nathaniel Berg <nberg@guamradiology.com>

July 30, 2019

## MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Therese M. Terlaje  
Chairperson, Committee on Health, Tourism, Historic Preservation, Land and Justice

Subject: **FIRST NOTICE of Public Hearing – Wednesday, August 7, 2019 at 5:00 p.m.**

*Håfa Adai!*

Please be advised that the Committee on Health, Tourism, Historic Preservation, Land and Justice will convene a public hearing on Wednesday, August 7, 2019 beginning at 5:00 p.m. in *I Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña) to hear and accept testimony on the following agenda items:

- Confirmation Hearing on the Executive Appointment of Joseph M. Borja as Director of the Department of Land Management

**Upcoming Hearings:**

- Friday, August 16, 2019 at 5:00 p.m.: Confirmation Hearing on the Executive Appointment of Arlene P. Bordallo as a Member of the CHamorru Land Trust Commission

- Thursday, September 5, 2019 at 2:00 p.m.: Public Hearing on Proposed Rules and Regulations by the Guam Board of Allied Health Examiners Governing the Adoption of Codes of Professional Conduct/Ethics
- Thursday, September 5, 2019 at 2:30 p.m.: Confirmation Hearing on the Executive Appointment of Dr. Annette M. David as a Member of the Guam Board of Medical

*The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via [Lihselaturan Guåhan's live feed](#). A recording of the hearing will be available online via [Guam Legislature Media](#) on YouTube after the hearing. 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 Senator Therese M. Terlaje. Testimonies may be submitted via hand delivery to the Office of Senator Therese M. Terlaje at Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam; to the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; or via email to [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com). In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Therese M. Terlaje at (671) 472-3586 or by sending an email to [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com).*

*We look forward to your attendance and participation. Si Yu'os Ma'åse'!*

--

**Office of Senator Therese M. Terlaje**

Committee on Health, Tourism, Historic Preservation, Land and Justice

*I Mina'trentai Singko na Lihselaturan Guåhan*

35th Guam Legislature

Office Location: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

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**First Notice of Public Hearing\_ 8.7.19\_TMT.pdf**

211K



Senator

## TERESE M. TERLAJE

*I Mina'trentai Singko na Libeslaturan Guåhan*


35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

July 30, 2019

### MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Therese M. Terlaje   
Chairperson, Committee on Health, Tourism, Historic Preservation, Land and Justice

Subject: **FIRST NOTICE** of Public Hearing – Wednesday, August 7, 2019 at 5:00 p.m.

*Håfa Adai!*

Please be advised that the Committee on Health, Tourism, Historic Preservation, Land and Justice will convene a public hearing on Wednesday, August 7, 2019 beginning at 5:00 p.m. in I Liheslaturan Guåhan's Public Hearing Room (Guam Congress Building, Hagåtña) to hear and accept testimony on the following agenda items:

- Confirmation Hearing on the Executive Appointment of Joseph M. Borja as Director of the Department of Land Management

Upcoming hearings:

- Friday, August 16, 2019 at 5:00 p.m.: Confirmation Hearing on the Executive Appointment of Arlene P. Bordallo as a Member of the CHamoru Land Trust Commission
- Thursday, September 5, 2019 at 2:00 p.m.: Public Hearing on Proposed Rules and Regulations by the Guam Board of Allied Health Examiners Governing the Adoption of Codes of Professional Conduct/Ethics
- Thursday, September 5, 2019 at 2:30 p.m.: Confirmation Hearing on the Executive Appointment of Dr. Annette M. David as a Member of the Guam Board of Medical

*The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via [I Liheslaturan Guåhan's live feed](#). A recording of the hearing will be available online via [Guam Legislature Media](#) on YouTube after the hearing. 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 Senator Therese M. Terlaje. Testimonies may be submitted via hand delivery to the Office of Senator Therese M. Terlaje at Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam; to the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; or via email to [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com). In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Therese M. Terlaje at (671) 472-3586 or by sending an email to [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com).*

*We look forward to your attendance and participation. Si Yu'os Ma'åse'!*

---

Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Office Address: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com)

[www.senatorterlaje.com](http://www.senatorterlaje.com)

GUAM DAILY POST • WEDNESDAY, JULY 31, 2019

# VA Secretary Wilkie tours Guam, meets with veterans

By Lannie Walker  
lannie@postguam.com

Department of Veterans Affairs Secretary Robert Wilkie toured Guam on Tuesday and laid a wreath at the Asan Bay Overlook Memorial at the War in the Pacific National Historical Park.

The site is a tribute to all those who lost their lives in World War II, including service members who fought to free Guam from Japanese occupation and those who suffered wartime atrocities.



**REMEMBER, HONOR, UNDERSTAND:** Secretary of Veterans Affairs Robert Wilkie right, and Lt. Gov. Joshua Tenorio are assisted by War in the Pacific National Historical Park Superintendent Barbara Alberti at a wreath-laying ceremony at the Asan Bay Overlook on Tuesday morn.

veterans in Guam and in the Northern Mariana Islands."

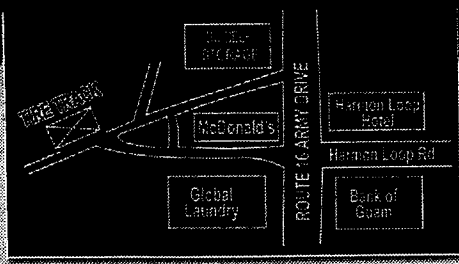
"The secretary spoke eloquently about the importance of taking care of those veterans and how important that is as a national priority," Lunday said.

Barbara Alberti, superintendent of War in the Pacific National Historical Park on Guam, led Wilkie on the tour of the historic site.

"It's always a pleasure and an honor for us to have these distinguished visitors and in particular the secretary of Veterans Affairs,

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Committee on Health, Tourism, Historic Preservation, Land and Justice  
**SENATOR THERESE M. TENAJE**  
I Minatrenta Sagáo na Liheslaturan Guahan  
35<sup>th</sup> Guam Legislature

**UPCOMING PUBLIC HEARING ANNOUNCEMENTS**  
Guam Legislature Public Hearing Room, Guam Congress Building, Hagåtña

- AGENDA:**
- **Wednesday, August 7, 2019 at 5:00 p.m.:** Confirmation Hearing on the Executive Appointment of Joseph M. Borja as Director of the Department of Land Management
  - **Friday, August 16, 2019 at 5:00 p.m.:** Confirmation Hearing on the Executive Appointment of Arlene P. Bordallo as a Member of the Chamoru Land Trust Commission
  - **Thursday, September 5, 2019 at 2:00 p.m.:** Public Hearing on Proposed Rules and Regulations by the Guam Board of Allied Health Examiners Governing the Adoption of Codes of Professional Conduct/Ethics
  - **Thursday, September 5, 2019 at 7:30 p.m.:** Confirmation Hearing on the Executive Appointment of Dr. Annette M. David as a Member of the Guam Board of Medical Examiners

If you require any special accommodations or for further information, please contact the Office of Senator Therese M. Tenaje at 472-3586. Testimonies may be submitted to our office at Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910, to the Guam Congress Building, or via email at [senatorterajegum@gmail.com](mailto:senatorterajegum@gmail.com). The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/80.4 and stream online via I Liheslaturan Guahan's live feed at [http://www.guamlegislature.com/live\\_feed.htm](http://www.guamlegislature.com/live_feed.htm). This ad is paid for with government funds.





Senator Therese Terlaje <senatorterlajeguam@gmail.com>

## SECOND NOTICE of Public Hearing – Wednesday, August 7, 2019 at 5:00 p.m.

1 message

Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Mon, Aug 5, 2019 at 12:41 PM

To: Speaker's Office <speaker@guamlegislature.org>, Vice Speaker Telena Cruz Nelson <senatorcnelson@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, "Office of Senator Kelly Marsh (Taitano), PhD." <office.senatorkelly@guamlegislature.org>, Senator Regine Biscoe Lee <senatorbiscoelee@guamlegislature.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Senator Clynt Ridgell <sen.cridgell@teleguam.net>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, Senator Sabina Perez <office@senatorperez.org>, Senator Wil Castro <wilcastro671@gmail.com>, Senator Louise Borja Muna <senatorlouise@gmail.com>, Senator Telo Taitague <senatortelot@gmail.com>, Senator James Moylan <senatormoylan@guamlegislature.org>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>  
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August 5, 2019

### MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Therese M. Terlaje  
Chairperson, Committee on Health, Tourism, Historic Preservation, Land and Justice

Subject: **SECOND NOTICE of Public Hearing – Wednesday, August 7, 2019 at 5:00 p.m.**

*Håfa Adai!*

Please be advised that the Committee on Health, Tourism, Historic Preservation, Land and Justice will convene a public hearing on Wednesday, August 7, 2019 beginning at 5:00 p.m. in *I Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña) to hear and accept testimony on the following agenda items:

- Confirmation Hearing on the Executive Appointment of Joseph M. Borja as Director of the Department of Land Management

## Upcoming Hearings:

- Friday, August 16, 2019 at 5:00 p.m.: Confirmation Hearing on the Executive Appointment of Arlene P. Bordallo as a Member of the CHamoru Land Trust Commission
- Thursday, September 5, 2019 at 2:00 p.m.: Public Hearing on Proposed Rules and Regulations by the Guam Board of Allied Health Examiners Governing the Adoption of Codes of Professional Conduct/Ethics
- **UPDATED Thursday FRIDAY, September 5-9, 2019 at ~~2:30~~ 1:00 p.m.:** Confirmation Hearing on the Executive Appointment of Dr. Annette M. David as a Member of the Guam Board of Medical

*The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via / Liheslaturan Guåhan's live feed. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. 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 Senator Therese M. Terlaje. Testimonies may be submitted via hand delivery to the Office of Senator Therese M. Terlaje at Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam; to the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; or via email to [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com). In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Therese M. Terlaje at (671) 472-3586 or by sending an email to [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com).*

*We look forward to your attendance and participation. Si Yu'os Ma'åse'!*

### Office of Senator Therese M. Terlaje

Committee on Health, Tourism, Historic Preservation, Land and Justice

*I Mina'trentai Singko na Liheslaturan Guåhan*

35th Guam Legislature


Office Location: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

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Senator  
**THERESE M. TERLAJE**

*I Mina'trentai Singko na Liheslaturan Guåhan*  
35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

August 5, 2019

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Therese M. Terlaje *TKS*  
Chairperson, Committee on Health, Tourism, Historic Preservation, Land and Justice

Subject: **SECOND NOTICE of Public Hearing – Wednesday, August 7, 2019 at 5:00 p.m.**

*Håfa Adai!*

Please be advised that the Committee on Health, Tourism, Historic Preservation, Land and Justice will convene a public hearing on Wednesday, August 7, 2019 beginning at 5:00 p.m. in *I Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña) to hear and accept testimony on the following agenda items:

- Confirmation Hearing on the Executive Appointment of Joseph M. Borja as Director of the Department of Land Management

**Upcoming Hearings:**

- Friday, August 16, 2019 at 5:00 p.m.: Confirmation Hearing on the Executive Appointment of Arlene P. Bordallo as a Member of the CHamoru Land Trust Commission
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- **UPDATED Thursday, FRIDAY, September 5-9, 2019 at 2:30-1:00 p.m.:** Confirmation Hearing on the Executive Appointment of Dr. Annette M. David as a Member of the Guam Board of Medical

*The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via [I Liheslaturan Guåhan's live feed](#). A recording of the hearing will be available online via [Guam Legislature Media](#) on YouTube after the hearing. 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 Senator Therese M. Terlaje. Testimonies may be submitted via hand delivery to the Office of Senator Therese M. Terlaje at Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam; to the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; or via email to [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com). In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Therese M. Terlaje at (671) 472-3586 or by sending an email to [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com).*

*We look forward to your attendance and participation. Si Yu'os Ma'åse'!*



Senator Therese Terlaje &lt;senatorterlajeguam@gmail.com&gt;

## CORRECTED -SECOND NOTICE of Public Hearing – Wednesday, August 7, 2019 at 5:00 p.m.

1 message

Senator Therese Terlaje &lt;senatorterlajeguam@gmail.com&gt;

Mon, Aug 5, 2019 at 1:52 PM

To: Speaker's Office <speaker@guamlegislature.org>, Vice Speaker Telena Cruz Nelson <senatorcnelson@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, "Office of Senator Kelly Marsh (Taitano), PhD." <office.senatorkelly@guamlegislature.org>, Senator Regine Biscoe Lee <senatorbiscoelee@guamlegislature.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Senator Clynt Ridgell <sen.cridgell@teleguam.net>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, Senator Sabina Perez <office@senatorperez.org>, Senator Wil Castro <wilcastro671@gmail.com>, Senator Louise Borja Muna <senatorlouise@gmail.com>, Senator Telo Taitague <senatortelot@gmail.com>, Senator James Moylan <senatormoylan@guamlegislature.org>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>  
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August 5, 2019

### MEMORANDUM

**To:** All Senators, Stakeholders and Media  
**From:** Senator Therese M. Terlaje  
 Chairperson, Committee on Health, Tourism, Historic Preservation, Land and Justice  
**Subject:** **SECOND NOTICE of Public Hearing – Wednesday, August 7, 2019 at 5:00 p.m.**

*Håfa Adai!*

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### Upcoming Hearings:

- Friday, August 16, 2019 at 5:00 p.m.: Confirmation Hearing on the Executive Appointment of Arlene P. Bordallo as a Member of the CHamoru Land Trust Commission
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- **UPDATED Thursday FRIDAY MONDAY, September 5-9, 2019 at 2:30 1:00 p.m.:** Confirmation Hearing on the Executive Appointment of Dr. Annette M. David as a Member of the Guam Board of Medical

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*We look forward to your attendance and participation. Si Yu'os Ma'åse'!*

### Office of Senator Therese M. Terlaje

Committee on Health, Tourism, Historic Preservation, Land and Justice

*I Mina'trentai Singko na LiheSlaturan Guåhan*

35th Guam Legislature

Office Location: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

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GUAM DAILY POST • MONDAY, AUGUST 5, 2019

# Hundreds detained in Russia protest

MOSCOW (Reuters) - Russian police forcibly detained over 800 people attending a protest in Moscow on Saturday to demand free elections, including prominent activist Lyubov Sobol, after authorities warned the demonstration was illegal.

Police removed Sobol, an ally of jailed opposition politician Alexei Navalny, from a taxi and bundled her into a van minutes before the start of what anti-Kremlin activists described as a peaceful walk to protest against the exclusion of their candidates from



police detained more than 1,300 in one of the biggest security operations of recent years that brought wide international condemnation.

Authorities carried out a new round of detentions and home searches before Saturday's protest and opened criminal proceedings for what they term mass civil unrest, an offense which carries a penalty of up to 15 years in jail.

Activists say the Russian constitution allows them to freely protest. But authorities say they need to agree to the timing and location of any demon-

(Lawmakers) don't realize that if there is a no-confidence vote in September or October, we'll call an election for after the 31st and leave anyway," Cummings was quoted by one of the Sunday Telegraph's sources as saying.

Committee On Health,  
Tourism, Historic Preservation,  
Land and Justice



SENATOR THERESE M. TERLAJE

I Mina'trentar Singko na Liheslaturan Guåhan  
35<sup>th</sup> Guam Legislature

## UPCOMING PUBLIC HEARING ANNOUNCEMENTS

Guam Legislature Public Hearing Room, Guam Congress Building, Hagåtña

### AGENDA:

- **Wednesday, August 7, 2019 at 5:00 p.m.:** Confirmation Hearing on the Executive Appointment of Joseph M. Borja as Director of the Department of Land Management.
- **Friday, August 16, 2019 at 5:00 p.m.:** Confirmation Hearing on the Executive Appointment of Arlene P. Bordallo as a Member of the CHamoru Land Trust Commission.
- **Thursday, September 5, 2019 at 2:00 p.m.:** Public Hearing on Bill 187-35 (COR)- An Act to adopt the rules and regulations attached hereto as Exhibit A, Entitled: "Rules and Regulations governing adoption of codes of professional conduct and ethics by the Guam Board of Allied Health Examiners," specifically adding a new § 101301 to Title 25 of the Guam Administrative Rules and Regulations.

If you require any special accommodations or for further information, please contact the Office of Senator Therese M. Terlaje at 472-3588. Testimonies may be submitted to our office at Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910, to the Guam Congress Building, or via email at senatorterlaje@guam@gmail.com. The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via I Liheslaturan Guåhan's live feed at [http://www.guamlegislature.com/live\\_feed.htm](http://www.guamlegislature.com/live_feed.htm). This ad is paid for with government funds.

Johnson has promised to lead Britain out of the EU on Oct. 31 with or without a deal but has a working majority of just one after his Conservative Party lost a parliamentary seat on Friday.

Some of his lawmakers have hinted they would vote against him to prevent

## GUAM HOUSING AND URBAN RENEWAL AUTHORITY

**Board of Commissioners Meeting**  
**12:00 P.M., Monday, August 12, 2019**  
**GHURA Main Office**

**1<sup>st</sup> Floor Conference Room**  
**117 Bien Venida Avenue, Sinajana**

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



Senator Therese Terlaje &lt;senatorterlajeguam@gmail.com&gt;

---

## Executive Appointment of Joseph M. Borja as Director to the Department of Land Management

1 message

---

Senator Therese Terlaje <senatorterlajeguam@gmail.com>  
To: Joshua.tenorio@guam.gov

Tue, Jul 30, 2019 at 5:18 PM

July 30, 2019

**Transmitted via Electronic Mail:**

*Joshua.tenorio@guam.gov*

Honorable Joshua F. Tenorio, Acting Governor  
P.O. Box 2950  
Hagåtña, Guam 96932

**RE:** Executive Appointment of Joseph M. Borja as Director to the Department of Land Management

*Hafa Adai* Acting Governor Tenorio,

We have scheduled a public hearing on the nomination of Joseph M Borja to serve as Acting Director of the Department of Land Management on Wednesday, August 7, 2019 at 5pm. However, our next session is not scheduled until mid August and the July session was canceled. It appears unlikely to achieve final legislative action on the nomination prior to the expiration of the 90 days from his appointment on May 8, 2019.

Please contact me with any concerns you may have with regard to this subject.

Respectfully,  
Therese M. Terlaje

--

**Office of Senator Therese M. Terlaje**

Committee on Health, Tourism, Historic Preservation, Land and Justice

*I Mina'trentai Singko na Liheslaturan Guåhan*

35th Guam Legislature

Office Location: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

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T: (671) 472-3586 F: (671) 989-3590 Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com)


website: [www.senatorterlaje.com](http://www.senatorterlaje.com)

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---

**2 attachments**

 **Letter to Acting Governor J.F. Tenorio re\_JB DLM\_TMT 08.30.19.pdf**  
169K

 **2X3 Black and White CR Ad for 7.31 and 8.5\_TMT.pdf**  
922K



Senator  
**THERESE M. TERLAJE**

*I Mina'trentai Singko na Liheslaturan Guåhan*  
35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

*July 30, 2019*

***Transmitted via Electronic Mail:***

*Joshua.tenorio@guam.gov*

Honorable Joshua F. Ternorio, Acting Governor  
P.O. Box 2950  
Hagåtña, Guam 96932

**RE:** Executive Appointment of Joseph M. Borja as Director to the Department of Land Management

*Hafa Adai* Acting Governor Tenorio,

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Please contact me with any concerns you may have with regard to this subject.

Respectfully,

Therese M. Terlaje



*I Mina'trentai Singko Na Liheslaturan Guáhan*

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**Updated as of 8/6/19**



Senator

# THERESE M. TERLAJE

*I Mina'trentai Singko na Liheslaturan Guåhan*

35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

Wednesday, August 07, 2019

## AGENDA

**5:00 PM**

- **Confirmation Hearing** on the Executive Appointment of Joseph M. Borja as Director of the Department of Land Management

*The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via [Liheslaturan Guåhan's live feed](#). A recording of the hearing will be available online via [Guam Legislature Media](#) on YouTube after the hearing. 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 Senator Therese M. Terlaje. Testimonies may be submitted via hand delivery to the Office of Senator Therese M. Terlaje at Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam; to the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; or via email to [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com). In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Therese M. Terlaje at (671) 472-3586 or by sending an email to [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com).*

We look forward to your attendance and participation.

*Si Yu'os Ma'åse*

---

Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Office Address: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com)

[www.senatorterlaje.com](http://www.senatorterlaje.com)



**I Mina'trentai Singko na Liheslaturan Guåhan**  
**Office of Senator Therese M. Terlaje**

Committee on Health, Tourism, Historic Preservation, Land and Justice

**Date:** **Wednesday, August 07, 2019**

**Time:** **5:00 PM**

•Confirmation Hearing on the Executive Appointment of Joseph M. Borja as Director of the Department of Land Management

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Tom Ada	Mangilao, Guam	4825548	tom.ada@guamcipst.net		✓		
2	DORIS F. LUTAN, Mayor	Inangan	4828945	dorisflutan@gmail.com			✓	
3	M. CRISTINA CORDERO	DEDEDO (DUM)	689-2747				✓	
4	ART ILAGAN	TOTO	486-8058	ilagan.art@gmail.com	✓		✓	
5	Penner Gulai	YIGO	427-7364	angelosgulai@yahoo.com			✓	
6	Chuck Tanner	Canada Barrigada	7340123	chucktanner8@gmail.com			✓	
7	Jessie BOUTSON	BANIGUON	487-0076	JessieBoutson007@gmail.com	✓			
8	EILEEN A. CHARGUALAF	DEDEDO	888-9481	echargualaf@gmail.com			✓	
9	LOLA TANNER	BARRIGADA	7340123	lolatanner@yahoo.com			✓	
10	Lorraine S. Mededog	Agat	971-8472	lorraine.mededog@land.guam.gov			✓	



**I Mina'trentai Singko na Liheslaturan Guåhan  
Office of Senator Therese M. Terlaje**

Committee on Health, Tourism, Historic Preservation, Land and Justice

**Date:** **Wednesday, August 07, 2019**

**Time:** **5:00 PM**

•Confirmation Hearing on the Executive Appointment of Joseph M. Borja as Director of the Department of Land Management

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	JUNE 21. BIAS	BARRIGADA	734-3737/3659	mayerbarrigada@gmail.com	✓	✓	✓	
2	RUDY PAGO	MTM			✓		✓	
3	IVAN SANTIAGO	YIGO			✓		✓	
4	ROBERT S. LIZAMA	FRM. YIGO MAYOR + GOV. OFF. MUNICIPAL	685-1113	ROBERT.LIZAMA@GUAM- 70V			✓	✓
5	Richard Salas		777 8034				✓	
6	PATRICIA MORA	DM					✓	
7	Juliette Felha	Maitle	642 6433	Perks177@gmail.com			✓	
8	Maria Borja	Barrigada-Canada	969-8600	membl1154@gmail.com			✓	
9	Lucas Borja	Barrigada Canada	689-8602	lucas.m.borja@gmail.com			✓	
10								



**I Mina'trentai Singko na Liheslaturan Guåhan  
Office of Senator Therese M. Terlaje**

Committee on Health, Tourism, Historic Preservation, Land and Justice

**Date:** **Wednesday, August 07, 2019**

**Time:** **5:00 PM**

•Confirmation Hearing on the Executive Appointment of Joseph M. Borja as Director of the Department of Land Management

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Virginia Flores	HC 1 Box 16318 <sup>merizo</sup>	647 8500	kreyes22857@com <sup>hotmail</sup>			✓	
2	Marganta Borja	267th rd, Chamorro	467-4247	marganta.borja@land.guam.gov			✓	
3	Stephanie Duenas	P.O. Box 5248 U.O.G. Sta.	777-5260	sduenas@yahoo.com			✓	
4	Jhacana Casem	PO Box 83552	687-4937	jhoanacasm@swin			✓	
5	Joseph Cruz	4162	6882990	cruz.joseph2014@gmail			✓	
6	Carlos Amado	Banyan	687-7235	ironwarehouse@gmail.com		✓		
7								
8								
9								
10								





I Mina'trentai Singko na Liheslaturan Guåhan  
Office of Senator Therese M. Terlaje

Committee on Health, Tourism, Historic Preservation, Land and Justice

Date: **Wednesday, August 07, 2019**

Time: **5:00 PM**

•Confirmation Hearing on the Executive Appointment of Joseph M. Borja as Director of the Department of Land Management

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	NORMA MARGLOHA	-	987-1225				X	
2	MARVIN AGUILAR		7976278				X	
3	CEUNE CRUZ		727-4656				X	
4	Darline Enaligo		777-8410				X	
5	Andino D. Santos		488-9066				X	
6	PAUL L. SANTOS		6495267			✓	✓	
7	Mary Maravilla		483-6279				X	
8								
9								
10								

March 11, 2019

To: Members of the 35<sup>th</sup> Guam Legislature

Subject: Request for Denial of Confirmation to an Appointed Position

Re: Mr. Jose Borja, Department of Land Management

I am disappointed with the decision made to appoint Mr. Jose Borja as the director of the Department of Land Management and request he be denied confirmation to this appointment.

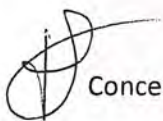
As some of you may know, Mr. Borja previously served as director of both the Department of Land Management and the Chamorro Land Trust under two different administrations. While he was the director of the Chamorro Land Trust under the Camacho administration numerous allegations were filed against the department of questionable practices. Subsequently, employees of the Chamorro Land Trust were found favoring applications submitted at a much, much later date over applications with earlier submission dates. The program is designed to accommodate applications on a first come serve basis and such as in my case where I applied in 1995 and leases were found being awarded to those whom had applied months and years after me.

Yes, Mr. Borja was the director of the Chamorro Land Trust when these allegations surfaced. I recall he was directed to provide the legislature a by name list of the applications in chronological order beginning with the earliest date of submission. In so doing, it validated the complaints and substantiated the improprieties of the department. Sadly, Mr. Borja was quick to resign from his position of director and to my knowledge not he or any employee of the Chamorro Land Trust was held accountable.

Mr. Borja failed the people of Guam and should not be permitted to return to government service as a director. In my opinion his moral integrity is questionable at best and lacks the management skills to be an effective leader. Moreover, to allow for his return as a director would be excusing his incompetence and perhaps condoning his inappropriate behavior.

Given the above, again, I am requesting his confirmation be denied by the 35<sup>th</sup> Guam Legislature.

Si Yu'os Ma'ase,



Concerned Citizen of Guam

**Senator  
Therese M. Terlaje**

MAR 11 2019

Time: 10:17

Received by: Abnan

August 6, 2019

Senator Therese Terlaje  
Chairwoman, Committee on Health, Tourism,  
Historic Preservation, Land and Justice

Buenas yan Hafa Adai Chairwoman Terlaje!

I am submitting this letter as my written testimony supporting the confirmation of Governor Lou Leon Guerrero's appointment of Mr. Joseph M. Borja as the Director of the Department of Land Management.

There are many of us within our community who has in one way, shape or form needed some type of assistance or guidance related to real property matters. Some may know what office to visit and further their inquiry; others are led through the direction of family, friends or acquaintances. In the end, we all are in hopes of proper guidance, sound decisions, and results. One thing for sure is that a large percentage of us within our community has either personally seek the assistance, referred a friend, family member or acquaintance to avail of the assistance or guidance of Mr. Joseph M. Borja whether he was the Director of that specific agency or not. This is a true testament of the confidence many of us have in the knowledge, and understanding of real property matters that Mr. Borja possesses.

On the flip side, there are also the internal stakeholders that have worked under the leadership of Mr. Borja. As an employee of Mr. Borja in 1998 and an employee before the implementation of Executive Order 2019-001, his management style has not changed. For some of us who have worked our way up the rank and file, we have witnessed and experienced Directors who have favored a certain group of employees, made decisions that were self-serving, and last but not least did not make themselves available to listen and address employees concerns. Fortunately, in 1998 I had the opportunity to work under the leadership of Mr. Borja who was a leader well rounded in not only the technical aspects of the job, but also possessed leadership qualities that supports employees well-being, positive morale and working environment, and last but not least have the ability to listen and address employees concerns. In 2019 Mr. Borja was appointed the acting Director of the Department of Land Management; he displayed and functioned with the same management style as he did in 1998. This is a true quality that differentiates him as a leader and not a boss. In my personal opinion, a leader is the preferred quality of any person who is tasked to take charge of any government agency.

Again, the management style, knowledge, and qualities Mr. Borja possesses qualify and quantify him as the best candidate for the position of the Director of Land Management. Voting against Mr. Borja's confirmation would be a disservice to the external & internal stakeholders of the Department of Land Management.

Thank you for the opportunity to submit my written testimony supporting the confirmation of Mr. Joseph M. Borja as the Director of the Department of Land Management.

Senseramente,

A handwritten signature in black ink, appearing to be 'J. Cruz Jr.', written over a horizontal line.

Joseph B. Cruz Jr.

Good Afternoon Chairperson Senator Therese Terlaje and Senators....

My name is Joseph Martinez Borja; I am the Governor's nominee for the position of the Director of the Department of Land Management. Sometime in December 2018 I received a call inviting me to meet with the Governor-elect and the Lt. Governor-elect concerning a job interview. Because of my background I assumed it would be a job with one of the land agencies, it was Land Management. At the interview I informed them that I was not immediately interested in the director's position, I preferred the deputy director position and hopefully mentor a younger appointee with lasting experience and longer service. During the interview they convinced me to take the director appointee and I agreed.

They informed me of 3 tasks that they wanted done.

1. First, to oversee the split of DLM, CLTC and GALC. The Governor's first executive order ordered that split. I had served on the Leon Guerrero/Tenorio Transition Committee for the land agencies and recommended a split of DLM, CLTC and GALC. These land agencies were combined by 2 executive orders issued during the previous administration. I recommended the split because of their differences in governance, land inventory, funding source and constituents.

CLTC: governance is by a board and has an administrative director; this position does not require legislative confirmation. Members of the board require legislative confirmation. CLTC has an inventory in a document list of lands which has some serious problems and a default inventory of unleased land and lands not reserved by public law for a public benefit. CLTC's funding sources are their commercial licenses and commercial leases, not necessarily the \$149 which is the maximum application and residential and commercial leases income and CLTC's constituents are Native Chamorros as defined by the Organic Act.

GALC: governance is by a board and has an executive director; this position does not require legislative confirmation. In fact, up until the last 2 legislatures the board members did not require legislative confirmation. GALC has an inventory of returned Federal Excess Lands which has so-called Spanish Crown Lands and could continue to grow as other Federal Excess Lands are returned. GALC funding sources include the General Fund and their leasing of the Spanish Crown Lands for commercial use. Their constituents are the original landowners of these returned Federal excess lands and GALC's primary mission is to return these lands to the original landowners converting them into private property and into the real property tax base.

DLM: governance is by a director appointed by the Governor and confirmed by the Legislature. DLM does not, per se, have an inventory of land for leasing or for sale but the Legislature can designate and legislate that DLM can sell or lease land. The Legislature has

the last say in the disposition of public lands held by any Government of Guam agency or department.

If the three departments/agencies had one person serving as the director for all 3, that position would have 3 masters. The Governor's orders also included that DLM was to assist in that split as much as DLM could with my previous experience with those other 2 agencies.

2. Second; was to stabilize DLM in light of the split.
  - a. Of immediate importance was to assist in the work needed to fix the lack of communication and coordination between DLM data entry and Rev&Tax data requirements in order to generate tax bills from DLM land transfers and condominiums creation.
  - b. On a longer term; to Build Capacity and stability relative to DLM Staff and DLM Equipment and to establish a DLM office lease as the existing lease was set to expire June 30.
  - c. And To assist as required by law in the reconstruction of the Simon Sanchez High School.
  - d. And then to restart the Initiative to build a government services office building in Hagatna.
3. An additional task was effected about a month ago: deposition testimony ordered/required by Department of Justice Washington D.C. attorneys on the history of certain GovGuam land agencies (the CLTC, the GALC and DLM as I was the first administrative director of the CLTC, the first executive director of the GALC and I was a previous director of DLM) and possible expert testimony at trial. This task was partially accomplished with 14 hours of deposition testimony under questioning by the US Attorneys' tag team.

In addition I feel I have provided valuable and timely testimony on 2 bills, 1 that corrected land information errors (lot number and map number), that bill was passed by the legislature and signed into law by the Governor; and in the other bill I feel I provided more detailed and general information for the legislature to make an informed decision. I have a lot of detailed experience as well in the legislative process that can help provide information to the legislature and clarify land issues. I also serve (almost 40 years) on the Barrigada Municipal Planning Council as their land expert and interact on a regular basis with the mayors of Guam concerning their municipality issues.

I feel I am the right person for this job; at the right time and humbly seek your support and confirmation as the Director for the Department of Land Management.

-End-

**TESTIMONY**  
**Confirmation of Mr. Joseph Borja**  
**For**  
**DLM Director**  
**August 7, 2019**

Good afternoon Madam Chair and members of the panel. I am here today to provide testimony in support of the confirmation of Mr. Joseph Borja for Director, Department of Land Management. Without any reservation on my part, I wholeheartedly endorse his nomination and confirmation.

Mr. Borja worked for me from June 2014 through December 2018, as the Chief of Staff for the Legislative Committee I chaired during my tenure in the 33<sup>rd</sup> and 34<sup>th</sup> Legislature. His staff contribution to the Committee was invaluable.

Mr. Borja returns to the Government with over 40 years of experience on land uses and various land issues – concerning Federal, Government of Guam, and Private lands. He resigned from GovGuam in 2009 to care for his sick mother. She has since passed, and Joe returned in 2014 to pursue his 2<sup>nd</sup> passion, the first being his family, the resolution of land related issues.

Without a doubt, Joe has “walked the talk” on land issues and offers the experience and foundation to credibly “talk the walk” as the Director of the Department of Land Management.

A brief sample of the government capacities Joe has served in include:

- First appointed Executive Director for the CLTC program (1993 to 2000, and 2003 to 2004) and the Guam Ancestral Lands Commission (2000 to 2002, and 2007 to 2009), to build up the respective programs up from infancy, and
- Director of DLM from 2004 to 2006

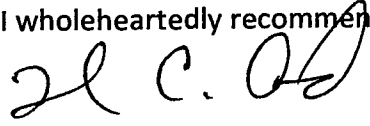
In the private sector, Joe has served as:

- Private Administrator for the Estates of certain deceased John Does,
- Private Representative on land rezoning issues before the Guam Land Use Commission,
- (1985 to 1993) Senior Research Supervisor on matters related to the “Guam Land Claims” cases against the US Government.

But Joe’s contribution to the community is not solely land centric. He has been active in:

- the President and Vice President of the Parent-Teacher organizations where his children attended school,
- San Ramon Chapel Council, for 14 years
- Barrigada Municipal Planning Council for the past 18 years,

I wholeheartedly recommend that Mr. Joe Borja be confirmed to be Director for the DLM.



Thomas C. Ada  
Former Employer





JUNE U. BLAS  
MAYOR

# MUNICIPALITY OF BARRIGADA

OFFICE OF THE MAYOR & VICE MAYOR  
124 LUAYAO LANE, BARRIGADA, GUAM 96913



JESSIE P. BAUTISTA  
VICE MAYOR

August 7, 2019

Honorable Therese M. Terlaje  
Chairman, Committee on  
Committee on Health, Tourism, Historic Preservation, Land and Justice  
*I Mina 'Trentai Singko na Liheslaturan Guahan*  
*Hagatna, Guam*

Re: Appointment of Joseph M. Borja as Director of Land Management

Honorable Therese Terlaje and Members of the Committee, on Health, Tourism, Historic Preservation, Land and Justice, *Buenas yan Saludu para todos hamyu!*

My name is June Blas, Mayor of the Municipality of Barrigada, together with Vice Mayor Jessie Bautista and the Barrigada Municipal Planning Council, hereby submit testimony for Mr. Joseph M. Borja to serve as the Director of Department of Land Management.

I have known Mr. Borja for over 30 years. We served as members of the Barrigada Municipal Planning Council, back in the 80's during Mayor Raymond Laguana's tenure. We have worked collaboratively on community projects throughout the village of Barrigada, where I realized his compassion and drive for a better community that motivates him until this day.


Mr. Joseph M. Borja has had the experience working with Attorney John Bohn on land claims, he also served as director of Department Land Management during former Governor Felix Camacho's term, and not to mention, he was the chief of staff for former Senator Tom Ada. For all these years of experience, his professionalism, understanding Land Issues and the Laws of Guam are vital to this administration and the people of Guam.

Mr. Borja, or Joe as we call him personally, currently serves as an active member of the Barrigada Municipal Planning Council. We have known him to be approachable, kind hearted and a patient man. He is proficiently knowledgeable and intelligent on making sensible decisions. He has given advises and has educated the council that is detrimental to the village, where land issues are concern. We are very fortunate to have him, as the longest Municipal Planning Council member that has ever served for three decades. That's a lot of years in service! We are surprised he still has hair! He may not have much color, but he has garnered lots of experience.

Honorable Therese Terlaje, Members of the Committee, we are proud to endorse and fully support Mr. Joseph M. Borja. With his stern leadership, we know that the Department of Land Management will exercise in his capacity to ensure that all policies and procedures will be enforced and abide with the laws of Guam.

We look forward to your Committee's favorable report. Saina Ma'ase.

*Sinseramente,*

  
JUNE U. BLAS  
Mayor

  
JESSIE P. BAUTISTA  
Vice Mayor

My name is Art Ilagan. I am here in support of Joseph Borja's nomination as the Director of the Department of Land Management. First let me state my relationship with Joe. Joe is a cousin to my wife Kathy. They were born and raised in Barrigada. Joe also worked with my mother in the 80's in the law office of John Bond. They distributed checks to landowners who lost their land. I also worked with Joe in the Camacho administration. I was the Director of Rev and Tax and he was the Director of the Department of Land Management. This is where I learned that Joe is not only knowledgeable in land issues but is an expert in carpentry. Through the campaign I saw Joe bring in his sawing machines and quickly cut wood to make benches and political signs. I hated the campaign trail but I had fun watching and learning from what Joe knew about carpentry. If you still see these blue benches around, Joe built it.

Joe was instrumental in resolving my family's fractional lot issue with the office of Senator Tom Ada. Back in the prewar era, Agana had a lot of fractional lots. They were meaningless lots as fractions. There was a law passed in the 50's that consolidated the fractional lot and gave it to the person owning the biggest property. Well the government took our fractional lot squared it off and gave it to our neighbor. But the government did not follow up with our property and the fractional lot around it. After nearly forty years Joe resolved this issue through a law passed in the 33rd Guam legislature. Our property is now squared off.

I am not here supporting Joe because he is a relative, a family friend or that he resolved my family's lot problem. I am here asking you to confirm Joe as the Director of the Department of Land Management because of his character, his knowledge and his experience as the director in a previous administration.

  
Art Ilagan

Joe & I worked a program to capture land sales, land improvement

## **Testimony in Support of Mr. Joseph M. Borja to be Director of The Department of Land Management**

My name is Paul L. Santos and I am the Guam Chief Surveyor/Chief of Cadastre at the Department of Land Management. I am here to support the confirmation of Mr. Joseph M. Borja to be the Director of the Department of Land Management.

Mr. Borja is the right person at the right time for the right position. He has been with the department now a little over seven (7) months. Within these few months, the Department of Land Management, Chamorro Land Trust Commission, and Ancestral Lands Commission have been undergoing a transitional phaseout and separation from the umbrella of DLM, per the Governor's Executive Order No. 2019-01. During these few months, Mr. Borja has demonstrated the kind of leadership necessary to fully separate the Chamorro Land Trust Commission and Ancestral Lands Commission from the Department of Land Management. His strong, vast background in land issues and prior record as a former director of each of the three agencies at one time or the other provides him the necessary managerial and leadership skills to manage the delicate transition for these three agencies as they pursue their individual mandates within budgetary constraints.

Mr. Borja fully understands the respective missions of the three agencies and is wholly committed to successfully implementing the phaseout. He has asked us to review our work processes so that DLM can assist these two agencies in meeting their goals. For example, DLM has the surveying expertise that the other agencies lack. Through a Memorandum of Agreement we can perform survey and mapping services for these agencies and in return they can provide DLM with monetary compensation, equipment or other services as required.

Mr. Borja's knowledge of all things land is phenomenal. His prodigious knowledge and memory of land is, quite simply, incredible. As the Chief Surveyor working with land issues on a daily basis, I cannot help but be amazed at his historical knowledge of land and everything associated with it. This incredible knowledge repository of land can only benefit DLM and the government and the public that we serve.

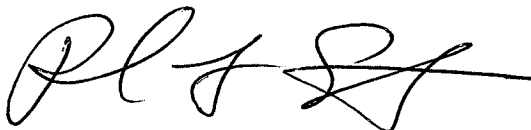
He is a hard-working, hands on manager who regularly starts his day earlier than anyone else and often stays much later than anyone else. He calls frequent meetings with staff and section leaders to ensure understanding of the work and functions we are tasked to do in an effort to improve our internal working relationships so that we are all working cohesively for the public good and has

continually impressed upon us the importance of providing excellent customer service to the public that we serve.

This is the management style Mr. Borja has demonstrated quite capably over the last few months.

Mr. Borja is the right person at the right time for the right position.

He has my full support and I trust the Legislature will quickly confirm him to be the Director of the Department of Land Management.

A handwritten signature in black ink, appearing to read 'Paul L. Santos', with a long horizontal stroke extending to the right.

Paul L. Santos, PLS No. 68

Chief of Cadastre/Guam Chief Surveyor

August 7, 2019

The Honorable Therese M. Terlaje  
Chairperson, Committee on Health, Tourism, Historic Preservation, Land and Justice  
I Mina' Trentai Singko Na Liheslaturan Guahan  
173 Aspinall Avenue,  
Suite 207 Ada Plaza Center  
Hagatna, Guam 96910

Hafa Adai Senator Terlaje and Committee Members:

This testimony is provided in support of Mr. Joe Borja's confirmation as Director of the Department of Land Management.

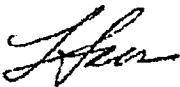
We have worked with Mr. Joe Borja for many years during his tenure as the Director of the Chamorro Land Trust Commission, Guam Ancestral Lands Commission and Department of Land Management and during his stint with the Legislative Committee handling land matters. Prior to that, Mr. Borja worked on the federal land claims cases under Attorney John Bohn. Joe's involvement in all of these land-related entities makes Joe without a doubt, the foremost authority on land in Guam. We take pride in the fact that we ourselves are very versed in Guam land matters however, no one knows better the issues, opportunities, families and history regarding land matters on Guam than Joe. This reason alone makes Joe a highly qualified professional to take over the helm of the Department of Land Management.

Over the years, we have also seen how he has managed the entities he has directed. What we see is that his employees have a deep respect for Joe, his inclusive management style, his ability to direct and his knowledge of land matters. In our view, there is no one better to handle the important responsibilities of the Department of Land Management especially during this challenging time. Future military land use, return of unused or underutilized federal land, family in-fighting over land, court suits, neighbor conflicts regarding land access, the survey of government lands, issuance of land titles, zoning and land use conflicts are but some of the challenging land issues that require serious attention and we believe that Joe has the knowledge, experience, patience, tenacity and respect to get the job done and done well. We hope you agree.

We are pleased that Governor Leon Guerrero and Lieutenant Governor Tenorio have the same confidence we have in Joe and have asked him to serve. We respectfully request the Legislature to confirm his appointment at the earliest possible time.

Thank you for allowing us the opportunity to provide this written testimony. Si Yu'os Ma'ase'.

Respectfully,



**LARRY C. TOVES**  
Manager, Real Property Division  
Guam Economic Development Authority



**MICHAEL J. CRUZ**  
Project Director  
Guam Economic Development Authority

**ALLAN G. UNGACTA, MAYOR**

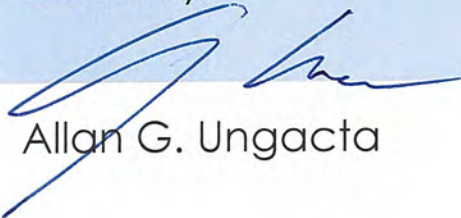
**PO BOX 786 HAGATNA  
GUAM, 96932  
PHONE: 734-2163  
FAX: 734-4130**

August 7, 2019

Hafa Adai,

I'm writing in the interest of your full support on the confirmation of Mr. Joseph A. Borja a, Director of Land Mangement. I am sure you may know he is no stranger to the body panel and halls of The Legislature. I have had the pleasure in working alongside with Mr. Joseph A. Borja both in the Private and Government service. Mr. Joseph A. Borja has the experience and knowledge for this position. He holds numerous qualifications and meets the needs for our community. I highly recommend him for the Department of Land Management. I witness first hand his compassion, dedication, and leadership well organized, even to the point of impressive work ethic. I am sure you have viewed his resume, need I say more. Grant him the blessings and support to continue he great work for this agency, community and our Island of Guam.

Sincerely,



Allan G. Ungacta

August 7, 2019

The Honorable Therese M. Terlaje  
Chairperson  
Committee on Health, Tourism, Historic Preservation, Land and Justice  
Senator, 35<sup>th</sup> Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagatna, Guam 96910

**RE: Testimony in Support of Legislative Confirmation for Mr. Joseph M. Borja, as the Director of the Guam Department of Land Management**

Hafa Adai Senator Terlaje and Members of the Committee:

It is an honor to submit written testimony in support of Mr. Joseph M. Borja, as Director of the Guam Department of Land Management.

I have had the privilege and pleasure of knowing Mr. Joseph M. Borja for nearly five (5) years, as an acquaintance of the family. In this time, he has always conveyed his vision on how our island should move forward regarding our infrastructure with increase of the military, businesses and island resident wishing to buy and build their homes.

Mr. Borja has proven to be an effective leader as the former Director of Department of Land Management and I am confident of his ability to take over the helm, once again, of the Department and ensure services to our island community will be nothing short of the utmost importance.

I, therefore, humbly ask for your support of the appointment of Mr. Joseph M. Borja, as the next Director of the Department of Land Management.

Please feel free to contact me at 477-9090 if you should have any questions or require additional information.

Thank you, in advance, for your time and favorable consideration.

Si Yu'os Ma'ase,



**RUDY A. PACO**

Mayor



August 7, 2019

Honorable Therese M. Terlaje  
Chairman, Committee on  
Committee on Health, Tourism, Historic Preservation, Land and Justice  
*I Mina 'Trentai Singko na Liheslaturan Guahan*  
*Hagatna, Guam*

Re: Appointment of Joseph M. Borja as Director of Land Management

Honorable Therese Terlaje and Members of the Committee, on Health, Tourism, Historic Preservation, Land and Justice, *Buenas yan Hafa Adai!*

My name is Ivan Shiroma, President of the Hals Angels Football Association and I hereby submit testimony for Mr. Joseph M. Borja to serve as the Director of Department of Land Management.

In 1983 the Hals Angels was given land to hold practices and games in Dededo. In 2008 I learned that the Guam Rugby Association was given a license for a mass amount of land that took away acreage from the Hals Angels Organization at the time.

I then went to the Department of Land Management where I was able to meet with Mr. Borja, at the time he was the Director of Chamorro Land Trust. It was then I knew his compassion to listen to my concerns as I tried tirelessly to confront previous Directors and Department Heads. Upon careful review Mr. Borja discovered that the Guam Rugby Association had their license for their property since 1993. I shared how much I vested in extensive man-power and resources to upgrade our playing field for many years. Mr. Borja was able to finally give me the license ensuring the field would be the home to the Hals Angels Football Association.

As I reflect on the time that it took for me to see the importance of a sport that not only allows the youth on Guam to play, but to showcase their talents as they seek to reach their next level of athleticism.

I look forward to your Committee's favorable report. Saina Ma'ase.

Sincerely,



Ivan Shiroma



Senator Therese Terlaje &lt;senatorterlajeguam@gmail.com&gt;

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**Inekungok Pupbleko para Konfitmasion kumu Dumirektot: Si Che'lu Joe "Manaitai" Borja**

1 message

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**Ronbo Laguana** <ronbo.laguana@gmail.com>

Wed, Aug 7, 2019 at 8:43 AM

To: senatorterlajeguam@gmail.com

Cc: joseph.angoco@galc.guam.gov, adaclan@gmail.com, liza.camacho@galc.guam.gov

Hafa Adai Sinadora Tetlahi yan todú i manmembro siha gi kumite.

Hu sesen supotte l ma konfitmasion-ña si Joe Borja, ni' para guiya u gine'he'lu'i tatkumu Direktot para l Dipattamenton Minanehan Tano'. Taya' mas kini guiya tumungo' todú siha l tano' gi enteru i isla ya sumen menhalom ni' hafa ma susedi minaolek yan problema put tano' yan lugat siha guini gi tano'-ta. Meggai eksperensia-ña este na kilu'osyanu ya guiya etmas kualifika para este na pususion sa' hagas mata'chong ya ha ge'he'lu'i este na puesto gi maloffan na tiempo. Maolek yan taddong siha tiningo'-ña put tano' ya siña ta angokko gui' para ginasgas yan honesto na bida para este na cho'cho'.

Put fabot, apreba gui' kumu guiya u mina'gasi este a ahensia.

Gi minagâhet,

Si Ronald T. Laguaña

Membro yan Sigundo Ge'helo', Kumision Minanehan l Tano' l Mañaina-ta.

Sent from my iPhone



Senator

## TERESE M. TERLAJE

*I Mina'trentai Singko na Libeslaturan Guåhan*

35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

### COMMITTEE REPORT DIGEST

#### I. OVERVIEW

The Committee on Health, Tourism, Historic Preservation, Land and Justice convened a public hearing on Wednesday, August 7, 2019 at 5:00 PM in *I Liheslatura's* Public Hearing Room. On the agenda was the consideration of the appointment of Joseph M. Borja to serve as a Director of the Department of Land Management, and whose appointment history is as follows:

- Appointed by *I Maga'låhen Guåhan* on February 8, 2019, to serve at the pleasure of the Governor;
- Appointment packet forwarded to *I Liheslatura* on May 9, 2019;
- Appointment packet forwarded to this committee for public consideration on May 10, 2019.

#### Public Notice Requirements

Notices for this Confirmation Hearing were disseminated via email to all senators and all main media broadcasting outlets on July 30<sup>th</sup>, 2019 and again on August 5<sup>th</sup>, 2019. The notice was also published in the Guam Daily Post on July 31<sup>st</sup> & August 5<sup>th</sup>, 2019.

#### Senators Present

Senator Therese M. Terlaje, Chairperson

Senator Sabina Perez, Committee Member

#### Appearing Before the Committee

Joseph M. Borja, Acting Director, Department of Land Management

Senator Tom Ada, 33<sup>rd</sup> and 34<sup>th</sup> Guam Legislature

Art Ilagan, Chief Surveyor, Department of Land Management

Jessie Bautista, Vice Mayor, Barrigada

June Blas, Mayor, Barrigada

Rudy Paco, Mayor, Municipality of Mongmong, Toto, Maite

Ivan Shiroma, President, Hals Angels Football Association

Carlos Camacho

Paul L. Santos, Chief of Cadastre, Department of Land Management

#### Submitted Written Testimony

Concerned Citizen of Guam

Joseph B. Cruz, Jr.

Joseph M. Borja, Acting Director, Department of Land Management

Senator Tom Ada, 33<sup>rd</sup> and 34<sup>th</sup> Guam Legislature

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Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Office Address: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com) | [www.senatorterlaje.com](http://www.senatorterlaje.com)



Senator

## TERESE M. TERLAJE

*I Mina'trentai Singko na Libeslaturan Guåban*

35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

June Blas, Mayor, Municipality of Barrigada  
Jessie Bautista, Vice Mayor, Municipality of Barrigada  
Art Ilagan  
Paul Santos, Chief of Cadastre, Department of Land Management  
Larry C. Toves, Manager, Real Property Division, GEDA  
Michael J. Cruz, Project Director, GEDA  
Allan G. Ungacta, Mayor, Municipality of Mangilao  
Rudy Paco, Mayor, Municipality of Mongmong Toto Maite  
Ivan Shiroma, President, Hal's Angels Football Association  
Ronald T. Lagaña, Vice Chair, Guam Ancestral Lands Commission

## II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing was called to order at 5:12 PM. Chairperson Therese Terlaje presented the agenda items that would be heard during the hearing. The appointment of Joseph M. Borja to serve as a Director of the Department of Land Management was the only item on the agenda.

### **Chairperson Therese M. Terlaje:**

*Håfa adai.* Thank you everyone for being here. The Committee on Health, Tourism, Historic Preservation, Land and Justice is now called to order. Today is August 7, 2019. The time is 5:12 PM.

Notices for this Confirmation Hearing were disseminated via email to all Senators and all main media broadcasting outlets on July 30, 2019 and again on August 5, 2019. The notice was also published in the Guam Daily Post on July 30<sup>th</sup> and August 5<sup>th</sup>, 2019.

We will receive testimony today on the confirmation of Mr. Joseph M. Borja as the Director of the Department of Land Management.

I would like to acknowledge the presence of Senator Sabina Perez. I know she just stepped out for one moment, but she will be back. So, we have several people who have signed up to testify. And I like to just very briefly remind everyone the duties of the Director of Land Management are primarily in regards to land, of course.

Surveying, locating, marking and mapping of land boundaries, preparation of metes and bounds descriptions and all other work related thereto, of all land owned, controlled or in possession of the Government of Guam.

The development of uniform specifications of the survey data to be included on maps, plats, sketches or other plane pictorial representation of land.

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Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Office Address: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com) | [www.senatorterlaje.com](http://www.senatorterlaje.com)



Senator

## THERESE M. TERLAJE

*I Mina'trentai Singkora Liheslaturan Guåhan*

33<sup>th</sup> Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

Records of surveys and maps of the territory.

The maintenance and preservation of triangulation control stations.

The assigning of coordinate values to existing triangulation control stations pending verification of such coordinate values and designation as part of Guam Geodetic Triangulation Net.

Also, the Director of Land Management has a role, of course, in our zoning law and land use with the Land Use Commission; also, with managing the Department of Land Management and all of its duties, with the use and development of government real property.

As member of the tasks forces as part of the permitting process and Territorial Planning Commission and other duties that are scattered around the code, but I know in general all of us call on the Director of Land Management for many various projects.

We just had a roundtable on illegal dumping, and he might be even called on that also. But I'm going to get to the panel now. And if we can have, Mr. Borja, if you don't mind if you could have a seat in the middle.

But, before your testimony, we will call on Senator Ada. We have many people signed up here in support. June Blas, Mayor June Blas. Thank you, Mayor. And I'm going to read here a list of who are in support but have not indicated that they would provide oral testimony. And if you would like to provide oral testimony, please have a seat up here.

Mayor Doris Lujan of Inajaran, is in support. Cristina Gutierrez is in support. Art Ilagan is in support. Penmer Gulac, in support. Chuuk Tanner, in support. Jesse Bautista, the Vice Mayor of Barrigada, Eileen Chargualaf, in support. Lola Tanner, in support. Lorraine Nededog. Mayor Rudy Paco, Ivan Shiroma, Former Mayor Robert Lizama, Richard Salas, Patricia Muña, Juliette Gillham, Maria Borja, and Lucas Borja, all in support.

So, thank you again. Mr. Borja, you may proceed.

**Joseph Borja, Acting Director, Department of Land Management:**

*(reads submitted written testimony, see attached)*

**Chairperson Therese M. Terlaje:**

Thank you, Mr. Borja. If we can hear from Senator Ada?

**Former Senator Tom Ada:**

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Senator

## THERESE M. TERLAJE

*I Mina'trentai Singkona Lihelaturan Guahan*

35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

Thank you, Senator Terlaje.

I come here this evening to provide testimony and support of the confirmation of Mr. Joseph Borja for Director of the Department of Land Management. And without any reservation on my part, I wholeheartedly endorse his nomination.

The basis for this support is due to the fact that Mr. Borja has worked for me from June 2014 through December 2018 as the Chief of Staff for the legislative committee that I chaired during my tenure in the 33<sup>rd</sup> and the 34<sup>th</sup> Guam Legislature.

And his staff contribution to the committee was invaluable. In fact, if one takes a look at the legislative record of laws and acts relative to land issues much of that was certainly the contribution from Mr. Borja during his tenure as a Chief of Staff on the committee.

I can certainly say that I know that Mr. Borja's resume is quite thick but I think in his case can be amply supported with many of the accomplishments that he has achieved and without a doubt the old saying, you know, can he walk the talk?

And I think that Mr. Borja has certainly, in my opinion, has walked the talk on land issues, offers the experience and foundation to credibly talk the walk as the Director of the Department of Land Management.

I like to just close out by just elaborating on three very important attributes of Mr. Borja. One, at least during his tenure as the Chief of Staff for the legislative land committee, he certainly proved to be a very competent technician. He knew where to find information.

He certainly brought a lot of institutional knowledge with him and I think the proof of that competence is certainly very well evidenced by the fact that the bills; the land bills that the committee introduced. I think I had a hundred percent pass rate. So, and when there were difficulties, he was able to come in and clarify those.

Second attribute, that's very important with Mr. Borja, he's been a very effective leader. The committee staff of the land committee, at the time, was really a small staff of about five people and most of them had no experience at all in land issues. But he took the time to basically get them to want to learn about land issues and be able to do their work. And I think you know that was certainly a result of his effective leadership.

And most importantly, he was certainly a very effective mentor. I think after the two terms that he served in the legislature, the people, the staff that worked under him, certainly walked away

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Senator

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33th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

with a much better understanding about land issues. And I believe that he would do the same at the Department of Land Management.

I don't think he wants to be at the department more, for forever, but he certainly wants to be able to leave that department knowing that he has passed on the knowledge and experience that he has.

So, without any reservations, I support the nomination of Mr. Borja. Thank you.

*See attached testimony.*

**Chairperson Therese M. Terlaje:**

Thank you very much, Senator Ada. All right. Thank you, Senator.

And will now move to Mayor June Blas.

**Mayor June Blas:**

*Si Yu'os ma'ãse'*

*(reads submitted written testimony, see attached)*

**Chairperson Therese M. Terlaje:**

*Saina Ma'ãse'* Mayor. Thank you very much.

Mr. Ilagan?

**Art Ilagan:**

Thank you, Senator Terlaje, Senator Perez.

My name is Art Ilagan. I'm here again, since this morning. I am here in support of Joe Borja's nomination as the Director of the Department of Land Management. First, let me state my relationship with Joe, as a cousin of my wife. My wife is Kathleen Martinez Ilagan, so there's that connection. They were born and raised in Barrigada.

Joe worked, also, with my mom with John Bond's Law Office and the distribution of checks for people who lost their lands to condemnation.

I, also, worked with Joe in the Camacho Administration. I was the Director of Rev. and Tax and Joe was the Director of Land Management. This is where I learned that Joe is not knowledgeable only in land, but, also, is an expert in carpentry.

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35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

Through the campaign, I saw Joe bring his machines and his tools to headquarters as we campaigned; we went through the trails of campaigning. I saw Joe and he's an expert in building things in carpentry. If you look around and you still see blue benches, Joe built it.

Joe was instrumental in resolving my family's land issues. Pre-war, the land in Agana, which my nana had, and it was passed on to my mother. There were fractional lot issues in, I think, it's all over Agana.

In 1950, they passed the law that they put these fractional lots and blocked it off. Whoever had the biggest property would get that property. So, what they did was, they worked on my neighbor's property. He had the bigger lot and they took my fractional property and they gave it to them.

This is in 1980. From 1980 until last year when Joe, Senator Tom Ada and I introduced the bill, looked at the problem and there was a law that was never enacted on the properties of my family.

So, what happened was it went before the legislature. They blocked off my family's property. It is now squared off so now it is there's no fractional lots. These fraction lots, by itself, are worthless.

They're very small. You can't do anything with it. So, the law was right. You give it to the biggest landowner in that piece of parcel. So, they worked on my neighbor's. And for almost forty years, they didn't do anything with ours.

So, with Senator Tom Ada and Joe, who did the legwork for us to get our property squared off. I also worked with Joe as the Director of Rev and Tax and when Joe was the Director of Land Management on some programs to capture sell of lands, land improvements, buildings so that when these happened when lands are sold or buildings are built, there's a direct connection to Rev and Tax.

So, we can capture the sales price, capture the cost; determine who sold property, how much they gain out of that and we can pursue a revenue source for the Government of Guam.

I don't know what happened to that program. I don't know if it got complicated but if you look at the theory behind it. You sell land. Rev and Tax knows about it. There's taxes. What has happened in the past and years past, people sell land. Government of Guam doesn't know of it. Rev and Tax doesn't know about it until one day when an issue comes up the taxpayer has

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Senator

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Committee on Health, Tourism, Historic Preservation, Land and Justice

already spent all his gains. And guess what, the big liability at Rev and Tax; he owes tax for gains.

I am here supporting Joe, not because my relationship with him as a friend a family friend or resolving my issues. I'm asking you to confirm Joe as the Director of Rev and Tax because of his professionalism, his knowledge, and his experience as a previous Director of Rev and Tax.

And next year's election, if you need benches, you can ask Joe to make something for you. I thank you for listening to my testimony.

*Please see attached testimony.*

### **Chairperson Therese M. Terlaje:**

Thank you, Mr. Ilagan and who doesn't need benches, right Mayor? Just kidding. That's a hidden talent we didn't know about yet. So, I'm very glad to hear about that.

I want to acknowledge that there are other people who have also signed up in support: Virginia Flores, Margarita Borja, Stephanie Duenas, Jhoana Casem, Joseph Cruz and Mr. Carlos Camacho.

Mr. Camacho? Please come on up if you're going to. Anyone else who wants to give oral testimony, you're welcome. Please proceed.

### **Carlos Camacho:**

Good afternoon, Madame Chair, Senator. My name is Carlos Camacho. I am from the private sector. I develop affordable housing for working class families in Guam. Everybody knows my organization as Ironwood, where they want to build Ironwood throughout the community. And now we're doing the new one where we do almost similar to Habitat for Humanity, where the families self-build their homes. And that's our new program that I introduced to Guam about a year ago due to the high cost of construction.

So, my main focus in housing is to help a lot of the working-class families especially in the low-income communities. So, I'm here today in support for Mr. Joe Borja nomination as Director of Land Management. Us in the industry, when we go through our processes to make sure that our land meets the zoning criteria and to make sure that we meet the agency review committee, which is if I'm not mistaken under the Land Use Commission, to make sure that water, sewer and any other environmental impacts is met.

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## THERESE M. TERLAJE

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38th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

So, we can develop these programs. It is very essential that we have someone, as I heard from many speakers today, with decades and decades of experience. I see some of the former staff of land management who retired that are here that have years and years of experience.

And I'm glad they're back in the private world to share that with the industry but someone in the top level that had knowledge on all three branches of land programs; land management, Chamorro Land Trust and the Ancestral Lands Commission.

And that's very key because there are a lot of federal programs, in the previous testimonies I've testified in this legislature, that these agencies can utilize to help grow this economy internally. And many times, I brainstorm with Joe, prior to him being the Director; when he was with Senator Tom Ada, every time there's a housing or land issue, Senator Tom Ada and Joe invites me to a roundtable meeting.

And in those cases, very similar to the system development charge, we're able to create a program for the families to not pay that upfront but pay it through an amortized schedule so that impact won't be felt by the families immediately. So, it's this type of out of the box thinking that Joe has, that I know he'll bring in as he has been there before.

But with all these new programs available we can share the programs because there are only three types of entities that can apply for these programs. And those are the local government itself, a recognized tribe which we don't have that in Guam or a nonprofit organization like me.

I utilize all these programs but a lot of times there's a lot of programs that the government, itself, can apply themselves. So, I'm glad Joe will be there because there were a lot of times when he was with Senator Tom Ada, we talked about the Substantially Underserved Trust Area (SUTA); this is for Chamorro Land Trust to finally provide an infrastructure mechanism by the federal government.

It passed in April 2012. It's in the law, but we need someone with that creativity, like Joe, to work with his counterpart's in the land agency to finally put SUTA in place.

So, we can finally get water and sewer into these properties on Chamorro Land Trust and build these homes. So, we can have homes for these families and build a local economy.

But I'm here to support Joe because of his length of experience and very creative mind. With the knowledge he has and the network he has, I think will finally—SUTA has been approved since 2012, today's 2019. That's seven years ago.

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35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

So, I know Marvin Aguilar's here because he tried to do it when his tenure time when he was Chief Planner at Land Management and he's retired now. So, Marvin, hopefully, can join me in the private sector and can encourage Joe to relook at SUTA because two of the qualified applicants that can apply is the government, itself, or a qualified NGO.

So therefore, Mr. Borja, I, from one part of the private sector lease on the affordable housing sector, support your nomination. And I hope that Senators', Madame Chair, you will consider the nomination by this administration.

Thank you very much.

**Chairperson Therese M. Terlaje:**

Thank you very much.

Senator Perez, did you have any questions for any of the members who had testified earlier? If not, then okay. For the nominee then?

**Senator Sabina Perez:**

Good evening, Mr. Borja.

**Joseph Borja, Acting Director, Department of Land Management:**

Good evening, Senator Perez.

**Senator Sabina Perez:**

I had the pleasure of meeting you prior to my term and I found you to be very knowledgeable. I think you're the epitome of institutional knowledge when it comes to land resource.

I just have some questions regarding priorities. So, as a Director of Department of Land Management, what are your priorities? What do you see as your priorities?

**Joseph Borja, Acting Director, Department of Land Management:**

The immediate priorities are to stabilize the department and that stabilization is required because of the exploiting of the three agencies in the prior administration. And since 2011, the three agencies were together. And it was very important that I bring that issue up with the Governor elect and the Lieutenant Governor elect.

The three agencies do not have the same funding source, the same constituents or the same inventory of lands. More importantly, their governance is not the same. Two of those three agencies are governed by a Board of Directors while the Department of Land Management is governed by a Governor's appointee.

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Senator

## THERESE M. TERLAJE

*I Mina'trentai Singkona Lihelaturan Guahan*

33<sup>th</sup> Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

It was very important for me because of the funding sources in the sense that the funding sources for these three separate agencies come from three different sources. They serve the end product, the end constituents, differently.

For example, you should not be using general fund money to run the operations of the Chamorro Land Trust Commission. Why? Because the general public pays into the general fund, but the general public are not entirely qualified under the Chamorro Land source program.

Under the Ancestral Lands Commission, the commission's constituents are actually the original land owners. They should not be spending money, in my view, from the general fund because the general public that pays into the general fund, not all of them, are original land owners.

Therefore, they shouldn't be using the money from the general public. The Department of Land Management, our constituent is the general public. The general public comes to us for rezoning for recording of their documents for transactions and such. So, everybody is really allowed to take part in the land management services.

So, that's why the priority is that split. I have found that on occasion the Ancestral Lands Commission pays for the rent for the Department of Land Management. On occasion, staff from the Department of Land Management, paid by the Department of Land Management, are utilized for the Chamorro Land Trust Commission.

So, the priority is that split but during that split... after that split, make sure that Land Management is stabilized. That would be the priority.

### **Senator Sabina Perez:**

So, I know there are land use plans that haven't been updated for many years. What is your position on revamping those land use plans?

### **Joseph Borja, Acting Director, Department of Land Management:**

I believe the one most important land use plan, I think, that hasn't been approved is the Northern Guam Land Use Plan. I think that plan was created but I don't think it was sanctioned by the legislature.

Of course, there were other plans that were submitted. For example, the I Tãno ta plan but those never met legislative approval. So, the one that would be most important is that one, the Northern Guam Land Use Plan.

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Senator

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33th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

**Senator Sabina Perez:**

And when was that created? Do you recall?

**Joseph Borja, Acting Director, Department of Land Management:**

I believe in the 1980s.

**Senator Sabina Perez:**

So, it's probably due for an overhaul or at least an update.

**Joseph Borja, Acting Director, Department of Land Management:**

I think the entire...all the land use plans, I believe, for Guam should be updated.

**Senator Sabina Perez:**

What do you think are some of the criteria in updating those plans?

**Joseph Borja, Acting Director, Department of Land Management:**

Well, the most important one is, I believe, community input. That should be major criteria on it. And, of course, you have the two different groups, which should be working together. The experts, the land use planners, but then also the general public, of course, would be that major criteria.

Now, in terms of specific criteria, for example, having green areas within a subdivision that would be up, I believe that the expert the land planners.

**Senator Sabina Perez:**

From a policy perspective, do you see a way to balance development and protection of our resources?

**Joseph Borja, Acting Director, Department of Land Management:**

You know, as there are many people, there are probably many different ways that would be put on there but that's always a difficult balance. I don't know if that balance can, you know, be achieved.

We have so many different members of our community that have different ideas as to what that balance might be. It's a tough call. I won't say that it is possible but certainly, I think the efforts shall be made into that.

**Senator Sabina Perez:**

Another question is, what challenges have you identified, historically, that the Department of Land Management has had and how would you address those challenges?

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*I Mina'trentai Singkona Lihelaturan Guahan*

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### **Joseph Borja, Acting Director, Department of Land Management:**

One of the major challenges in the department is, always, the staffing. You can't get anything done without the staffing on it. When I first came to the Department of Land Management in the first week, I think in the third day that I was there, a senior and productive employee passed away.

We had one division head, who was under an adverse action, at the Civil Service Commission and the staff level at the Department of Land Management continues to decline. And again, that was one of the issues that I had hoped the Governor ordered me, and she did so, which was to maintain stability, build capacity in the department.

Build capacity in two different arenas. One is the staffing. If you look at the list of eligible employees for retirement at the Department of Land Management, it's approximately maybe 2/3 of the employees. Land Management has a staff of about 39 employees; about 23 of them are eligible for retirement, either by length of service or by age.

This year, the calendar year, I expect about two or three retirees, retirement. And since I was at land management, there has been one retiree with approximately twenty-five years of service and took along with him the institutional knowledge that he garnered through those years like that.

So, staffing certainly is a major problem. The department has five divisions and two of those division are very fragile. The Records Division very fragile. They have tremendous backlog and that senior, very productive, very multitask, employee that passed away, was a big loss.

The other division that is fragile is the GIS-LIS, which is known as the Information Technology Division. We only have one employee in that division and the equipment that Department of Land Management has is seriously outdated. It's operational but the Office of Information Technology protocol for equipment for security purposes five years.

Most of the equipment that Department of Land Management is over five years old. Since I came there, we have had three hacks into our email system. Just yesterday, I believe two days ago, we had another hack into the email system. And we've had serious problems; the equipment are breaking down.

One of the most dangerous equipment that breaks down is the UPS; the uninterrupted power supply system. It is a battery powered system. And in one occasion the battery started to burn up, fizzle out and had to be taken outside of the building because of the gas.

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And just yesterday again, I had a concern brought up by one of the employees on that. So those are the two major challenges and the two major divisions that are very fragile at this point.

### Senator Sabina Perez:

So just a follow up question, what would you suggest to facilitate succession planning?

### Joseph Borja, Acting Director, Department of Land Management:

Well, you know, the plans are always, you know, living documents. It's the entity that has the authority to approve those plans. That is critical as well as the entity that is developing those plans.

We work closely with the Bureau of Statistics and Plans, the Department of Land Management and the other agencies like Department of Agriculture, Department of Parks and Recs.

These agencies are holders or stewards of certain government lands and those particular two agencies; the Department of Parks and Recreation and Department of Agriculture hold a lot of acreage.

So those will be the two agencies on there in terms of succession planning. Any plan that is approved by the legislature should have a caveat on it, to be reviewed in five-years.

One of the first steps that I recommended to the Governor, and she has ordered, is the review of Public Law 22-18. Public Law 22-18 is the reservations lists for land uses by government agencies, schools, all these land agencies. All these agencies that use land.

They are reserved in that the hospital, Department of Public Health, GEDA, they all had lands reserved for their use on that Public Law 22-18. I believe it was a 1993 law. And that's, you know, a good many years ago.

I think the first step to review the proposed uses or proposed needs for these government agencies in three years, in ten years and possibly in fifteen years. If they all changed quite suddenly especially the Department of Education, I think that would be a first step is to plan for the use of the government lands and then expand that planning purpose for the private lands.

Although private lands are private owned by outside of the government. The government does have a say so in how those lands are developed. There is also the parks and conversation lands plan list whatever you might call it. I think that has to be reviewed.

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## THERESE M. TERLAJE

*I Mina'trentai Singkora Liheslaturan Guahan*

38th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

These are lands that are coastal lands and park lands. So those also should be reviewed not only that Public Law 22-18 but the Parks and Conservation lands.

**Senator Sabina Perez:**

Just one more question. So, it's my understanding that a lot of the laws pertaining to land are not compiled in those that are other than non-land bills. Is there a central location to find the history of these laws or at least compilation of such?

**Joseph Borja, Acting Director, Department of Land Management:**

Not on a specific list. You know, that would have to come from the legislature and even reading a bill, itself. A lot of times, I think, most of the times if not all the time, the legislature, the lawmakers, the policymakers, should refer back to the committee reports to see what the intent was of that definition.

The place that can have those...to really research, would be in the Planning Division. Although, of course, we have the Records Division. It would be in the Planning Division that would be most. But the comprehensive list of course would come from the Guam Code Annotated; not all land bills are codified.

So, if you're asking me, is there a central depository of all land bills, land laws? I would have to say, the legislative record and the Guam Code Annotated. I think, Senator, that's the first time I've heard that idea. I think that's a very good idea too.

You know, you do have the sections of Guam Code Annotated in the various chapters; Chapter 16, Chapter 72, its Chapter 64 and 65. But I don't think there's a central location where you can look at it and say these are all the land laws and these are all the land bills.

**Senator Sabina Perez:**

Thank you so Mr. Borja.

**Joseph Borja, Acting Director, Department of Land Management:**

Thank you.

**Chairperson Therese M. Terlaje:**

Thank you, Senator. Before I ask my questions, Mr. Borja, if you don't mind? We do have one more person signed up to give some oral testimony. Mr. Paul Santos, if you could have a seat? We also have Norma Manglona, Marvin Aguilar, Celine Cruz, Darline Enaligo, Andrew Santos also signed up in support.





Senator

## THERESE M. TERLAJE

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33<sup>rd</sup> Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

And I'd also like to welcome, and I was just told that we have a visiting legislator Senator from Taiwan, Mr. Chung Chia-Pin. Welcome to Guam. Welcome to our legislature.

Thank you and all right. So, Mr. Santos?

**Paul Santos, Chief of Cadastre, Department of Land Management:**

*(reads submitted written testimony, see attached)*

**Chairperson Therese M. Terlaje:**

Thank you very much, Mr. Santos. How many years have you been at the department?

**Paul Santos, Chief of Cadastre, Department of Land Management:**

Too long. 20 years.

**Chairperson Therese M. Terlaje:**

20 years? I want to thank all the employees of the Department of Land Management who are here and past employees who are here, also, in support of this nomination.

Mr. Borja, can you state for the record whether you have any continuing business interest that may affect your ability to serve in this position?

**Joseph Borja, Acting Director, Department of Land Management:**

I do own a commercial piece of property in Barrigada that I intend and have already passed actually to my son, without recording the documents. And my son is, also, a licensed land use consultant. Those would probably be the only situation that might come up from a conflict of interest.

**Chairperson Therese M. Terlaje:**

Well, will your son be appearing before you, in any capacity, do you think?

**Joseph Borja, Acting Director, Department of Land Management:**

Not before me but possibly before the Guam Land Use Commission. I serve as the Executive Secretary for the Guam Land Use Commission.

**Chairperson Therese M. Terlaje:**

All right. And you already addressed Senator Perez's questions that I also had. We've also discussed in several meetings, regarding your priorities, what your plans are to address the challenges that the department is facing right now, recruiting staff to fill some of the retired and the long-standing vacancies.

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Senator

## THERESE M. TERLAJE

*I Mina'trentai Singkora Liheslaturan Guåhan*

35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

We've also talked about this but maybe it's a good time for the public to just be informed also about the access to land records. We've talked for many years about those becoming digitalized and those becoming available to the public. I think the public has seen that over the years but if you could talk what is the current status of public's access to land records?

**Joseph Borja, Acting Director, Department of Land Management:**

I would say on a scale of 1-10, Senator, I would say that it's probably a seven. In the previous administration, there was that headline that I read, you know, land record shredded and after a review by the Attorney General's Office. I believe at that time they were fine with the shredding of the documents.

But what that did, and those documents were what we call the public library hard copies in the public library of approximately 900,000 recorded documents. Only 55% of the documents have been scanned.

The process for accessing land records now is digital. It's through computers and as I previously stated earlier, the IT section which provides the computer services for access of these records is very fragile.

So just that statement of 900,000 documents recorded only 55% scan that would leave the public basically lacking access to 45% of the documents.

Now these 45% documents... those are large documents, hassle to scan or documents that are reverse images, where the letters are in white and the background is in black. That is a concern.

Why the concern about the demolition or the removal of the public access? Some members of the public are not computer friendly to be able to go into one of those terminals in the department and access land records.

Also, the computer terminals in the public library, the part of land management is occupied most of the time by the title companies. There is one terminal that's available for the public. But most of the times, when the public comes in to research their records, they're not really computer friendly enough to be able to utilize those systems.

And it's our staff that walks them through the research that would be, you know, a concern for the access to those. We do have our original vault, but we try to limit our public access to those original vaults.

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Senator

## THERESE M. TERLAJE

*I Mina'trentai Singkora Liheslaturan Guåhan*

33rd Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

So, we do allow and authorize members of the public to have an account and get an account from the department to access their records. Previous to me coming in, the public could access the records from their home, but that is slowly eroding.

We've had problems with our software system that allows surveyors and members of the public to access these lands from their homes. The software that we have for the public to access the records is a beta system meaning it's kind of like a temporary one until we get the one right off.

So as having researcher background, I don't think that the public access to the records is a 100% or is on the positive side. That is a big challenge. The records are there but a lot of them haven't been scanned and getting a hold of a hard copy is tough.

Years ago, land management tried to develop the system where it can be accessed by a subscription. It can research. It can download documents that you want it but that's not working very well at least in my opinion.

### **Chairperson Therese M. Terlaje:**

Yeah. So, I guess if I could ask again the question is, what do you think we can expect to be accomplished, for example, in four years versus one year? What do you think?

### **Joseph Borja, Acting Director, Department of Land Management:**

Well, you know, unfortunately computer systems and technology was centralized by the legislature under the Office of Technology. We call it OTech and at least for me there's still a feeling out of the working relationship that we have and the authority that OTech has over our system and therefore, our data.

One of the priorities that the Governor asked me to assist in was in that problem that Revenue and Tax has access to the land management data entry. We have been meeting with staff and I think, you know, the problem that was initially presented to me, was the lack of communication between two systems. I think I found out that it wasn't in a lack of communication between the two systems. It was basically a lack of communications between Revenue and Tax, Land Management and the vendor.

The software system, some of it is proprietary; and some of it or all of it does not have a maintenance contract for it. That would be for that particular issue. I think that's the needed plan of action; is to find out who has authority over what, for example, entering a system to make changes. That's still being felt out and access to the software and software maintenance is not under the Department of Land Management.

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Senator

## THERESE M. TERLAJE

*I Mina'trentai Singkora Liheslaturan Guáhan*

38th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

So, the plan is, now, and of course it goes back to basically, is the equipment that we have is it is the security up to a level where Otech and Revenue and Tax can feel comfortable to accomplish these things.

And of course, anytime you say there's a problem, usually the proposed solution is money. The Department of Land Management is tracking to collect approximately \$89,000 less this year than we did last year.

And the entire budget of the Department of Land Management comes from the Land Survey Revolving Fund, which is a special fund aside from the general fund. So, what determines our budget is an average of the revenue generated or the income generated from the previous three years.

And one of those previous to the years was a low level of revenue and income. Therefore, our budget for next year is at that lower level, number one. Number two, at least tracking purposes, it looks like we might be an \$89,000 short from last year. And that's in spite of four major recording fees that have come about.

There were four land transactions that generated a large amount, a large recording fee. And that was, of course, not present last year but even with those four large recording fees going into the Land Survey Revolving Fund. At least, tracking purposes from the Committee on Appropriations indicates that we will come up \$89,000 less than last year.

### **Chairperson Therese M. Terlaje:**

All right. We've covered many topics in that one question but I'm going to go back. What can we expect as far as public access or so public can access land records by going to Department of Land Management and utilizing one of the terminals? They can also apply for an account.

### **Joseph Borja, Acting Director, Department of Land Management:**

An account.

### **Chairperson Therese M. Terlaje:**

An account and be granted access by you or Otech or both of you and...but the days of trying to access at least maps or who the lot numbers or owners, that's not going to be accessible to us by like our mobile apps?

### **Joseph Borja, Acting Director, Department of Land Management:**

No, there was a software, there was a land web if you might want to call it you know we have land web is the name for several land issues. There was one very popular one that was created



Senator

## THERESE M. TERLAJE

*I Mina'trentai Singkora Lihelaturan Guahan*

39th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

during the evaluation of the properties by Revenue and Tax. That land web or that land application either went down or was taken down July 4<sup>th</sup> of last year.

That was a very user-friendly land web and provided information such as the zoning, the assessed value, the reference to the map for that particular parcel. That's the one that most people found very easy to use. And that's the one that most people are complaining including individuals, brokers, appraisers. That went down or was taken down July 4<sup>th</sup> of last year.

I was still at the legislature when that went down. When I inquired about that, I was informed by the Office of Information Technology and by Bureau of Statistics and Plans that was proprietary software and the owner of that software application decided to take it down.

During the transition meetings that we had with Otech, at that time, the director of Otech had indicated that he would try to get that app program up by March of this year but so far that hasn't.

Now you can also access our land web the department's land web and there are two profiles. There's one profile that the employees use and the other one that the public uses.

But again, while the public has general access to the system and to our data, there are only in reality accessing 55% of the data and our records because 45% hasn't been scanned.

Now, if the Public Library the hardcopy was available, they could theoretically have access to 100% of our records but because only 55% have been scanned, therefore, you can say that the public only has 55% access and can only access it for the most part in-house they'd have to come down to Land Management.

Now, because of this money issue, we've had some outstanding accounts from other agencies. I've made an administrative decision that agencies and departments when they ask, for example, surveying services, that there's no charge to the line agencies.

But to the boards and commissions that have their own separate funds, we are entering into Memorandum of Agreement that when they ask for survey services, they have to pay for those.

We get a large number of requests from mayors to access our land records and to make official determinations. But as of this time, we are not planning on charging the mayor's for those things like that.

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Senator

## THERESE M. TERLAJE

*I Mina'trentai Singkora Liheslaturan Guáhan*

33th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

So that, I believe, is a problem. I see you set for the general public but it's also a problem for the department in terms of timely processing request, for example, certificates of title if 45% of your records are not...

### **Chairperson Therese M. Terlaje:**

That's exactly what I was going to ask you. If it's only 45% available to the public then it's got to be the same for your land agents who we are counting on to process these things.

So, my question is, do you foresee solving that problem, getting the records scanned in... you know, is that going to take us decades, four years or one year? And do you foresee establishing a system that is more user-friendly like the one that you said was very popular or is that just not one of the priorities, right now?

### **Joseph Borja, Acting Director, Department of Land Management:**

Well, maybe not for that particular software but applications. The department is looking, in conjunction with the Department of Revenue and Taxation, for some sort of system, some sort of funding to do that.

I noticed that the triennial valuation is coming up and the legislature hopefully will provide some money for that. The last triennial valuation that was done or the last valuation was done and necessitated the creation of that popular software.

So, we anticipate that... we hope to handle the creation of that software a little bit better than we did last time and that we would own it; we would own the data and we would own it.

So, that would be the where we're going at now. And whatever time that that valuation is going to come up with Revenue and Taxation, I would like to tie that timeframe in to the priority as to when we can have that information.

### **Chairperson Therese M. Terlaje:**

All right. Thank you.

Are there concerns regarding land surveyors and the certification of GIS map? Someone wrote to my office regarding...I don't remember the exact issue, but it says here relative to personnel who can certify positional accuracy. Is that an issue that the department is facing or not?

### **Joseph Borja, Acting Director, Department of Land Management:**

Well, the department has the only registered surveyor in the entire GovGuam, which is Mr. Santos, Chief of Cadastre. And I dare say that his division is one of the best divisions.

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Senator

## THERESE M. TERLAJE

*I Mina'trentai Singkora Lihedaturan Guåhan*

33th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

We do have in that division two separate sections; one section is the staff that goes out and actually does the field survey and then we also have staff in house that provide the mapping services. That division does need another cartographic supervisor. The second to the last person to review and look at those maps before the surveyor handles that.

### **Chairperson Therese M. Terlaje:**

But have people been bringing up concerns regarding the department? Is it just that there's not enough people? Is there a backlog in the surveying division? I didn't hear about that. Is there a question as to any other person's ability to certify, I guess?

### **Joseph Borja, Acting Director, Department of Land Management:**

I don't have any concerns on that, Senator.

### **Chairperson Therese M. Terlaje:**

All right. Okay.

### **Joseph Borja, Acting Director, Department of Land Management:**

It's hard to say whether there is a backlog because the processing of each individual map could have different problems. Since I've been there, I believe there may have been three concerns brought up by the general public. Where one map was submitted and it shows this data, it shows this drawing. And then, another map submitted, and it has that.

There is, I believe, a need for the legislature to review a law that says that if a map has been submitted to land management and it's taken land management more than 60 days to review it, that map becomes, by default, automatically approve.

I don't really think that's a good law because each map has its own problem. One of the major issues we have—I don't think it's a major issue in terms of how many— but we do have some people out there that are practicing surveying without a license and those come back to the department.

There was a big back log of Chamorro Land Trust maps at one time from two surveyors, but, you know, the problem is not where their land management can process those maps fast enough; the problem is with the data in those maps that doesn't approve it. And, you know I'm an administrator; I'm not a surveyor. Perhaps if Mr. Santos would like to address that?

### **Chairperson Therese M. Terlaje:**

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Senator

## THERESE M. TERLAJE

*I Mina'trentai Singkora Lihedaturan Guåhan*

33<sup>rd</sup> Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

I'm satisfied. I'm asking you these questions because you've stated your priorities for the agency. I just want to understand whether these other questions that have come up are also priorities or not really and maybe not necessarily. They don't have to be if there's no backlog.

### **Joseph Borja, Acting Director, Department of Land Management:**

Not really for me, but there are two priorities, I think, in the surveyor division. Number one is the need for an additional cartographic supervisor that would process maps faster—you know, your capabilities increase a 100 percent. And we have capable people in the department to do that. They just don't have the position.

The other one, as in most government agencies, is the equipment that they have. The entire world, I believe, is going into a new survey system in 2022. And the federal government has offered to train our department survey technicians people, but we don't have the equipment that would do that.

As a matter of fact, just about a week ago, survey division had asked for an update of software, which cost about 6,000 dollars, but that is very much needed. We scrounged up the money to approve that and based that approval on about 36,000 dollars that the survey division land management is going to collect in the next 30 days from GHURA.

Land Management did some work for GHURA and that was a \$36,000 bill that's a couple of years old, I mean. And just two weeks GHURA committed to paying that bill in 30 days. That's 36,000 dollars. So, because survey division's bringing up that money. We could divert that money to the purchasing of software and, hopefully, some updated equipment.

### **Chairperson Therese M. Terlaje:**

Okay. Great.

My next questions are in relation to kind of the other jobs of the Director of Land Management. You know, you have a little involvement with the agency review committee, the ARC? I think that's what it's called, right?

### **Joseph Borja, Acting Director, Department of Land Management:**

Application Review Committee.

### **Chairperson Therese M. Terlaje:**

The Application Review Committee that reviews application for zoning changes or variances and other task forces. I guess, you know, like everyone has testified your experience is not questionable. You have the most experience that I've ever met in any one.





Senator

## THERESE M. TERLAJE

*I Mina'trentai Singkona Liheslaturan Guåhan*

38th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

You were able to, from the top of your head, tell me anything I've ever asked. And I think you were very helpful; that was what one of the attorneys' told me.

Your testimony for the Chamorro Land Trust litigation, based on the history of land takings on Guam, especially, you know, your role in the legislature over many years, after being a director for even longer. But there's some roles of the Director of Land Management that are really, I think, supposed to be neutral as opposed to being the advocate.

For example, when a developer comes in and wants a project, they have to justify it before the Guam Land Use Commission, if they want a zone variance or they want special zoning. And I just want to ask you if you're able to separate those roles—you spent many years advocating certain projects go through or certain types of development, certain types of zoning and —I don't know. What are your thoughts on that?

### **Joseph Borja, Acting Director, Department of Land Management:**

You know, Senator, in my previous tenure, as the Director of Land Management back in, I believe, sometime around 2003...when I went to the Department of Land Management and I showed up to a Guam Land Use Commission meeting, some of the staffers asked me, 'what are you doing here?'

Although I'm the executive secretary, the previous practice was that the executive secretary doesn't really attend those meetings. I started attending them for my informational purposes.

Then, of course, I left the department and went on to other things. But the Application Review Committee is created, actually, by Executive Order; I think it's 96-26. That Executive Order also needs to be updated, like Senator Perez said, 'should have a review of the plans?'

I think that executive order should also be reviewed. The Application Review Committee is basically made up of core ten agencies, the utility agencies: GPA, GWA, Bureau of Statistics and Plans and like that.

Of course, the processing of the applications for rezoning or variances and like that goes through the Application Review Committee. I've only attended one Application Review Committee, which I called to review a proposed bill to provide and create the Land Zoning Consideration Report, which was in the law there under, I think, Chapter 2 statutes.

You know, for the legislature, no bill shall move forward without that Land Zoning Consideration Report. I believe, according to staff, that was the first time that a bill to rezone property to create a Land Zoning Consideration Report went before the Application Review Committee.

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Senator

## THERESE M. TERLAJE

*I Mina'trentai Singkora Liheslaturan Guáhan*

38th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

We recorded that meeting and if you listen to that meeting, there was one question that the member of that Application Review Committee. I think it was from the Department of Agriculture representative; and his question was, if we say something bad about the project, something negative or something against the project. You know, will the legislature listen to it?

And my only comment to that is that they will get the Land Zoning Consideration Report. And since it was the first time, it was basically a feeling out of what they could say, how much weight what they say would have on it. And I did attend that meeting. The Chair of that Application Review Committee is actually the Chief Planner.

But looking back at it and after conversation with the Senator here, the Chairperson, I think, my previous service here in the legislature and advocating for a certain bill as a member of the committee on lands and as a member of the committee of the Chairperson of that committee on Lands, you know, I would advocate for that particular bill

And I think that transferred over to that. So, I think that will probably change. So, that the Executive Secretary or the Application Review Committee is basically a ministerial work.

You put out whatever is put in to the bill and let the members of the Application Review Committee say yay or nay or whatever comments they may have on it; and ensure that there may be a vote and a resolution may be on the general consensus of the Application Review Committee.

So, Senator, an answer to your question there, it's...for me, it's basically a work in progress and I do take direction very well.

### **Chairperson Therese M. Terlaje:**

All right. I understand and thank you. I think your knowledge is very valuable though. So, when you can point people in the right direction as to the information or where to get it, that's going to be very valuable for all of these boards.

We have a lot. We're going to have several members, also, on the Guam Land Use Commission. I'm concerned about that board...even though, I think, you're also the Executive Secretary on the Guam Land Use Commission, is that right?

### **Joseph Borja, Acting Director, Department of Land Management:**

Yes, actually not the Application Review Committee. It's the Guam Land Use Commission.

### **Chairperson Therese M. Terlaje:**



Senator

## THERESE M. TERLAJE

*I Mina'trentai Singkona Liheaturan Guahan*

35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

Yeah.

**Joseph Borja, Acting Director, Department of Land Management:**

I only attended that ARC meeting because it was the first one and it was an application.

**Chairperson Therese M. Terlaje:**

And you were trying to assist the legislature, I understand.

**Joseph Borja, Acting Director, Department of Land Management:**

That would not go to the Land Use Commission.

**Chairperson Therese M. Terlaje:**

Land Use Commission, right? But you know that in the past that the Land Use Commission— So, we've had this issue where they had indirect contravention of the Attorney General's advice at that time.

They acted on an application and they pretty much did what the Attorney General said was illegal, right? So, then the legislature got involved and made it legal.

But I just want, I guess, I'm just wondering how you foresee if...I don't know if there's anything that you're going to be able to do. But if there is, I mean, does the land the Department of Land Management have an attorney available to you all the time?

**Joseph Borja, Acting Director, Department of Land Management:**

Yes, we do. We have an attorney that the department pays 1/3 of his salary; the other 1/3 from Ancestral Lands and the other 1/3 from Chamorro Lands. He is stationed in our office. We do provide him an office right there.

**Chairperson Therese M. Terlaje:**

Do you believe there's a way that in your role you can increase transparency for the Guam Land Use Commission, that there's any way that they can improve transparency? Or the ARC? To help support these agencies or these review committees, commissions?

**Joseph Borja, Acting Director, Department of Land Management:**

Well, you know, we are required, of course, to give public notice. In the Leon Guerrero-Tenorio platform, one of the items that they listed was, hopefully, to broadcast the meetings of the Guam Land Use Commission. We are working with channel 12 PBS/KGTF Public Broadcasting System and they have agreed. We've drafted the Memorandum of Understanding.

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Senator

## THERESE M. TERLAJE

*I Mina'trentai Singkora Lihelaturan Guahan*

33rd Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

I think it's going to cost us something like 375 dollars to videotape these meetings. We would have liked to have it a lifetime broadcasts although it is in the daytime. But we are working through that. We had originally targeted the first Guam Land Use Commission meeting to be taped in July, but I don't think we're going to make that deadline.

The Chamorro Land Trust Commission's...every meeting is taped it for them. It's just a matter of broadcasting it. But certainly, we're trying to look at the Guam Land Use Commission.

And again, the Director of Land Management, the Executive Secretary of the Guam Land Use Commission is purely an administrative thing. We, you know, process the documents were recorded and like that. But it doesn't have a vote on the commission at all.

### **Chairperson Therese M. Terlaje:**

Right. No vote.

### **Joseph Borja, Acting Director, Department of Land Management:**

Previous directors, though Senator... previous directors, though, actually sat on the table when the commission is meeting, and previous directors would have input into a particular application.

For me, at least the Land Use Commission meetings that have occurred under my watch, I sit on the side with the ministerial staff, not on the table with the Land Use Commission.

### **Chairperson Therese M. Terlaje:**

Well, I know that when the Department of Land Management comes to the legislature and testifies, that their involvement is very helpful. So, I hate to see you not being as helpful as, you know, your knowledge allows you. I know that you also represent many of these commissions and the review committee. They're relying on, also, information from the Department of Land Management.

That's why they take place in your office, right? Your staff staffs them. So, I think you need to strike a balance, right? That's appropriate and that I agree, maybe we're a work in progress because the laws are very... the statutes aren't very clear, but we hate to not use the knowledge that you have.

### **Joseph Borja, Acting Director, Department of Land Management:**

I would like to cite a particular section in the law not about a site but mentioned, for example in the Land Zoning Consideration Report, the applicant is not required to put up a sign.

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*I Mina'trentai Singkora Liheslaturan Guåhan*

35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

You know so that would give... if they put up a sign under that process under the legislative rezoning, that gives transparency. The legislature is set to consider a rezoning in Mangilao but the surrounding landowners don't know about it because there's no sign there. There's no requirement under that Land Rezoning Consideration Report for the mailing of notices.

I think that the Land Zoning Consideration Report statute should be revisited to require them to do it, number one. And number two, it's the department that does the research work for the land owners around that area.

We would like the applicant to reimburse Land Management for that work also.

### **Chairperson Therese M. Terlaje:**

I understand and I very much agree with you. So, I want to thank you for those recommendations. And I look forward to the additional recommendations that I know you've been very active. And you've already met with me several times, with many of your team with additional recommendations for the Department of Land Management.

And I'm looking forward to, as you say, increasing its capacity and capability. If I may just ask you one more question regarding your role when you were the Administrator of the Chamorro Land Trust. You were the first Administrator, is that right?

### **Joseph Borja, Acting Director, Department of Land Management:**

Yes, ma'am.

### **Chairperson Therese M. Terlaje:**

Yes, and I want to thank you. I think that's when I first met you and you've had so many roles since then. But I did receive a letter asking about some of these issues that the Chamorro Land Trusts are facing.

There were leases that were transferred or leases that they did different things with that now, of course, the Attorney General has advised are problematic and that Chamorro Land Trust continues to deal with these. But I just wanted to know with your role in those actions then and your role now, if there's any issues that would hinder your ability and what you're going to do now?

### **Joseph Borja, Acting Director, Department of Land Management:**

I don't think so, Senator. I think there were three concerns, I believe, that were brought up in a couple of oversight hearings and a couple of issues in the last two years. One was lack of signature by the board, by the Chairman of the board on those first leases that were issued.

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Senator

## THERESE M. TERLAJE

*I Mina'trentai Singkona Lihesaturan Guahan*

35th Guam Legislature

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You know, I can chalk it up to inexperience and I can chalk it up to the willingness or the want of the public officials to ceremoniously sign those leases in the beginning. And I watched a fortunate Director come in first because, at that time, Senator Angel Santos had transferred two subdivisions surveyed and everything recorded maps to the Department of Land Management.

Although those subdivisions did not have infrastructure at that time and even up to now. They were already mapped up. They were all mapped out. They were already there. So, the first Director had approximately 600 lots that he could lease right away.

So, I was fortunate in that sense. The second issue, I think, that was the bypassing of those people, of certain people, you know...people that applied first then those that applied later. And that was the situation, I believe, back in maybe 2003/2004.

It was handled by another Director. I think Governor Camacho brought me in at that time to address that because applicants were complaining as to, 'hey, you know, I know that guy was behind me and lining up and he said he's got his lease already. How about me?'

So, the plan of action to address that was, we published in the Pacific Daily News at that time; I think, it was maybe a four page or six page or eight page supplement to the newspaper, listing all those people that were bypass.

We opened the department till 7:00 PM during the weekdays because we thought maybe some of these people didn't have the time from the regular job to take off and come down and address it.

And we published it and hopefully, those people that have left off island might have noticed that. We also opened the department to about, I believe, 8:00 AM to 12:00 PM on Saturdays to hopefully provide the opportunity for these people to come down.

So yes, there were people bypassed. I would estimate them to be probably about 2,000 of that time. We did have a plan of action and you know, people came in. But whether we took care of the 100% of those bypass people? I don't think so.

I could say that some of them were off island and notices were not taken at that time. And then the third issue, I believe, that was brought up was on some of these so called switched or transferred slot as you said.

I believe out of 102, I think there was— I don't know 16 or 20 or something—that I approved at that time for the switches. So, those would be some of the concerns that were raised. Whether I have any say so over that now? Mr. Hattig doesn't allow me access to the Chamorro Land Trust

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Senator

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*I Mina'trentai Singkora Lihesaturan Guahan*

33th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

files. They keep files pretty much close to heart. As a matter of fact, the Chamorro Land Trust Commission at this time ask the only records management officer for their files, you know.

But the Department of Land Management doesn't have a records management officer. We have a vault clerk, which is a land abstracter that is put in charge of the vault and she's the one that signs those records out.

So, I don't think that would have any conflict with this particular job.

### **Chairperson Therese M. Terlaje:**

How would you respond to someone asking if those transfers were done in contravention of the law—like intentionally or whether they were just where there it was circumstance of the times?

### **Joseph Borja, Acting Director, Department of Land Management:**

You'd have to look at each individual case to see it. I think it's already a given fact that switching of date and time is not allowed under the law, you know. And I believe the Chamorro Land Trust Commission is addressing those each one as separately.

There are some extenuating circumstances. For example, some of those people that switch date and time, might have already gotten a Guam Housing Corporation Loan and in some of those cases, they already built homes on it.

I don't think that Chamorro Land Trust Commission would want to make those people homeless, but you know...So, they're looking at it on a case by case basis.

### **Chairperson Therese M. Terlaje:**

All right. Well, I want to thank you. I know, this has taken a while and I thank all of you for being here and your patience and your support. And I want to acknowledge that the Director of the Chamorro Land Trust Commission is here.

And again, the mayors...we have letters from some of the other mayors and the vice mayor, and with all positive and all in favor. And I, too, look forward to working with you, Mr. Borja and learning...

I know I'm going to learn a lot and I hope all of us feel that at the end of your term that all of the employees—yeah, as she talked about, you know, a long-term plan for this department.

I know you have a lot of young staff also. So, that's exciting and you have a new role to fill. I think it's going to be good for the people of Guam. I hope that you will add into your priorities



Senator

## THERESE M. TERLAJE

*I Mina'trentai Singkora Liheslaturan Guåhan*

33<sup>th</sup> Guam Legislature

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some of this—you know, I know you have your hands full but this access to the records is very useful for many people, for many different purposes.

And maybe the mayors would call you less if we could all just get access to those things but it's just part of this open government that if we can facilitate.

I want to thank all of your team for their very good work, especially the head surveyor here, in his long years and all of your team so...

*Si Yu'os ma'åse'* for the work that you've done in the last seven months and all these years in different capacities and for your willingness to serve in this capacity.

Thank you.

**Joseph Borja, Acting Director, Department of Land Management:**

Thank you, Senator.

**Chairperson Therese M. Terlaje:**

There being no additional individuals to present further testimony...My Committee will continue to accept testimony...

Hold on, we want to put this on the next agenda if we can and we just got called to session on April 14.

So, I think maybe what did I say?

**Joseph Borja, Acting Director, Department of Land Management:**

August 14?

**Chairperson Therese M. Terlaje:**

Yeah. August 14 and so I'm going to ask for testimony by the close of business tomorrow.

You many submit it to my office or to the Guam Congress Building here or to my email at [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com)

The public hearing is now adjourned. The time is 6:50 PM, August 7, 2019.

*Si Yu'os ma'åse'*

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Senator

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### III. FINDINGS & RECOMMENDATIONS

The Committee on Health, Tourism, Historic Preservation, Land and Justice finds that Mr. Borja has extensive knowledge in matters pertaining to land, having worked for the government of Guam through various roles. His employment history includes being Chief-of-Staff of former Senator Tom Ada, Legislative Committee on Land (2015-2018), Administrative Director of the CHamoru Land Trust Commission (2003-2004; 2007-2009), former director of the Department of Land Management (2004-2006) and Executive Director of the Guam Ancestral Lands Commission (2000-2002).

All testimonies submitted were in support of the nomination except one from an anonymous individual, referred to as "Concerned Citizen of Guam", who stated that improprieties (favoring later applications over those with earlier application dates), at CHamoru Land Trust Commission during Mr. Borja's tenure should not permit him to return as Director of Department of Land Management. Mr. Borja addressed these concerns during the public hearing.

The Committee on Health, Tourism, Historic Preservation, Land and Justice hereby reports on the appointment of Joseph M. Borja to serve as a Director of the Department of Land Management, with the recommendation TO DO CONFIRM.



Senator

**THERESE M. TERLAJE**


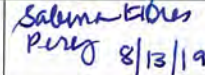

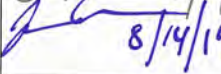
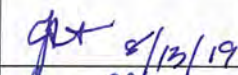

*I Mina'trentai Singko na Liheslaturan Guåhan*

35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

**COMMITTEE VOTE SHEET**

Nomination of  
**Joseph M. Borja**  
as the **Director, Department of Land Management**  
**to serve at the pleasure of the Governor.**

	SIGNATURE	TO DO CONFIRM	TO NOT CONFIRM	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Therese M. Terlaje Chairperson	 8/13/19 ✓	✓				
Senator Sabina Flores Perez Vice Chairperson	 8/13/19 ✓	✓				
Senator Kelly G. Marsh (Taitano), Ph.D. Member						
Senator James C. Moylan Member						
Senator Louise B. Muña Member	 8/13/19 ✓	✓				
Vice Speaker Telena C. Nelson Member	 8/14/19			✓		
Senator Joe S. San Agustin Member	 8/13/19 ✓	✓				
Senator Amanda L. Shelton Member	 8/14/19 ✓	✓				
Senator Mary Camacho Torres Member						