



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

05 MAY 2009

2009 MAY - 6 AM 8:49

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No.43(COR) "AN ACT TO AMEND §2401(c) OF TITLE 1, GUAM CODE ANNOTATED, AND §60112 OF TITLE 21, GUAM CODE ANNOTATED; AND TO ADD A NEW SUBITEM (C) TO §2107 OF TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO TASKING I KUMISION GUÅHAN FINE'NANA AND I LIHESLATURA TO DETERMINE WHICH LAND THE FEDERAL GOVERNMENT MAY INTEND TO LEASE OR SUB-LEASE, EXCHANGE FOR OTHER LAND, OR PURCHASE, AND REPORT THEIR FINDINGS TO AND I MAGA'LAHP" now designated as Public Law 30-21.

Sins eru yan Magåhet,

[Handwritten signature of Michael W. Cruz]

MICHAEL W. CRUZ, M.D.
I Maga'låhen Guåhan para pa'go
Acting Governor of Guam

Attachment: copy of Bill

30-09-0580
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 5/05/09
Time 4:02 PM
Received by [Signature]

0587

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

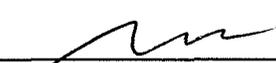
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that Substitute Bill No. 43 (COR), "AN ACT TO *AMEND* §2401 (c) OF TITLE 1, GCA, AND §60112 OF TITLE 21, GCA; AND TO *ADD* A NEW SUBITEM (C) TO §2107 OF TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO TASKING *I KUMISION GUÅHAN FINE'NANA* AND *I LIHESLATURA* TO DETERMINE WHICH LAND THE FEDERAL GOVERNMENT MAY INTEND TO LEASE, SUBLEASE, EXCHANGE FOR OTHER LAND, OR PURCHASE, AND REPORT THEIR FINDINGS TO *I MAGA'LAHI*," returned without approval of *I Maga'lahen Guåhan*, was reconsidered by *I Liheslaturan Guåhan* and after such consideration, did agree, on the 1st day of May, 2009, to pass said Bill notwithstanding the veto of *I Maga'lahen Guåhan* by a vote of Ten (10) Members.



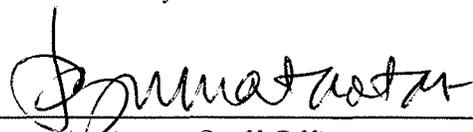
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Rory J. Respicio
Acting Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 1 day of May, 2009, at 5:15 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

Public Law No. 30-21

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 43 (COR)

As substituted by the Committee
on the Guam Military Buildup
and Homeland Security,
and amended on the Floor.

Introduced by

Judith Paulette Guthertz, DPA
R. J. Respicio
B. J.F. Cruz
T. C. Ada
F. B. Aguon, Jr.
T. R. Muña Barnes
F. F. Blas, Jr.
E. J.B. Calvo
J. V. Espaldon
Adolpho B. Palacios, Sr.
v. c. pangelinan
M. J. Rector
Ray Tenorio
Telo Taitague
Judith T. Won Pat, Ed. D.

AN ACT TO *AMEND* §2401 (c) OF TITLE 1, GCA, AND §60112 OF TITLE 21, GCA; AND TO *ADD* A NEW SUBITEM (C) TO §2107 OF TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO TASKING *I KUMISION GUÅHAN FINE'NANA* AND *I LIHESLATURA* TO DETERMINE WHICH LAND THE FEDERAL GOVERNMENT MAY INTEND TO LEASE, SUBLEASE, EXCHANGE FOR OTHER LAND, *OR* PURCHASE, AND REPORT THEIR FINDINGS TO *IMAGA'LAHI*.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the federal government has stated that the ongoing military buildup will result
4 in the need for land over and above that property which is already in federal hands.

1 This will mean that in order for the United States military to properly carry out
2 their mission, leases, sub-leases, land exchanges *or* purchases of local property,
3 including land owned in the name of the government of Guam, may be proposed.

4 *I Liheslatura* further finds that certain individuals may attempt to engage in
5 speculative acts in order to profit from such a need for land, by sub-leasing
6 government of Guam land for which they already have a lease, *or* plan to obtain a
7 lease for the purpose of sub-leasing to a federal government entity. Such actions,
8 should they take place, will allow a few individuals to profit at the expense of our
9 entire community.

10 *I Liheslatura* further finds that it should be the final authority in any and all
11 requests to lease, sub-lease, exchange land *or* sell property owned in the name of
12 the government of Guam, relative to federal *or* military purposes.

13 It is, therefore, the intent of *I Liheslatura* to amend public law and require
14 that *I Kumision Guåhan Fine'nana* review the federal government's needs and
15 requests for additional land, and inform *I Liheslatura* and *I Maga'lahi* of any
16 potential leases, sub-leases, land exchanges *or* requests to purchase property
17 owned in the name of the government of Guam.

18 **Section 2.** §2401 (c) of Chapter 24 of Title 1, Guam Code Annotated, is
19 *amended* to read:

20 “(c) The *Kumision* and *I Liheslatura* is also tasked with monitoring all
21 federal and international activities relative to the military expansion and
22 providing all relevant information to *I Maga'lahi* and *I Liheslatura*,
23 including information on federal needs for additional land, and any proposed
24 leases, sub-leases *or* requests to exchange land *or* purchase any land owned
25 in the name of the government of Guam. Any and all entities of the
26 government of Guam, including, but *not limited to*, its autonomous agencies,
27 public corporations, the *Chamorro* Land Trust Commission and the

1 Ancestral Lands Commission, *shall* notify the *Kumision* and *I Liheslatura*
2 within five (5) working days of any proposal, request *or* inquiry by the
3 federal government *or* any agent of the federal government, relative to the
4 use *or* need of any land owned in the name of the government of Guam.”

5 **Section 3.** A *new* subsection (c) is *added* to §2107 of Chapter 2 of Title 2,
6 Guam Code Annotated, to read:

7 “(c) Any proposed lease, sub-leases, requests to exchange land *or*
8 purchase any land owned in the name of the government of Guam to the
9 federal government *or* any agent of the federal government *shall* require the
10 approval of *I Liheslatura*.”

11 **Section 4.** §60112 of Article 1 of Chapter 60 of Title 21, Guam Code
12 Annotated, is hereby *amended* to read:

13 “**§60112. Legislative Approval Required.** Notwithstanding any
14 other provisions of law, government-owned real property *shall not* be sold,
15 leased, sub-leased, exchanged *or* otherwise transferred without the prior
16 approval of *I Liheslatura* (the Legislature) by duly enacted legislation, which
17 specifically authorizes a particular sale, lease, exchange *or* transfer and
18 includes the real property description of the government-owned real property
19 with particularity. This Section *shall not* apply to Land Use Permits, *or*
20 residential leases by the *Chamorro* Land Trust Commission pursuant to its
21 rules and regulations, but *shall* apply to any transfer to the federal
22 government *or* any agent of the federal government of land owned in the
23 name of the government of Guam, including, but *not limited to*, its
24 autonomous agencies, public corporations, the *Chamorro* Land Trust
25 Commission and the Ancestral Lands Commission.”

26 **Section 5.** Neither the government of Guam, nor any of its instrumentalities,
27 *shall* enter into any cooperative agreement *or* memorandum of understanding, with

1 any department, agency, *or* instrumentality of the United States federal
2 government, which in any manner can be construed as providing tacit *or* expressed
3 support of federal jurisdiction over Guam land, waters, historic sites *or* artifacts, *or*
4 other Guam resources without the express approval of both *I Liheslaturan Guåhan*
5 (the Guam Legislature) and *I Maga'lahen Guåhan* (the Governor of Guam).



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

17 APR 2009

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina' Trenta Na Liheslaturan Guahan
Thirtieth Guam Legislature
155 Hessler Street
Hagåtña, Guam 96910

2009 APR 17 PM 4:47

Dear Speaker Won Pat:

Hafa Adai! Transmitted herewith please find Bill No. 43(COR) "AN ACT TO AMEND §2401(c) OF TITLE 1, GUAM CODE ANNOTATED, AND §60112 OF TITLE 21, GUAM CODE ANNOTATED; AND TO ADD A NEW SUBITEM (C) TO §2107 OF TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO TASKING I KUMISION GUÅHAN FINE'NANA AND I LIHESLATURA TO DETERMINE WHICH LAND THE FEDERAL GOVERNMENT MAY INTEND TO LEASE OR SUB-LEASE, EXCHANGE FOR OTHER LAND, OR PURCHASE, AND REPORT THEIR FINDINGS TO AND I MAGA'LAHI" which I have vetoed.

As you may be aware, Governor Camacho and I firmly believe that Public Law 29-128, which creates "I Kumision Guahan Fine Nana," is inorganic. Similarly, this law, as written, would place members of the legislative and judicial branches of government on an executive functioning commission.

Though I share your belief in a cooperative approach regarding the Guam Buildup, "The Guam First Commission" should not erode executive branch authority; doing so sets a precedent that, if continued, may jeopardize the separation of powers which is vital to our democracy. As such, Governor Camacho, in his March 18th letter stating our concerns, requested the Attorney General's legal opinion on Public Law 29-128.

At the behest of the 30th Guam Legislature's Committee on the Guam Military Buildup and Homeland Security, government officials, subject matter experts, and various members of our community illustrated the great volume of work already being done to ensure the Guam Buildup improves our people's quality of life.

36-09-0469
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 4/17/09
Time 4:25
Received by [Signature]

0475

To that end, my office will send you a list of necessary policies, related to the Guam Buildup, which will help to ensure the preservation of our natural resources, the viability of our infrastructure, and the strength of our economy,

I look forward to the leadership of you and your colleagues on these matters, and hope that we continue to work cooperatively to meet the many challenges and opportunities presented by the Guam Buildup.

Sinseru yan Magâhet,

A handwritten signature in black ink, appearing to read "W. Cruz". The signature is stylized and written in a cursive-like font.

MICHAEL W. CRUZ, M.D.
I Segundu Maga'lahaen Guåhan
Acting Governor of Guam

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 43 (COR), "AN ACT TO AMEND §2401 (c) OF TITLE 1, GCA, AND §60112 OF TITLE 21, GCA; AND TO ADD A NEW SUBITEM (C) TO §2107 OF TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO TASKING I KUMISION GUÅHAN FINE'NANA AND I LIHESLATURA TO DETERMINE WHICH LAND THE FEDERAL GOVERNMENT MAY INTEND TO LEASE, SUB-LEASE, EXCHANGE FOR OTHER LAND, OR PURCHASE, AND REPORT THEIR FINDINGS TO I MAGA'LAHI", was on the 3rd day of April, 2009, duly and regularly passed.

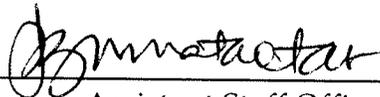


Judith T. Won Pat, Ed. D.
Speaker

Attested: 

Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by I Maga'lahaen Guåhan this 6 day of April, 2009, at 4:45 o'clock P.M.



Assistant Staff Officer
Maga'laha's Office

APPROVED:



MIKE W. CRUZ, MD
GOVERNOR OF GUAM ACTING

Date: _____

Public Law No. _____

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 43 (COR)

As substituted by the Committee
on the Guam Military Buildup
and Homeland Security,
and amended on the Floor.

Introduced by

Judith Paulette Guthertz, DPA
R. J. Respicio
B. J.F. Cruz
T. C. Ada
F. B. Aguon, Jr.
T. R. Muña Barnes
F. F. Blas, Jr.
E. J.B. Calvo
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v. c. pangelinan
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2 their mission, leases, sub-leases, land exchanges *or* purchases of local property,
3 including land owned in the name of the government of Guam, may be proposed.

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5 speculative acts in order to profit from such a need for land, by sub-leasing
6 government of Guam land for which they already have a lease, *or* plan to obtain a
7 lease for the purpose of sub-leasing to a federal government entity. Such actions,
8 should they take place, will allow a few individuals to profit at the expense of our
9 entire community.

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23 including information on federal needs for additional land, and any proposed
24 leases, sub-leases *or* requests to exchange land *or* purchase any land owned
25 in the name of the government of Guam. Any and all entities of the
26 government of Guam, including, but *not limited to*, its autonomous agencies,
27 public corporations, the *Chamorro* Land Trust Commission and the

1 Ancestral Lands Commission, *shall* notify the *Kumision* and *I Liheslatura*
2 within five (5) working days of any proposal, request *or* inquiry by the
3 federal government *or* any agent of the federal government, relative to the
4 use *or* need of any land owned in the name of the government of Guam.”

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8 purchase any land owned in the name of the government of Guam to the
9 federal government *or* any agent of the federal government *shall* require the
10 approval of *I Liheslatura*.”

11 **Section 4.** §60112 of Article 1 of Chapter 60 of Title 21, Guam Code
12 Annotated, is hereby *amended* to read:

13 “§60112. **Legislative Approval Required.** Notwithstanding any
14 other provisions of law, government-owned real property *shall not* be sold,
15 leased, sub-leased, exchanged *or* otherwise transferred without the prior
16 approval of *I Liheslatura* (the Legislature) by duly enacted legislation, which
17 specifically authorizes a particular sale, lease, exchange *or* transfer and
18 includes the real property description of the government-owned real property
19 with particularity. This Section *shall not* apply to Land Use Permits, *or*
20 residential leases by the *Chamorro* Land Trust Commission pursuant to its
21 rules and regulations, but *shall* apply to any transfer to the federal
22 government *or* any agent of the federal government of land owned in the
23 name of the government of Guam, including, but *not limited to*, its
24 autonomous agencies, public corporations, the *Chamorro* Land Trust
25 Commission and the Ancestral Lands Commission.”

26 **Section 5.** Neither the government of Guam, nor any of its instrumentalities,
27 *shall* enter into any cooperative agreement *or* memorandum of understanding, with

1 any department, agency, *or* instrumentality of the United States federal
2 government, which in any manner can be construed as providing tacit *or* expressed
3 support of federal jurisdiction over Guam land, waters, historic sites *or* artifacts, *or*
4 other Guam resources without the express approval of both *I Liheslaturan Guåhan*
5 (the Guam Legislature) and *I Maga'lahaen Guåhan* (the Governor of Guam).

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina'Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY
155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@pticom.com

February 13, 2009

The Honorable Judith T. Won Pat
Speaker
I Mina' Trenta na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

Via: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

Re: Committee Recommendation
Bill No. 43 (COR)

Dear Speaker Won Pat:

The Committee on the Guam Military Buildup and Homeland Security, to which was referred Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi*, as substituted by the committee; herein reports back with its recommendation.

VOTES ARE AS FOLLOWS:

5 TO PASS

4 TO REPORT OUT ONLY

0 NOT TO PASS

0 ABSTAIN

2009 FEB 13 PM 2:40 hwm

^{COR}
RECEIVED
2/13/09 11:20am
GPH

Sincerely,

Judith Paulette Guthertz, DPA

Attachments



COMMITTEE ON RULES

I Mina'Trenta na Libeslaturan Guåhan • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

2:19 PM
MWR

COMMITTEE VOTING SHEET

Resolution No. 40 (COR) – “Relative to remembering and memorializing the Late Joseph Charles Murphy on his legacy as Guam's foremost journalist and columnist, and honoring him for his service to our island and offering condolences to his family.”

	SIGNATURE	TO PASS	TO NOT PASS	TO REPORT OUT ONLY	ABSTAIN DUE TO POTENTIAL CONFLICT	TO PLACE IN INACTIVE FILE
SENATOR RORY J. RESPICIO Chairman						
SENATOR JUDITH P. GUTHERTZ Vice-Chairman						
SPEAKER JUDITH T. WON PAT, Ed.D. Member						
VICE-SPEAKER BENJAMIN J.F. CRUZ Member						
LEGISLATIVE SECRETARY TINA ROSE MUÑA BARNES Member						
SENATOR THOMAS C. ADA Member						
SENATOR FRANK B. AGUON, JR. Member						
SENATOR ADOLPHO B. PALACIOS Member						
SENATOR VICENTE C. PANGELINAN Member						
SENATOR MATT RECTOR Member						
SENATOR FRANK F. BLAS, JR. Minority Member						
SENATOR JAMES V. ESPALDON Minority Member						

CERTIFIED TRUE COPY

Handwritten initials and date: 02/12/19



February 12, 2009

MEMORANDUM

TO: All Members
Committee on Judiciary, Natural Resources, Infrastructure and Cultural Affairs

FROM: Chairperson *M*

SUBJECT: Voting Sheet
Bill No. 43 (COR)

2009 FEB 13 PM 2:41
-M W

Transmitted herewith are the voting sheet and the Committee Report on Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi*, as substituted by the committee; for your review and vote via signature.

Your attention towards this matter is greatly appreciated.

Attachments

Contents

1. Cover sheet
2. Voting Sheet
3. Overview
4. Summary of Testimonies
5. Findings
6. Amendments for Substitute Bill
7. Recommendation
8. Bill 43 (COR), as substituted by the Committee
9. Bill 43 (COR), as introduced
10. Agenda
11. Witness sign in sheets
12. Submitted Testimony
13. Supporting documents - misc. notes and public notices



THE COMMITTEE ON THE GUAM MILITARY BUILDUP AND HOMELAND SECURITY

I MINA' TRENTA NA LIHESLATURAN GUÁHAN • 155 HESLER PLACE · HAGÁTÑA, GUAM 96910

Chairman: Senator Judith Paulette Guthertz, DPA

Vice Chairman: Senator Rory J. Respicio

COMMITTEE VOTING SHEET ON:

Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guáhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi'*, as substituted by the committee.

Bill No. 43 (COR): relative to inventorying government lands that may be utilized in support the Military Buildup, as substituted by the committee.	SIGNATURE	TO Pass	TO NOT Pass	TO REPORT OUT OF Committee	ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Judith P. Guthertz, DPA Chairperson		✓				
Senator Rory J. Respicio Vice-Chairperson		✓				
Speaker Judith T. Won Pat, Ed, D. Member				✓		
Vice Speaker Benjamin J.F. Cruz Member		✓				
Legislative Secretary TINA ROSE MUÑA BARNES Member				✓		
Senator Thomas C. Ada Member						
Senator Frank B. Aguon, Jr. Member		✓				
Senator Mat t Rector Member						
Senator Frank F. Blas, Jr. Minority Member						
Senator James V. Espaldon Minority Member						
Senator Telo Taitague Minority Member				✓		
Senator Ray Tenorio Minority Member				✓		

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@pticom.com

January 28, 2009

MEMORANDUM

REMINDER NOTICE

To: ALL SENATORS

From: Chairperson
Committee on the Guam Military Buildup and Homeland Security

Subject: **Public Hearing Notice: Friday, January 30, 2009 at 9:30am**
Bill 43: Relative to the leasing of Government of Guam Land

Please be advised that the Committee on the Guam Military Buildup and Homeland Security has scheduled a Public Hearing on **Bill 43 (COR): Relative to the leasing of Government of Guam Land**. The hearing will take place at *I Liheslatura's* Public Hearing Room on Friday, January 30, 2009 at 9:30am.

Agenda: 9:30am

- **Bill No. 43 (COR):** An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz

I look forward to your attendance and contribution during this proceeding. If you have any concerns, suggestions or comments concerning the hearing, please feel free to share them with me. Thank you.

CC: Protocol
Clerk
Audio
Executive Director
All Senatorial Offices

GUAM LEGISLATURE REPRODUCTION/MAIL ROOM
DATE: 1-28-09
TIME: 2:36 1 PM PPM
RECEIVED BY: [Signature]

ATA Agüero
TAITAGUE
RJR
RECEIVED
R 012809 2309
G

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Trenta na Liheslaturan Guahan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judguthertz@pticom.com

January 21, 2009

MEMORANDUM

To: ALL SENATORS

From: Chairperson *[Signature]*
Committee on the Guam Military Buildup and Homeland Security

Subject: **Public Hearing Notice: Friday, January 30, 2009 at 9:30am**
Bill 43: Relative to the leasing of Government of Guam Land

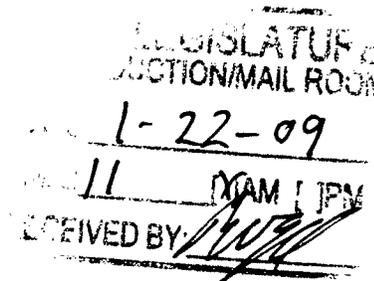
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Agenda: 9:30am

- **Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guahan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi'*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz**

I look forward to your attendance and contribution during this proceeding. If you have any concerns, suggestions or comments concerning the hearing, please feel free to share them with me. Thank you.

CC: Protocol
Clerk
Audio
Executive Director
All Senatorial Offices



Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@pticom.com

January 21, 2009

The Honorable Felix P. Camacho
Governor of Guam
Office of the Governor
P.O. Box 2950
Hagatna, Guam 96932

Facsimile: 477- 4826

Attn: Mr. J. George Bamba
Chief of Staff

Subject: Public Hearing Notice: Friday, January 30, 2009 at 9:30am
Bill 43: Relative to the leasing of Government of Guam Land

Pauline G.
CFO

1/22/09 1:50 pm

Dear Governor Camacho:

Please be advised that the Committee on the Guam Military Buildup and Homeland Security has scheduled a Public Hearing on **Bill 43 (COR): Relative to the leasing of Government of Guam Land**. The hearing will take place at *I Liheslatura's* Public Hearing Room on Friday, January 30, 2009 at 9:30am. I invite you to present testimony on the measure on behalf of the Office of the Governor.

Agenda: 9:30am

- **Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi'*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz**

I look forward to your attendance and contribution during this proceeding. Please extend this invitation to others you believe appropriate. If you have any concerns, suggestions or comments concerning the hearing, please feel free to share them with me. Thank you.

Senseramente,

Judith Paulette Guthertz

Attachments: Bill 43 (COR)

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@pticom.com

January 21, 2009

Mr. John Jackson
Director
Joint Guam Program Office, Fwd
PSC 455 Box 152
FPO AP 96540-1000

Facsimile: 333-2316

Subject: Public Hearing Notice: Friday, January 30, 2009 at 9:30am
Bill 43: Relative to the leasing of Government of Guam Land

Dear Mr. Jackson:

Please be advised that the Committee on the Guam Military Buildup and Homeland Security has scheduled a Public Hearing on **Bill 43 (COR): Relative to the leasing of Government of Guam Land**. The hearing will take place at *I Liheslatura's* Public Hearing Room on Friday, January 30, 2009 at 9:30am. I invite you to present testimony on the measure on behalf of the Joint Guam Programs Office.

Agenda: 9:30am

- **Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi'*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz**

I look forward to your attendance and contribution during this proceeding. Please extend this invitation to others you believe appropriate. If you have any concerns, suggestions or comments concerning the hearing, please feel free to share them with me. Thank you.

Senseramente,

A handwritten signature in black ink, appearing to read "Judith Paulette Guthertz", with a long, sweeping flourish extending to the right.

Judith Paulette Guthertz

Attachments: Bill 43 (COR)

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5884) • Fax: (671) 472-3547 • judiguthertz@pticom.com

January 21, 2009

The Honorable Carol S. Tayama
President
Mayors' Council of Guam
P.O. Box 786
Hagatna, Guam 96932

Facsimile: 477-8777

Attn: Mr. Anghet "Angel" Sablan
Executive Director

Subject: Public Hearing Notice: Friday, January 30, 2009 at 9:30am
Bill 43: Relative to the leasing of Government of Guam Land

JV
Pauline G.
CFO
1/22/09 1:50 pm

Dear Mayor Tayama:

Please be advised that the Committee on the Guam Military Buildup and Homeland Security has scheduled a Public Hearing on **Bill 43 (COR): Relative to the leasing of Government of Guam Land**. The hearing will take place at *I Liheslatura's* Public Hearing Room on Friday, January 30, 2009 at 9:30am. I invite you to present testimony on the measure on behalf of the Mayors' Council of Guam.

Agenda: 9:30am

- **Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi'*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz**

I look forward to your attendance and contribution during this proceeding. Please extend this invitation to others you believe appropriate. If you have any concerns, suggestions or comments concerning the hearing, please feel free to share them with me. Thank you.

Senseramente,

A handwritten signature in black ink, appearing to read "Judith Paulette Guthertz".

Judith Paulette Guthertz

Attachments: Bill 43 (COR)

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@pticom.com

January 21, 2009

Mr. Terezo Mortera
Director
Department of Land Management
ITC building
590 N. Marine Corps Dr. Rt. 1
Tamuning, Guam 96913

Facsimile: 649-5383

Subject: Public Hearing Notice: Friday, January 30, 2009 at 9:30am
Bill 43: Relative to the leasing of Government of Guam Land

RECEIVED & ACKNOWLEDGED
By: 
Pauline G.
CFO
1/22/09 1:50 pm

Dear Mr. Mortera:

Please be advised that the Committee on the Guam Military Buildup and Homeland Security has scheduled a Public Hearing on **Bill 43 (COR): Relative to the leasing of Government of Guam Land**. The hearing will take place at *I Liheslatura's* Public Hearing Room on Friday, January 30, 2009 at 9:30am. I invite you to present testimony on the measure on behalf of the Department of Land Management.

Agenda: 9:30am

- **Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi'*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz**

I look forward to your attendance and contribution during this proceeding. Please extend this invitation to others you believe appropriate. If you have any concerns, suggestions or comments concerning the hearing, please feel free to share them with me. Thank you.

Senseramente,

Judith Paulette Guthertz

Attachments: Bill 43 (COR)

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagatña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@pticom.com

January 21, 2009

Mr. Joseph M. Borja
Director
Chamorro Land Trust Commission
588 West Marine Corp Drive
Hagatna, Guam 96932

Facsimile: 477-8082

Subject: Public Hearing Notice: Friday, January 30, 2009 at 9:30am
Bill 43: Relative to the leasing of Government of Guam Land

Pauline G.
CFO
1/22/09 1:50 pm

Dear Mr. Borja:

Please be advised that the Committee on the Guam Military Buildup and Homeland Security has scheduled a Public Hearing on **Bill 43 (COR): Relative to the leasing of Government of Guam Land**. The hearing will take place at *I Liheslatura's* Public Hearing Room on Friday, January 30, 2009 at 9:30am. I invite you to present testimony on the measure on behalf of the Chamorro Land Trust Commission.

Agenda: 9:30am

- **Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi'*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz**

I look forward to your attendance and contribution during this proceeding. Please extend this invitation to others you believe appropriate. If you have any concerns, suggestions or comments concerning the hearing, please feel free to share them with me. Thank you.

Senseramente,

Judith Paulette Guthertz

Attachments: Bill 43 (COR)

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagatña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@pticom.com

January 21, 2009

Mr. Eddie L.G. Benavente
Executive Director
Ancestral Lands Commission
588 W. Marine Corps Dr., Suite 101, P.O.
Box 2950
Hagatna, Guam 96932

Facsimile: 475-9165

Subject: Public Hearing Notice: Friday, January 30, 2009 at 9:30am
Bill 43: Relative to the leasing of Government of Guam Land

SEARCHED AND SERIALIZED
INDEXED
FILED
JAN 22 2009
150 pm
CFO
Pauline G.

Dear Mr. Benavente:

Please be advised that the Committee on the Guam Military Buildup and Homeland Security has scheduled a Public Hearing on **Bill 43 (COR): Relative to the leasing of Government of Guam Land**. The hearing will take place at *I Liheslatura's* Public Hearing Room on Friday, January 30, 2009 at 9:30am. I invite you to present testimony on the measure on behalf of the Ancestral Lands Commission.

Agenda: 9:30am

- **Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi'*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz**

I look forward to your attendance and contribution during this proceeding. Please extend this invitation to others you believe appropriate. If you have any concerns, suggestions or comments concerning the hearing, please feel free to share them with me. Thank you.

Senseramente,

Judith Paulette Guthertz

Attachments: Bill 43 (COR)

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@ptic.com

January 21, 2009

Mr. Carlos Salas
Executive General Manager
Guam International Airport Authority
355 Chalan Pasahero
Tamuning, Guam 96910

Facsimile: 646-8823

Subject: Public Hearing Notice: Friday, January 30, 2009 at 9:30am
Bill 43: Relative to the leasing of Government of Guam Land

RECEIPT ACKNOWLEDGED

By: [Signature]
(Print Name) Pauline G.
(Department) CF

Date: 1/21/09 Time: 1:50 pm

Dear Mr. Salas:

Please be advised that the Committee on the Guam Military Buildup and Homeland Security has scheduled a Public Hearing on **Bill 43 (COR): Relative to the leasing of Government of Guam Land**. The hearing will take place at *I Liheslatura's* Public Hearing Room on Friday, January 30, 2009 at 9:30am. I invite you to present testimony on the measure on behalf of the Guam International Airport Authority.

Agenda: 9:30am

- **Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi'*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz**

I look forward to your attendance and contribution during this proceeding. Please extend this invitation to others you believe appropriate. If you have any concerns, suggestions or comments concerning the hearing, please feel free to share them with me. Thank you.

Senseramente,

Judith Paulette Guthertz

Attachments: Bill 43 (COR)

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@pticom.com

January 21, 2009

Mr. Anthony "Tony" Blaz
Administrator
Guam Economic Development Authority
590 S. Marine Corps Dr.
Ste. 511 GITC Bldg.
Tamuning, Guam 96913

Facsimile: 649-4146

Handwritten notes and signature:
Pauline G.
CFO
1/22/09 1:50 pm

Subject: Public Hearing Notice: Friday, January 30, 2009 at 9:30am
Bill 43: Relative to the leasing of Government of Guam Land

Dear Mr. Blaz:

Please be advised that the Committee on the Guam Military Buildup and Homeland Security has scheduled a Public Hearing on **Bill 43 (COR): Relative to the leasing of Government of Guam Land**. The hearing will take place at *I Liheslatura's* Public Hearing Room on Friday, January 30, 2009 at 9:30am. I invite you to present testimony on the measure on behalf of the Guam Economic Development Authority.

Agenda: 9:30am

- **Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi'*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz**

I look forward to your attendance and contribution during this proceeding. Please extend this invitation to others you believe appropriate. If you have any concerns, suggestions or comments concerning the hearing, please feel free to share them with me. Thank you.

Senseramente,

Judith Paulette Guthertz

Attachments: Bill 43 (COR)

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina'Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@pticom.com

January 21, 2009 Public Hearing Notices
sent to:

All Media

Mr. Joseph M. Borja
Director
Chamorro Land Trust Commission
588 West Marine Corp Drive
Hagatna, Guam 96932

Mr. Terezo Mortera
Director
Department of Land Management
ITC building
590 N. Marine Corps Dr. Rt. 1
Tamuning, Guam 96913
Facsimile: 649-5383

Mr. Eddie L.G. Benavente
Executive Director
Ancestral Lands Commission
588 W. Marine Corps Dr., Suite 101, P.O.
Box 2950
Hagatna, Guam 96932
Facsimile: 475-9165

The Honorable Felix P. Camacho
Governor of Guam
Office of the Governor
P.O. Box 2950
Hagatna, Guam 96932
Facsimile: 477-4826

Attn: Mr. J. George Bamba
Chief of Staff

The Honorable Carol S. Tayama
President
Mayors' Council of Guam
P.O. Box 786
Hagatna, Guam 96932
Facsimile: 477-8777

Attn: Mr. Anghet "Angel" Sablan
Executive Director

Mr. Carlos Salas
Executive General Manager
Guam International Airport Authority
Facsimile: *****

Mr. Anthony "Tony" Blaz
Administrator
Guam Economic Development Authority
590 S. Marine Corps Dr.
Ste. 511 GITC Bldg.
Tamuning, Guam 96913
Facsimile: 477-8777

Joint Guam Program Office

Facsimile: 477-8777

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@pticom.com

January 28, 2009

Memorandum

To: Guam Media 48 hour Notice

Pacific Daily News	477-3079	Variety, Guam	648-2007
KUAM	637-9870	K57/Power98	477-3982
KStereo	477-6411	Hit Radio	472-7663
Glimpses MBJ	649-8883	Adventist Radio	565-2983
Harvest Radio	477-7136	KPRG	734-2958
KISH	477-6411	ABC 14	637-8819

From: Sen. Judith Paulette Guthertz, DPA 
Chairperson:
Legislative Committee on the Guam Military Buildup and Homeland Security

Subject: Public Hearing Notice: January 30, 2009, at 9:30am
Bill 43: Relative to the leasing of Government of Guam Land

Please be advised that the Committee on the Guam Military Buildup and Homeland Security has scheduled a Public Hearing on **Bill 43 (COR): Relative to the leasing of Government of Guam Land**. The hearing will take place at *I Liheslatura's* Public Hearing Room on Friday, January 30, 2009 at 9:30am.

Agenda: 9:30am

- **Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi'*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz**

For more information or for persons that want to attend the hearing and require ADA accommodations please call Senator Judi Guthertz at 475-384, Thank you.

MESSAGE CONFIRMATION

JAN-28-2009 12:34 PM WED

FAX NUMBER :
NAME :

NAME/NUMBER : 4727663
PAGE : 1
START TIME : JAN-28-2009 12:34PM WED
ELAPSED TIME : 00'14"
MODE : STD ECM
RESULTS : [O.K]

Senator Judith Paulette Guthertz, DPA  *I Mina Trenta na Liheslaturan Guåhan*
Assistant Majority Leader Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY
155 Hester Place, Hagåtña, Guam 96910 • Phone: (671) 479-3111 (5834) • Fax: (671) 479-3347 • jguthertz@prc.com.gu

January 28, 2009

Memorandum

To: Guam Media 48 hour Notice

Pacific Daily News	477-3079	Variety, Guam	648-2007
KUAM	637-9870	K57/Power98	477-3982
KStereo	477-6411	Hit Radio	472-7663
Glimpses MBJ	649-8883	Adventist Radio	565-2983
Harvest Radio	477-7136	KPRG	734-2958
KISH	477-6411	ABC 14	637-8819

From: Sen. Judith Paulette Guthertz, DPA 
Chairperson:
Legislative Committee on the Guam Military Buildup and Homeland Security

Subject: **Public Hearing Notice: January 30, 2009, at 9:30am**
Bill 43: Relative to the leasing of Government of Guam Land

Please be advised that the Committee on the Guam Military Buildup and Homeland Security has scheduled a Public Hearing on **Bill 43 (COR): Relative to the leasing of Government of Guam Land**. The hearing will take place at *I Liheslatura's* Public Hearing Room on Friday, January 30, 2009 at 9:30am.

Agenda: 9:30am

- **Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz**

For more information or for persons that want to attend the hearing and require ADA accommodations please call Senator Judi Guthertz at 475-384, Thank you.

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina'Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judguthertz@pticom.com

January 28, 2009

TO: PACIFIC DAILY NEWS GOVERNMENT MEETINGS SECTION
48 hour notice

Fax: 477-3079

From: Sen. Judith Paulette Guthertz, DPA 
Chairperson: Committee on the Guam Military Buildup and Homeland Security

Subject: Public Hearing Notice: January 30, 2009 at 9:30am
Bill 43: Relative to the leasing of Government of Guam Land

Buenas:

*The legislative Committee on the Guam Military Buildup and Homeland Security **respectfully requests space in the government meeting section of the Pacific Daily News beginning on Wednesday, January 21, 2009 through Friday, January 30, 2009 to announce the following:***

Committee on the Guam Military Buildup and Homeland Security: Public Hearing, Friday, January 30, 2009 at 9:30am, to receive testimony on **Bill 43 (COR): Relative to the leasing of Government of Guam Land**. The hearing will take place at *I Liheslatura's* Public Hearing Room in Hagåtña.

Agenda: 9:30am

- **Bill No. 43 (COR):** An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi'*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz

Persons that require ADA accommodations should call Sen. Guthertz at 475-3841.

MESSAGE CONFIRMATION

JAN-28-2009 12:30 PM WED

FAX NUMBER :
NAME :

NAME/NUMBER : 4773079
PAGE : 2
START TIME : JAN-28-2009 12:29PM WED
ELAPSED TIME : 00' 42"
MODE : STD ECM
RESULTS : [O.K]

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Trenta na Liheslaturan Guahan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY
155 Hester Place, Hagåtña, Guam 96910 • Phone: (671) 472-1158/1158/1159 • Fax: (671) 472-3517 • judguthertz@paccom.com

January 28, 2009

Memorandum

To: Guam Media 48 hour Notice

Pacific Daily News	477-3079	Variety, Guam	648-2007
KUAM	637-9870	K57/Power98	477-3982
KStereo	477-6411	Hit Radio	472-7663
Glimpses MBJ	649-8883	Adventist Radio	565-2983
Harvest Radio	477-7136	KPRG	734-2958
KISH	477-6411	ABC 14	637-8819

From: Sen. Judith Paulette Guthertz, DPA
Chairperson:
Legislative Committee on the Guam Military Buildup and Homeland Security

Subject: **Public Hearing Notice: January 30, 2009, at 9:30am**
Bill 43: Relative to the leasing of Government of Guam Land

Please be advised that the Committee on the Guam Military Buildup and Homeland Security has scheduled a Public Hearing on **Bill 43 (COR): Relative to the leasing of Government of Guam Land**. The hearing will take place at *I Liheslatura's* Public Hearing Room on Friday, January 30, 2009 at 9:30am.

Agenda: 9:30am

- **Bill No. 43 (COR):** An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guahan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Moga'Lahi'*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz

For more information or for persons that want to attend the hearing and require ADA accommodations please call Senator Judi Guthertz at 475-384, Thank you.

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judguthertz@pticom.com

January 28, 2009

TO: MARIANAS VARIETY, GUAM - COMMUNITY CALENDAR
48 hour n

Fax: 648-2007

From: Senator Judith Paulette Guthertz, DPA 
Chairperson: Committee on the Guam Military Buildup and Homeland Security

Subject: Public Hearing Notice: January 30, 2009 at 9:30am
Bill 43: Relative to the leasing of Government of Guam Land

Buenas:

*The legislative Committee on the Guam Military Buildup and Homeland Security **respectfully requests space in the community calendar section of the Marianas Variety, Guam Edition beginning on Wednesday, January 21, 2009 through Friday, January 30, 2009 to announce the following:***

Committee on the Guam Military Buildup and Homeland Security: Public Hearing, Friday, January 30, 2009 at 9:30am, to receive testimony on **Bill 43 (COR): Relative to the leasing of Government of Guam Land**. The hearing will take place at *I Liheslatura's* Public Hearing Room in Hagåtña.

Persons that require ADA accommodations should call Sen. Guthertz at 475-3841.

MESSAGE CONFIRMATION

JAN-28-2009 12:29 PM WED

FAX NUMBER :
NAME :

NAME/NUMBER : 6482007
PAGE : 2
START TIME : JAN-28-2009 12:28PM WED
ELAPSED TIME : 00' 14"
MODE : STD ECM
RESULTS : [O. K]

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Treata na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY
113 Hester Place, Hagåtña, Guam 96910 • Phone: (671) 472-1111 (TDD) (SR3) • Fax: (671) 172-3517 • judguthertz@pse.com.gu

January 28, 2009

Memorandum

To: Guam Media 48 hour Notice

Pacific Daily News	477-3079	Variety, Guam	648-2007
KUAM	637-9870	K57/Power98	477-3982
KStereo	477-6411	Hit Radio	472-7663
Glimpses MBJ	649-8883	Adventist Radio	565-2983
Harvest Radio	477-7136	KPRG	734-2958
KISH	477-6411	ABC 14	637-8819

From: Sen. Judith Paulette Guthertz, DPA
Chairperson:
Legislative Committee on the Guam Military Buildup and Homeland Security

Subject: **Public Hearing Notice: January 30, 2009, at 9:30am**
Bill 43: Relative to the leasing of Government of Guam Land

Please be advised that the Committee on the Guam Military Buildup and Homeland Security has scheduled a Public Hearing on **Bill 43 (COR): Relative to the leasing of Government of Guam Land**. The hearing will take place at *I Liheslatura's* Public Hearing Room on Friday, January 30, 2009 at 9:30am.

Agenda: 9:30am

- **Bill No. 43 (COR):** An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi'*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz

For more information or for persons that want to attend the hearing and require ADA accommodations please call Senator Judi Guthertz at 475-384, Thank you.



January 23, 2009

2:20 p.m. — Public hearing on leasing of GovGuam land

Pacific Daily News
news@guampdn.com

2:20 p.m. — The Committee on the Guam Military Buildup and Homeland Security has scheduled a Public Hearing on the leasing of GovGuam land to the military.

The hearing on Bill No. 43 will take place at I Liheslatura's Public Hearing Room on Friday, Jan. 30 at 9:30am.

Bill 43 seeks to give the Legislature control over the sale or lease to the U.S. military of any land owned by the government of Guam.

If approved, Bill No. 43 would give the Legislature final authority on all requests to lease, sub-lease or sell GovGuam property to the federal government. Democratic Sen. Judith Guthertz, chairwoman of the legislative buildup committee, introduced the bill.

The text of the bill says the Legislature "finds that certain individuals may attempt to engage in speculative acts in order to profit from such a need for land, by sub-leasing Government of Guam land for which they already have a lease, ... such actions, should they take place, will allow a few individuals to profit at the expense of our entire community."

The bill would amend public law to require the Guam First Commission review any federal government requests for additional land.

"The (commission) will be the initial contact point for public information, official requests, and any other inquiries regarding the buildup," the bill says.

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina'Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@pticom.com

January 21, 2009

Memorandum

To: Guam Media 1st Notice

Pacific Daily News	477-3079	Variety, Guam	648-2007
KUAM	637-9870	K57/Power98	477-3982
KStereo	477-6411	Hit Radio	472-7663
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For more information or for persons that want to attend the hearing and require ADA accommodations please call Senator Judi Guthertz at 475-384, Thank you.

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@pticom.com

January 21, 2009

**TO: MARIANAS VARIETY, GUAM - COMMUNITY CALENDAR
1st Notice**

Fax: 648-2007

**From: Senator Judith Paulette Guthertz, DPA
Chairperson: Committee on the Guam Military Buildup and Homeland
Security**

**Subject: Public Hearing Notice: January 30, 2009 at 9:30am
Bill 43: Relative to the leasing of Government of Guam Land**

Buenas:

*The legislative Committee on the Guam Military Buildup and Homeland Security **respectfully requests space in the community calendar section of the Marianas Variety, Guam Edition beginning on Wednesday, January 21, 2009 through Friday, January 30, 2009 to announce the following:***

Committee on the Guam Military Buildup and Homeland Security: Public Hearing, Friday, January 30, 2009 at 9:30am, to receive testimony on **Bill 43 (COR): Relative to the leasing of Government of Guam Land. The hearing will take place at *I Liheslatura's* Public Hearing Room in Hagatna.**

Persons that require ADA accommodations should call Sen. Guthertz at 475-3841.

MESSAGE CONFIRMATION

FEB-02-2009 11:42 AM MON

FAX NUMBER :
NAME :

NAME/NUMBER : 6482007
PAGE : 1
START TIME : FEB-02-2009 11:42AM MON
ELAPSED TIME : 00' 12"
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RESULTS : [O.K]

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY
15 Heskett Place, Hagatna, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3517 • judguthertz@dpu.com.gu

February 2, 2009

TO: **MARIANAS VARIETY, GUAM - COMMUNITY CALENDAR**
1st Notice

Fax: **648-2007**

From: Senator Judith Paulette Guthertz, DPA 
Chairperson: Committee on the Guam Military Buildup and Homeland Security

Subject: **Oversight Hearing Notices: Tuesday, Feb. 10 and Wednesday, Feb. 11, 2009 - 9am to 1pm Guam Military Buildup - Civilian Military Task Force**

Buenas:

*The legislative Committee on the Guam Military Buildup and Homeland Security **respectfully requests space in the community calendar section of the Marianas Variety, Guam Edition beginning on Monday, Feb. 2, 2009 through Wednesday, Feb. 11, 2009 to announce the following:***

Committee on the Guam Military Buildup and Homeland Security: Oversight Hearing beginning on Tuesday, Feb. 10 and Wed. Feb. 11, 2009 from 9 am to 1pm daily. The hearing will take place at the Public Hearing Room of *I Liheslaturan Guåhan* in Hagatna to receive testimony on status of the Civilian Military Task Force relative to the Guam Military Buildup. The hearings will run concurrently and cover various matters with each of the CMTF's 11 subcommittees.

Persons that require ADA accommodations should call Sen. Guthertz at 475-3841.

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY
155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@pticom.com

January 21, 2009

TO: PACIFIC DAILY NEWS GOVERNMENT MEETINGS SECTION
1st Notice

Fax: 477-3079

From: Sen. Judith Paulette Guthertz, DPA
Chairperson: Committee on the Guam Military Buildup and Homeland Security

Subject: Public Hearing Notice: January 30, 2009 at 9:30am
Bill 43: Relative to the leasing of Government of Guam Land

Buenas:

*The legislative Committee on the Guam Military Buildup and Homeland Security **respectfully requests space in the government meeting section of the Pacific Daily News beginning on Wednesday, January 21, 2009 through Friday, January 30, 2009 to announce the following:***

Committee on the Guam Military Buildup and Homeland Security: Public Hearing, Friday, January 30, 2009 at 9:30am, to receive testimony on **Bill 43 (COR): Relative to the leasing of Government of Guam Land. The hearing will take place at *I Liheslatura's* Public Hearing Room in Hagatna.**

Agenda: 9:30am

- **Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi'*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz**

Persons that require ADA accommodations should call Sen. Guthertz at 475-3841.



Bill 43 (COR):
As substituted by the committee.

I. Overview

Public Hearing:

The Committee on the Guam Military Buildup and Homeland Security convened for a public hearing on Friday, January 30, 2009. Proceedings began at 9:45 a.m. to receive testimony on Bill No. 43 (COR). Notice of the hearing was disseminated to all local media outlets via electronic format beginning on January 21, 2009 with requests for publication in the Marianas Variety, Guam Edition and the Pacific Daily News. Notice of the hearing was also made known on the Guam Legislature's Website <http://www.guamlegislature.com/calendar.htm>.

Senators Present:

Sen. Judith P. Guthertz, DPA,	Chairperson
Sen. Rory J. Respicio	Vice Chairperson
Vice Speaker Benjamin J. F. Cruz	Member
Sen. Tom Ada,	Member
Sen. Frank Blas Aguon, Jr.	Member
Sen. Matt Rector	Member
Sen. Telo Taitague	Member
Sen. Vicente "ben" Pangelinan	
Sen. Edward J. B. Calvo	

Testimony submitted by:

1. Joseph M. Borja, Chamorro Land Trust Commission
2. Eddie Benavente, Ancestral Lands Commission
3. Tom Barcinas, citizen
4. Mayor Carol Tayama, President of the Mayor's Council of Guam
5. Carlos Salas, Executive Manager, Guam International Airport Authority
6. Ron Teehan, citizen, former Land Trust director
7. Rita Franquez, citizen
8. San Nicolas
9. 'Ofing' Jackson, Taotaomona Native Rights
10. "Pagat" Jackson, Taotaomona Native Rights
11. Trini Torres, Maga Haga, Taotaomona Native Rights
12. Vicente "Ben" "Faet" Garrido, citizen
13. Thomas Megofna Fejeran, citizen
14. Viqui Gayer, citizen
15. Jose Garrido, citizen
16. Abu Rose, citizen
17. Ron Laguana, Nasion Chamoru

18. Jose Chargualaf, citizen
19. Fanai Castro, citizen
20. Kie Susuico, citizen
21. David Sablan, citizen

Additional testimony (attached) submitted by:

1. BJ Penn
2. Jonathan B. Diaz, citizen

Additional documents (attached) submitted during the hearing:

1. Chairperson Guthertz submitted her opening statement in written form and land data compiled by the Committee.
2. Rita Franquez submitted a map self-titled "Options for Military Expansion" (attached to recorded Committee report)
3. Mr. San Nicolas submitted a quick Claim Deed and Decree of Land Grant by then Gov. Carl T. C. Gutierrez



II. Summary of Testimonies: Bill No. 43 (COR): relative to *inventorying government lands that may be utilized in support the Military Buildup*, as substituted by the committee.

Opening Statement of Chairperson Judith P. Guthertz, DPA Author of Bill 43 (COR)

Senator Judith P. Guthertz, Committee Chairperson, opened the proceedings at 9:45 am, and noted that the Public Hearing was properly noticed in conformance with the open government law. She exchanged formalities with all present and went on to explain the role of the committee and submitted her written statement along with a land statistic sheet compiled adopted by the Committee and several submissions of written testimony from interested parties (see attached). Chairperson Guthertz explained the crux of Bill 43 (COR), which she, along with Sen. Rory J. Respicio and Vice Speaker B.J. Cruz introduced. Sen. Guthertz noted that Bill 43 was drafted as a result of learning that the military was researching additional land needs and had already identified several parcels of property that it was interested in acquiring in addition their current inventory of some 33,500 acres or 25.94 percent of the island's entire land mass, which is recorded at 133,760 acres based on Guam 209 sq miles of available.

Sen. Guthertz stressed that Bill 43 does not intended to usurp the roles of the Chamorro Land Trust Commission or the Ancestral Lands Commission. She stated that the Guam First Commission, the Committee and the Legislature would surely seek their input and consult with them regarding any military request for land. Sen. Guthertz concluded that she will resist any deal with the military if it is not good for the people of Guam. She restated the Committee motto that "IF IT IS NOT WIN-WIN, WE BOTH LOSE."

Joseph M. Borja, administrative director, Chamorro Land Trust Commission

Mr. Joe Borja is the administrative director of the Chamorro Land Trust Commission. He told the Committee that the Commission had no official stand on the measure as they had yet to meet since the introduction of Bill 43. He expressed concern on the actual language that the final version of Bill 43 would incorporate should the measure reach session floor. He suggested an amendment to require all government heads to report within 5 working days, information they receive regarding request for leasing or purchasing of government of Guam land in support of the military buildup. He also clarified for senators that there are five classifications of government of Guam lands on Guam. 1, Government authorized own lands such as easements and lands owned by autonomous agencies. 2, Chamorro Land Trust – homestead and agriculture, 3, Guam Ancestral Lands, inventory needed – commission allowed to sale, 4, Unregistered gov't lands and 5, Lands with caveats that have reversionary clauses attached.

Eddie Benavente, executive director, Ancestral Lands Commission

Mr. Ed Benavente is the executive director of the Guam Ancestral Lands Commission. Mr. Benavente stated that the Commission had no official stand on the measure as they had yet to hold a meeting since the introduction of Bill 43. He stated that the ALC was concerned about the process of leasing land should the Bill pass. He queried lawmakers as to where the final disposition would lie and reminded the Committee of the ALC's fiduciary responsibility to its claimants. He recommended that the process after inventory and identification be defined.



II. Summary of Testimonies: (Cont. – pg. 2)

Bill 43 (COR): as substituted by the committee.

Tom Barcinas, citizen

Mr. Tom Barcinas testified as a private citizen in support of the measure. He told lawmakers that the island must be equal partners in the military buildup and urged lawmakers to take advantage of the renewed need by the federal government for land to negotiate a beneficial deal for the community. Mr. Barcinas submitted written testimony (attached) in support of Bill 43 (COR).

Mayor Carol Tayama, President of the Mayor's Council of Guam

Mayor Carol Tayama is the Mayor of Agat and President of the Mayors' Council of Guam. She testified in support of the measure. Ms. Tayama read her written testimony (attached).

Carlos Salas, executive manager, Guam International Airport Authority

Mr. Carlos Salas is the executive manager of the Guam International Airport Authority. He testified in support of Bill 43 (COR). Mr. Salas read from his written testimony (attached) and recommended several amendments as it may affect the operations or expansion plans of the GIAA.

Ron Teehan, citizen, former Land Trust director

Mr. Ron Teehan testified as a private citizen. He is a former land trust director and testified that he was in general support of Bill 43 (COR). He reminded the Committee that "great care" must be taken not to undermine the commissions, the Guam Ancestral Lands Commission and the Chamorro Land Trust Commission. He told lawmakers to defend the rights of the community and make it the policy of the government of Guam to see the final return of all lands and ensure the buildup is beneficial to island residents.

Rita Franquez, citizen

Ms. Rita Franquez testified as a private citizen. She presented a map to lawmakers self-titled "Options for Military Expansion" (attached to recorded Committee report). She told lawmakers that the occupation of the various governments have always been about the land of Guam.

Mr. San Nicolas, citizen

Mr. San Nicolas testified as a private citizen in support of Bill 43. He submitted a quick Claim Deed and Decree of Land Grant by then Gov. Carl t. C. Gutierrez for the record. He told the Committee that he regularly attends the Joint Guam Program Office meetings. He said that he had quizzed JGPO as to whether their identification of needed properties is a done deal and said he was frustrated with the JGPO meetings. He said he hoped to get the lands taken from his family and promised through the land grant in 1998 and deed in 2003 before any more land is given up.



II. Summary of Testimonies: (Cont. – pg 3)

Bill 43 (COR): as substituted by the committee.

Josephine “Ofing” Jackson, Taotaomona Native Rights

Ms. Josephine Jackson testified as a citizen and member of the Taotaomona Native Rights group. She read from her written testimony (attached). She testified in support of Bill 43 but added that the Federal government has enough land and should not be provided with any more.

Danny “Pagat” Jackson, Taotaomona Native Rights

Mr. Danny Jackson testified in Chamorro as a citizen and member of the Taotaomona Native Rights group. He said that the federal government is taking more than they need and the island should not have to give up anymore property for military use. He used that analogy that the federal government continues to be “hungry” and when they are hungry, they come to Guam to eat some more lands of Guam.”

Trini Torres, Maga Haga, Taotaomona Native Rights

Ms. Trini Torres is the Maga’ Haga of the Taotaomona Native Rights group. She testified in support of Bill 43 and thanked the authors’ for introducing the measure. She stated that the group does not want the military buildup to occur. She stated that the buildup would only benefit the United States and persons she dubbed as “outsiders.”

Vicente “Ben” “Faet” Garrido, citizen

Mr. Ben “Faet” Garrido testified as a private citizen. He said he supported the measure to have the legislature be the final authority of disposition of lands related to the military buildup. He said the federal government was looking to “steal” more land and didn’t want them to be successful. He urged lawmakers to make sure the federal government returns lands that they are not using.

Thomas Megofna Fejeran, citizen

Mr. Thomas Fejeran testified as private citizen. He said he was in support of Bill 43 and told the Committee that the citizenry of Guam has matured enough to decide their destiny. He lauded the measure and said it was a first step in making sure the federal government negotiates with the island and not impose their will.

Viqui Gayer, citizen

Ms. Viqui Gayer testified as a private citizen. She said that she was concerned about the environment and asked lawmakers to require their full disclosure about nuclear deposits. She said she was very concerned about the life of our future generations. And opined that the buildup will be death to Guam. Wants alternative. She also suggested the government of Guam buy back Guam from the United States. She submitted supplemental written testimony (attached).

Abu Rose, citizen

Ms. Abu Rose testified in support of the measure and submitted written testimony (attached). She summarized her testimony with the phrase and sentiment “Yankee go home.”



II. Summary of Testimonies: (Cont. – pg 4)

Bill 43 (COR): as substituted by the committee.

Jose Garrido, citizen

Mr. Garrido testified in favor of the Bill, with a little twist. He stated that the military has enough land and offered that they simply don't want to harm or inconvenience those "inside the fence" with the noise or pollution that may come with a firing range. He called for lawmakers to insist on an economic impact study and warned that the Governor should not be the final authority in land dealings.

Ron Laguana, Nasion Chamoru

Mr. Ron Laguana told the Committee that the island community needs to stand up for their rights when dealing with the federal government. He urged the public to rise and be heard. And said the military has more inventory of land than they need.

Jose Chargualaf, citizen rep for PARA

Mr. Jose Chargualaf testified on behalf of PARA, People Advocating Responsible Action. Mr. Chargualaf did not indicate his position on Bill 43 (COR). He stated he wanted to protect the Chamorro Land Trust. And noted that all remaining land should be for the Chamorro people.

Fanai Castro, citizen

Fanai Castro testified as a private citizen. She said that the island had no need for the buildup as it will change the landscape of the paradise. She offered the perspective that there were too many buildings on Guam and the island of Guam is getting too hot as a result. She said the Federal government needed to dialogue with the government of Guam. She echoed the sentiment of persons in support of Bill 43.

Kie Susuico, citizen

Kie Susuico testified as a private citizen. He expressed concern about the north coast of Guam; just off of the discussed Chamorro Land Trust property the military was interested in. He said the federal government needs to ask the community and not tell the people of Guam what they are going to do. He asked "Why we are not consulted. How long must we wait." He said that he is a native Chamorro without land as a result of the military taking his family land after World War II. He called on lawmakers not to entertain military's proposal for more land. He said our culture was more important than any economic benefit.

David Sablan, citizen

David Sablan testified as a private Citizen. He told the Committee that it is not right to have to fork out anymore land for military use. Especially when there are Chamorros without lands. He told senators that the island has no more land to offer. He said the US government had no mutual respect for the local government. He asked that the US practice the equal rights clause of its constitution.

Additional testimony (written testimony) submitted by: (attached)

1. BJ Penn, assistant secretary of the Navy
2. Jonathan B. Diaz, citizen



III. Findings: Bill No. 43 (COR): relative to *inventorying government lands that may be utilized in support the Military Buildup*, as substituted by the committee.

The Committee on the Guam Military Buildup and Homeland Security to which was referred Bill No. 43 (COR): relative to inventorying government lands that may be utilized in support of the Military Buildup, herein reports out the measure. The Committee finds that Bill No. 43 (COR) as introduced intends to amend public law and require that the *I Kumision Guåhan Fine'nana (the Guam First Commission)* review the Federal Government's needs and requests for additional land, and inform *I Liheslatura* and *I Maga'Lahi* of any potential leases, sub-leases or requests to purchase property owned in the name of the Government of Guam.

Specifically, the Committee finds that Bill No. 43 tasks the Guam First Commission with inventorying all lands administered by the Government of Guam that the Federal Government may intend to lease, sub-lease or acquire. The Legislature will then be the final authority in approving such requests. The measure disallows the practice of subletting GovGuam land to the military for pure profit by entities other than the Government of Guam. There are currently no control measures to prohibit individuals from engaging in speculative acts with the intent to profit from the renewed need for land by the Federal Government. Currently, any profit from such leases will benefit the individuals or organization and not the island community. The Committee finds that persons already have leases from GovGuam and are speculating with the Federal Government on future use; while others plan to obtain a lease for the sole purpose of sub-leasing to a Federal Government entity.

The Committee finds that Bill 43 (COR) essentially protects remaining government of Guam land recorded at just 31,032 acres. This represents roughly 23 percent of all land on Guam inventoried to total some 133,760 acres based on its 209 square miles. The military buildup will require land over and above what the Federal Government already has in its possession, recorded at 33,500 acres or 25.94 percent of the island's land mass. The remaining 51 percent of the island belongs to private owners.

The Committee further finds that the Guam Legislature is the policy making branch of our government, elected by the people to represent their best interests. The island of Guam has a finite amount of land, and in order for the people of Guam to obtain maximum benefit, the Legislature must be involved. The community must benefit from any short or long-term land leases or acquisitions by the Federal government, in support of the military buildup.

Additionally, the Committee took into account the concerns of those that provided testimony during the public hearing on the measure; as well as concerns during subsequent meetings and included several suggestion proffered through substitute Bill No 43 (COR). A mark-up meeting on was held on Feb. 12, 2009; Sen. Guthertz called the meeting to order at 10:00am and adjourned the meeting at 10:25am with no other senator present. Amendments to Bill 43(COR) are outlined in page 10 of this report.



III. Findings: (Cont. – pg 2)

Bill No. 43 (COR): as substituted by the committee.

Amendments to Bill No. 043

TITLE: Added the words:

LEASE, [OR] SUB-LEASE, EXCHANGE FOR OTHER LAND, OR PURCHASE,

SECTION 1: Added the words:

, land exchanges

to lines 6 and 7 on page 1 and to lines 10 and 11 on page 2.

SECTION 2: Added the words:

, including information on federal needs for additional land, and any proposed leases, sub-leases or requests to exchange land or purchase any land owned in the name of the Government of Guam.

to lines 17-20 on page 2.

SECTION 2: Added the words:

Any and all entities of the Government of Guam shall notify the *Kumision* within five (5) working days of any proposal, request or inquiry by the Federal Government or any agent of the Federal Government, relative to the use or need of any land owned in the name of the Government of Guam.

at the end of line 1.

SECTION 3: Added a new Section 3 to read:

Section 3. A new Sub item (c) is added to Title 2 Guam Code Annotated § 2107 to read:

(c) Any sub-lease of land owned in the name of the Government of Guam to the Federal Government or any agent of the Federal Government shall require the approval of *I Liheslatura*.



IV. Recommendation: Bill No. 43 (COR): relative to *inventorying government lands that may be utilized in support the Military Buildup*, as substituted by the committee.

The Committee hereby reports out Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi'*, as substituted by the committee; with its recommendation.

THE RECOMMENDATION OF THE COMMITTEE IS AS FOLLOWS:

5 TO PASS

4 TO REPORT OUT ONLY

0 NOT TO PASS

0 ABSTAIN

0 INACTIVE FILE

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 43 (COR)
as substituted by the Committee

Introduced by

J.P. GUTHERTZ
R.J. RESPICIO
B.J.F. CRUZ

AN ACT TO AMEND TITLE 1 § 2401 (c) AND ADD A NEW SUBITEM (C) TO TITLE 2 § 2107 GUAM CODE ANNOTATED RELATIVE TO TASKING *I KUMISION GUÅHAN FINE'NANA* TO DETERMINE WHICH LAND THE FEDERAL GOVERNMENT MAY INTEND TO LEASE, SUB-LEASE, EXCHANGE FOR OTHER LAND, OR PURCHASE, AND REPORT THEIR FINDINGS TO *I LIHESLATURA* AND *I MAGA'LAHI'*.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 **Section 1. Legislative findings and intent.** *I Liheslaturan Guåhan*
3 finds that the federal government has stated that the ongoing military
4 buildup will result in the need for land over and above that property which
5 is already in Federal hands. This will mean that in order for the United
6 States military to properly carry out their mission, leases, sub-leases, land
7 exchanges or purchases of local property, including land owned in the
8 name of the Government of Guam, may be proposed.

1 *I Liheslatura* further finds that certain individuals may attempt to
2 engage in speculative acts in order to profit from such a need for land, by
3 sub-leasing Government of Guam land for which they already have a lease,
4 or plan to obtain a lease for the purpose of sub-leasing to a federal
5 government entity. Such actions, should they take place, will allow a few
6 individuals to profit at the expense of our entire community.

7 *I Liheslatura* further finds that it should be the final authority in any
8 and all requests to lease, sub-lease, exchange land or sell property owned
9 in the name of the Government of Guam, relative to federal or military
10 purposes.

11 It is therefore the intent of *I Liheslatura* to amend public law and
12 require that the *I Kumision Guåhan Fine'nana* review the Federal
13 Government's needs and requests for additional land, and inform *I*
14 *Liheslatura* and *I Maga'Lahi'* of any potential leases, sub-leases, land
15 exchanges or requests to purchase property owned in the name of the
16 Government of Guam.

17 **Section 2. Title 1 Guam Code Annotated § 2401 sub-item (c) is**
18 ***amended to read:***

19 “(c) The *Kumision* is also tasked with monitoring all federal and

1 international activities relative to the military expansion and
2 providing all relevant information to *I Maga 'lahi'* and *I Liheslatura*,
3 including information on federal needs for additional land, and
4 any proposed leases, sub-leases or requests to exchange land or
5 purchase any land owned in the name of the Government of Guam.

6 The *Kumision* will be the initial contact point for public information,
7 official requests, and any other inquiries regarding the buildup. Any
8 and all entities of the Government of Guam shall notify the
9 *Kumision* within five (5) working days of any proposal, request or
10 inquiry by the Federal Government or any agent of the Federal
11 Government, relative to the use or need of any land owned in the
12 name of the Government of Guam.”

13 Section 3. A *new* Subitem (c) is *added* to Title 2 Guam Code
14 Annotated § 2107 to read:

15 (c) Any sub-lease of land owned in the name of the
16 Government of Guam to the Federal Government or any agent of
17 the Federal Government shall require the approval of *I Liheslatura*.

Amendments to Bill No. 043 for substitution

TITLE:

**Corrected the §
§ 2301-2401 (c)**

Added the words:

AND ADD A NEW SUBITEM (C) TO TITLE 2 § 2107

And

LEASE, [OR] SUB-LEASE, EXCHANGE FOR OTHER LAND, OR PURCHASE,

SECTION 1: Added the words:

, land exchanges

to lines 6 and 7 on page 1 and to lines 10 and 11 on page 2.

SECTION 2: Added the words:

, including information on federal needs for additional land, and any proposed leases, sub-leases or requests to exchange land or purchase any land owned in the name of the Government of Guam.

to lines 17-20 on page 2.

SECTION 2: Added the words:

Any and all entities of the Government of Guam shall notify the *Kumision* within five (5) working days of any proposal, request or inquiry by the Federal Government or any agent of the Federal Government, relative to the use or need of any land owned in the name of the Government of Guam.

at the end of line 1.

SECTION 3: Added a new Section 3 to read:

Section 3. A new Sub item (c) is added to Title 2 Guam Code Annotated § 2107 to read:

(c) Any sub-lease of land owned in the name of the Government of Guam to the Federal Government or any agent of the Federal Government shall require the approval of the *Liheslatura*.

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. **43 (COR)**
~~(LS)~~

Introduced by

J. P. GUTHERTZ
R.J. RESPICIO
B.J.F. CRUZ

2009 JAN 16 PM 2:39

AN ACT TO AMEND TITLE 1 GUAM CODE ANNOTATED
§ 2301 (c) RELATIVE TO TASKING I KUMISION GUÅHAN
FINE'NANA TO DETERMINE WHICH LAND THE
FEDERAL GOVERNMENT MAY INTEND TO LEASE OR
SUB-LEASE AND REPORT THEIR FINDINGS TO I
LIHESLATURA AND I MAGA'LAHI'.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative findings and intent.** *I Liheslaturan Guåhan*
3 **finds** that the federal government has stated that the ongoing military
4 **buildup** will result in the need for land over and above that property which
5 **is** already in Federal hands. This will mean that in order for the United
6 **States** military to properly carry out their mission, leases, sub-leases or
7 **purchases** of local property, including land owned in the name of the
8 **Government** of Guam, may be proposed.

9 *I Liheslatura* further finds that certain individuals may attempt to
10 **engage** in speculative acts in order to profit from such a need for land, by
11 **sub-leasing** Government of Guam land for which they already have a lease,
12 **and** plan to obtain a lease for the purpose of sub-leasing to a federal

1 government entity. Such actions, should they take place, will allow a few
2 individuals to profit at the expense of our entire community.

3 *I Liheslatura* further finds that it should be the final authority in any
4 and all requests to lease, sub-lease or sell property owned in the name of
5 the Government of Guam, relative to federal or military purposes.

6 It is therefore the intent of *I Liheslatura* to amend public law and
7 require that the *I Kumision Guåhan Fine'nana* review the Federal
8 government's needs and requests for additional land, and inform *I*
9 *heslatura* and *I Maga'Lahi'* of any potential leases, sub-leases or requests to
10 purchase property owned in the name of the Government of Guam.

11 **Section 2. Title 1 Guam Code Annotated § 2301 sub-item (c) is**
12 **amended to read:**

13 “(c) The *Kumision* is also tasked with monitoring all federal and
14 international activities relative to the military expansion and
15 providing all relevant information to *I Maga 'lahi'* and *I Liheslatura*,
16 **including information on federal needs for additional land, and**
17 **any proposed leases, sub-leases or requests to purchase any**
18 **property owned in the name of the Government of Guam.** The
19 *Kumision* will be the initial contact point for public information,
20 official requests, and any other inquiries regarding the buildup.”

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina'Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY
155 Hesler Place, Hagatna, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@pticom.com

Committee on the Guam Military Buildup and Homeland Security

Public Hearing
Friday, January 30, 2009

I Liheslatura's Public Hearing Room
Guam Legislative Building
155 Hesler Place, Hagatna

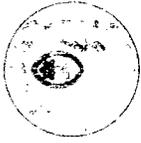
A G E N D A

9:30am

Bill 43: Relative to the leasing of Government of Guam Land

- **Bill No. 43 (COR): An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking *I Kumision Guåhan Fine'nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'Lahi'*, By J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz**

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Treanta na Libeslaturan Guahan
Thirtieth Guam Legislature

CELEBRATION OF THE 50TH ANNIVERSARY OF THE MILITARY BUDGET AND BUDGETARY SERVICES
1. From the Department of the Budget and Finance, Guam, 1. 1. 2009. 1. 1. 2009. 1. 1. 2009.

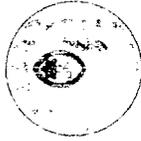
Public Hearing: Bill No. 43 (COR) An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking I Kumision Guhan Fine'nana to determine which land the Federal Government may intend to lease or sub-lease and report their findings to I Liheslatura and I Maga'Lahi, by J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz

SIGN IN SHEET

Friday, January 30, 2009 at 9:30 a.m. @ I Liheslatura's Public Hearing Room

Name	Agency or Interest Group (if applicable)	Contact No.	Email
Carol S. Tayanun	Agot Mayor President MCOG	888-1492	agotmayorsoffice@hotmail.com
JOSEPH M. BARLA	- self - Chamorro Land Trust Commission	475-4251	info@lctequam.org
RON TEEHAM	- self	789-GUAM	rtteeHAM@yahoo.com
Tom Boreman	Self	505-5465	tombo@telecom.net
CARLOS SARRAS	GIHA Executive Manager	646-0300	carloss@guamairport.net
Eddie Benavente	Guam Annotated Land Commission	475-5263/7	eddiebenavente@guamairport.net

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Tirona na Liheslaturan Guahan
Thirtieth Guam Legislature

CHARLES A. ... THE MILITARY BUDGET AND HOW TO END ...
... ..

Public Hearing: Bill No. 43 (COR) An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking I Kumision Guahan Fine'nanan to determine which land the Federal Government may intend to lease or sub-lease and report their findings to I Liheslatura and I Maga'Lahi, by J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz

SIGN IN SHEET

Friday, January 30, 2009 at 9:30 a.m. @ I Liheslatura's Public Hearing Room

Page _____

Name	Agency or Interest Group (if applicable)	Contact No.	Email
Kie Susuico	XXXX N/A	N/A	N/A
Fauai Castro	N/A	N/A	N/A
FRANK C. SNU.	LOT 25.2 Andy Smith	888-8307	
R. FRANQUEZ	N/A		
Nose Changulaf	PARA	828-1217	mel.../...msn.com

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Tienta na Liheslaturan Guahan
Thirtieth Guam Legislature

GOVERNMENT OF GUAM
LEGISLATIVE BRANCH
OFFICE OF THE MAJORITY LEADER AND HEAVY BUDGET COMMITTEE
1110 HENRI HUGHES DRIVE, SUITE 1110, HONOLULU, HAWAII 96813-4000

Public Hearing: Bill No. 43 (COR) An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking I Kumision Guahan Fine'ana to determine which land the Federal Government may intend to lease or sub-lease and report their findings to I Liheslatura and I Maga'Lahi', by J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz

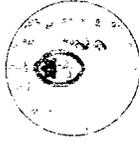
SIGN IN SHEET

Friday, January 30, 2009 at 9:30 a.m. @ I Liheslatura's Public Hearing Room

Page _____

Name	Agency or Interest Group (if applicable)	Contact No.	Email
Pagat	Taotaomona Native Rights	637-5894	
O'ing	Taotaomona Native Rights	637-5894	
Thomas M. Feyera	self	653-8473	tomfe@cyahoo.com
Don GARRIDO "Aet"	self	646-1939	
Trini Torres	Rights Taotaomona Native	477-0638 cell 687-1856	
	Agency or Interest Group (if applicable)	Contact No.	Email

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina Treinta na Liheslaturan Guahan
Thirtieth Guam Legislature

OFFICE OF THE CLERK OF THE HOUSE OF REPRESENTATIVES
1000 The Palms, Suite 100, P.O. Box 7717, Hagåtña, Guam 96909-7717

Public Hearing: Bill No. 43 (COR) An act to amend Title 1 Guam Code Annotated § 2301 (c) relative to tasking I Kumision Guðhan Fine'nana to determine which land the Federal Government may intend to lease or sub-lease and report their findings to I Liheslatura and I Maga'Lahi, by J.P. Guthertz, DPA / R.J. Respicio / B.J.F. Cruz

SIGN IN SHEET

Friday, January 30, 2009 at 9:30 a.m. @ I Liheslatura's Public Hearing Room

Page _____

Name	Agency or Interest Group (if applicable)	Contact No.	Email
Vicki Dayer	Autism	472-2229	viguigyer@yahoo.com
Abu Rose	Guam Communities	734-3542	aburose25@yahoo
Ronald T. Casuarina	Nasion Chamorro	482-0458	rlaguana@gmail.com
David L. Sakin	Transfo		

Senator Judith Paulette Guthertz, DPA
Assistant Majority Leader



I Mina'Trenta na Liheslaturan Guåhan
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE MILITARY BUILDUP AND HOMELAND SECURITY

155 Hesler Place, Hagatña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@pticom.com

OPENING STATEMENT

January 30, 2009

Good morning. May we please come to order? This is the very first hearing for this newly created committee, that of the Guam Military Buildup and Homeland Security. I welcome my colleagues who have joined me today.

This public hearing is on: Bill No. 43 (COR) AN ACT TO AMEND TITLE 1 GUAM CODE ANNOTATED § 2301 (c) RELATIVE TO TASKING *I KUMISION GUÅHAN FINE'NANA* TO DETERMINE WHICH LAND THE FEDERAL GOVERNMENT MAY INTEND TO LEASE OR SUB-LEASE AND REPORT THEIR FINDINGS TO *I LIHESLATURA* AND *I MAGA'LAHI*.

This Bill was introduced on January 16 and is sponsored by myself and Senators Respicio and Cruz.

In addition to myself, the membership of this committee is:

Senator Respicio as Vice Chair

Speaker Won Pat

Senator Ada

Senator Aguon

Senator Blas

Senator Cruz

Senator Espaldon

Senator Muna Barnes

Senator Rector

Senator Taitague, and

Senator Tenorio

Thank you all for your desire and willingness to serve, and I am glad to have you on board.

The Military buildup is the single most important item on our agenda for our island's future. We need to work together to make sure that we get all of the benefits that we deserve and that our island community gets fair treatment from the Federal Government. We must not be forced into situations that will end up hurting our people.

The motto for this committee is "IF IT IS NOT WIN-WIN, WE BOTH LOSE."

On today's agenda is Bill 43. It was drafted when we learned that the military needs additional land for the buildup – in addition to the 26 percent of our island it already owns. We were not officially informed about this need, but the Governor knew, because he had a draft military master plan that was not given to the Legislature. On page 47 of that plan is a Firing Range on GovGuam land along the back road to Andersen at the Andy South complex.

The Legislature should have known this. Obviously, at the top of our agenda will be open communications and transparency. In order to plan properly and react accordingly, we must know what is being considered. For far too long we have been overly benevolent in accommodating the Federal Government. This is one reason why Senator Respicio was so insistent on creating the Guam First Commission, to take a unified "Team Guam" approach on this buildup. We thank him for his leadership, persistence, and foresight in getting the Guam First Commission established.

This buildup program is way too large and complex for compartmentalization. Military land takings have been so controversial that any desire for additional land must be dealt with transparently. GovGuam has three land categories: regular government land, Chamorro Land Trust, and Ancestral Lands. We have to protect ourselves from any profiteering on any of these lands. The land being sought is primarily Ancestral, under the jurisdiction of the Ancestral Lands Commission. By law, proceeds from their use go to former landowners who had land taken that will never be returned, such as at Naval Station or the runway at Tiyan.

GEDCA is the land agent for Ancestral Lands, and a private firm, the Colorado Development Company, has already submitted a request to lease the land where the military wants their firing range. This company probably got a look at the master plan and then went after a lease so they could sub-lease it to the military for a huge profit. We will not tolerate any individual or company being a profiteer with our sacred land. The proper proceeds of any military use of that land must go to the proper beneficiaries.

The military is also looking at land on the west coast of Guam, between Tanguisson and NTCS where the Marine Base will be located. This may turn out to be just a pipedream, but it also may become reality. We must be organized and prepared to make sure that any requests for additional land under Government of Guam control is handled in the best interests of all of the people of Guam.

Assistant Navy Secretary B.J. Penn, who is the top man personally involved with the buildup, and General Bice's boss, sent me a letter this week saying that no decisions for additional land will be made until early 2010. This is just another instance of keeping us in the dark. We need to be ready next year for a request for additional land, because there will be little time for proper negotiation and consideration before construction begins.

Bill 43 will protect us from the military trying to take advantage of us, such as this, which was suggested recently: The public affairs officer for JGPO said that if the military wanted the land where

the Guam Raceway Park is located, it would simply buy out, sub-lease, the remaining years on the Chamorro Land Trust lease. It's deplorable for them to think that they can get that land cheaply, and have only one organization profit.

The military's need for additional land provides the people of Guam with tremendous leverage. It is our opportunity to obtain many benefits, in addition to funds for the Land Trust, Ancestral Lands, or GovGuam. For example: Arrangements for Land Trust or Ancestral property use could provide for additional Federal land to be returned, so the overall acreage for those programs is not reduced. Surely, the military has land that could be turned over in exchange for what they desire. This would be in addition to regular lease payments. Our leverage would provide us better treatment from the Pentagon. We want to be partners, not colonialized people. We want to be consulted regularly and we want to be treated with dignity.

Bill 43 is not intended to usurp the roles of the Chamorro Land Trust Commission or the Ancestral Lands Commission. The Guam First Commission and this Committee and this Legislature would surely seek their input and consult with them regarding any military request for land. Rest assured, this Legislature will never approve any deal with the military for any of our land if that deal is not good for our people. "IF IT IS NOT WIN-WIN, WE BOTH LOSE."

###

Data researched: Committee on the Guam Military Buildup & Homeland Security
Dr. Richard Wyttenbach-Santos

GUAM LAND AND POPULATION FIGURES

There are 640 acres per square mile. Guam is 209 sq miles in size.
GUAM has 133,760 acres

U.S. MILITARY:

44,899 acres for 33.49 percent prior to return of excess land
33,500 acres for 25.94 percent remaining after return of excess land
3,200 acres returned under HR2144
8,100 acres returned under GLUP 1994
These lands returned equaled 8.447 percent of Guam land.

GOVGUAM:

31,031.68 acres for 23.2 per cent
20,000 acres are in the Chamorro Land Trust for 15 per cent.
11,031.68 acres are left for 8.2 percent of the island.

PRIVATE:

133,760 minus the 33,500 of military land and minus the 31,031.68
PRIVATE land equals:
69,228.32 for 51.75 percent of the total land of Guam.
Ten percent of that is controlled by foreign businesses.

POPULATION FIGURES

1944: 143,000 military on island with about 20,000 civilians.
1950: military is 51.8 percent of population.
1960: 28.4 percent
1990: 14.8 percent
2005: 8.5 percent
2012: 17.85 percent

Currently, military numbers are:

	Active Duty	Dependents
Navy:	4,003	2,817
USAF:	2,512	3,271 (Incl Army)
Total:	6515	6,188 for grand total of: 12,703

Coming: 8,000 Marines with 10,000 Dependents, plus 5,000 others, mainly Air Force. Grand total will be: approx. 35,703, for 17.85 percent of 200,000 total population.



DEPARTMENT OF THE NAVY
THE ASSISTANT SECRETARY OF THE NAVY
(INSTALLATIONS AND ENVIRONMENT)
1000 NAVY PENTAGON
WASHINGTON, D.C. 20330-1000

January 27, 2009

Judith P. Guthertz, D.P.A.
Thirtieth Guam Legislature
155 Hesler Place
Hagatna, Guam 96910

RECEIVED
DATE: 1/29/09
SM

Dear Senator Guthertz:

Thank you for your letter of January 21, 2009 inviting the Joint Guam Program Office, Forward to provide testimony on Bill 43 -- Relative to the Leasing of Government of Guam Land. The Department of the Navy appreciates your efforts to tackle the issue of possible speculation in Government of Guam lands related to the Guam military build-up.

The Joint Guam Program Office is currently preparing the Environmental Impact Statement (EIS) designed to study environmental impacts associated with the proposed relocation of Marine Corps units from Okinawa as well as other proposals such as developing infrastructure for berthing transient aircraft carriers. The National Environmental Policy Act requires that the Navy consider a reasonable range of alternatives for implementing the proposed actions as part of its EIS process. As you are aware from previous briefings provided by the Joint Guam Program Office, some alternatives being considered for analysis in the EIS contemplate possible acquisition of some type of property interest in lands under the control of the Government of Guam. At this time, the Navy has not determined which alternatives will be analyzed in detail in the EIS and certainly has made no decision regarding potential land acquisition. While a preferred alternative is often identified when a Draft EIS is published for public review and comment, no decisions regarding possible land acquisition will be made until the EIS process is complete and all aspects of the matter have been considered by the Navy's leadership. I do not anticipate any decision regarding where to locate Marine Corps units and supporting infrastructure until early 2010.

During the NEPA process, Department of Navy personnel, especially those in a position of leadership, must refrain from taking any action which could be viewed as pre-determining the manner in which a decision would be implemented or otherwise limit the choice among reasonable alternatives. Should Department of Navy personnel testify regarding the proposed legislation, such testimony could be interpreted as implying that alternatives contemplating acquisition of Government of Guam lands will be given more weight than those that do not involve land acquisition. Even if not intended to do so,

testimony could be interpreted as limiting the choice of alternatives in contravention of regulations published by the President's Council on Environmental Quality.

Although some actions by the Navy, including testifying before legislative bodies, may be limited during the EIS process, the Joint Guam Program Office will continue to provide members of the Legislature, other Government of Guam officials, and the public with necessary information regarding the EIS process and Guam military build-up. I urge you to contact Mr. John Jackson, Director, Joint Guam Program Office, Forward, at (671) 339-6156 should you require further information.

Sincerely,

A handwritten signature in black ink, appearing to read 'BJ Penn', written over a light blue horizontal line.

BJ Penn



Office of the Mayor

Ufisinan Mahot Agat

MUNICIPALITY OF AGAT

Carol S. Tayama
Mayor

Jesus B. Chaco
Vice Mayor

January 30, 2009

The Honorable Judith P. Guthertz, DPA
Senator and Chairperson
Committee on Guam Military Buildup and Homeland Security
I Mina' Trenta Na Liheslaturan Guahan
155 Hesler Street
Hagatna, Guam 96910

AN ACT TO AMEND TITLE 1 CODE ANNOTATED SECTION 2301 (C) RELATIVE TO TASKING I KUMISION GUAHAN FINE'NANA TO DETERMINE WHICH LAND THE FEDERAL GOVERNMENT MAY INTEND TO LEASE OR SUB-LEASE AND REPORT THEIR FINDINGS TO I LIHESLATURA AND MAGA'LAHI.

My Dear Senators:

Buenas yan Hafa Adai! For the record my name is Carol S. Tayama, Mayor of the Municipality of Agat and President of the Mayor's Council of Guam. I am here to provide testimony in support to ***"An act to amend Title 1 Code Annotated Section 2301 (c) relative to tasking I Kumision Guahan Fine'Nana to determine which land the federal government may intend to lease or sub-lease and report their findings to I Liheslatura and Maga'lahi."***

In 1948, a few years after the war and our Liberation, a little girl was born to a Chamorro couple. Of course, the parents of that little girl were ever so grateful to the United States of America and to the military for ensuring that this island and her people would live in peace and freedom and to perpetuate the customs, beliefs, and traditions of the Chamorro people.

The little Chamorro girl, her parents, and family were soon to be made a part of the United States of America by giving them citizenship through the enactment of the Organic Act of Guam in 1950. That little girl grew up loving and accepting the fact that the members of the United States military were the ones responsible for our freedom. Her parents did not object to the fact that the United States military settled on Guam, took whatever prime land and beach area they needed because after all, they were our friends and protectors. The little girl did not question her parents either. As the years went by however, that same little girl began to wonder about some things...

Why are the best locations on island encircled by fences that have signs saying U.S. Property? How did they get these lands? Who did they ask to take these lands? Where did the people go that used to own lands?

The girl grew up never getting an answer. All she was told was that the Chamorro people are a grateful people who gave what they had for the freedom they received. She accepted that because it seemed everyone else accepted it.

But now, in 2009, some 60 years later, the same United States of America and the military seem to want more Chamorro property, and again... the best properties that our island has.

That little girl whose parents freely gave what they had so that she and her brother and sisters may live in a peaceful Guam is now herself a parent. She is the proud mom of a son in the United States Air Force and she is proud to be under the American flag. She is patriotic and she supports the United States of America.

But unlike her parents and many others who gave freely without question to the needs and plans of the United States military in the 1950's, this time she wants the United States of America and its military to be up front with the people of Guam. She wants the military to tell our leaders what they need. She wants the military to tell our leaders what they have planned. She wants the United States military to respect the needs and plans of the people of Guam too.

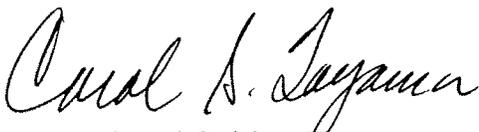
The little girl born in 1948 is now herself a parent is me. I support the United States and the military but I also support the need for them to be open and transparent with the people of Guam. This legislation should not be necessary, but unfortunately, we as leaders cannot continue to be taken down the road blindfolded. We must know of their plans. We must know what they want to do.

I owe it to my parents, to my people, and to my children to make sure that the Guam that was, will continue to be... a place where all Chamorros will continue to live with pride. We will continue to support... we will continue to give... we will continue to be patriotic.

We just need to be asked because, after all, the greatest effect of this military buildup is not what happens in other countries. The greatest effect is what will happen to the people of Guam.

I SUPPORT BILL NO. 43(COR).

Senseramente,

A handwritten signature in black ink, reading "Carol S. Sablan". The signature is written in a cursive, flowing style.

Mayor Carol Sablan Tayama
President, Mayor's Council of Guam



Testimony on Bill 43

Thursday, January 29, 2009 6:40 AM

From: "Tom Barcinas" <tomike@teleguam.net>

To: nenbri@yahoo.com

Following are statements in support of Bill 43. To begin with, let me point out some statistics. Guam is only 209 square miles or 133,760 acres. 33,500 of which belongs to the federal government or 26%, while the Government of Guam owns 31,032 acres or 23%. This statistics is very alarming!

This situation requires very serious thinking, discussions, and planning. Since the military needs us and since we need the military (some may ask who needs who the most), we need to find a way to co-exist and we must strive for a win-win arrangement. We must be partners all the way, for if we don't we will both lose!

Following are ideas to consider:

sale

1. The Guam legislature must approve the rental of all Government of Guam lands.

2. All rental of Government of Guam lands must not be subleased without approval of the
Guam Legislature.

3. Since the military build up will be affecting all aspects of lives on Guam, the following needs

to be considered in the rental negotiations :

a. The landfill, the hospital, the schools, the port, the roads/bridges, the environment,

public safety, the airport, and other infrastructure needs

b. Guam's culture, custom, and traditions are going to be **COMPROMISED**. There are

going to be cost associated with problems in these areas.

Where both parties resolve to be equal partners in the build-up, we will be able to co-exist, arrive at win-win arrangement, and we will be one community and not a community inside the fence and one community outside the fence! We can do it!

Thanks, thanks for the opportunity!

January 30, 2009

To: **The Honorable Senators**
 Judith P. Gutherz, EdD
 Rory J. Respicio
 Benjamin J.F. Cruz

Fr: **Jonathan B. Diaz**
 P.O. Box 21603 GMF
 Barrigada, GU 96921

Re: **Bill 43**



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

– Angel L.G. Santos

Buenas yan Hafa Adai Honorable Senators of Mina' Trenta Na Liheslaturan Guahan,

I rise in support of **Bill 43** to Amend Title 1 Guam Code Annotated §2301 (c) Relative to Tasking *I Kumision Guahan Fine'Nana* to determine which land the Federal Government may intend to lease or sub-lease and report their findings to *I Liheslatura* and *I Maga'lahi*.

In order to address the issues of land takings since the beginning of Westernization of our homelands, the military plans to lease, sub-lease or sell Chamoru Land Trust is an affront to me and the next generation of Chamoru children. I write with grave concerns that most of us have and I stand with you in allowing the Legislature and the Governor oversight in the leasing, subleasing or selling of the island to the Federal Government. The policy that is being implemented, through the Department of Defense and the Department of the Interior, is disturbing considering President Clinton's 1990's policy in returning federal lands to the Government of Guam. It is hypocritical and back ward thinking policy that continues to prevail in our land. Although the leasing, subleasing and the selling of our properties may help with National Security, none of these lands are reserved in protecting the local and civilian populations on Guam and the entire Mariana Archipelago or the perpetuation of our cultural heritage. The lands of Pagat

Mangilao to Yigo are ancestral burial grounds. If one were to take a hike to these areas, you will see the ancient lattes, lusong, matate, and other artifacts created by the first peoples of these lands over 4,000 years ago. The land takings are a sign that the Chamoru people will be in museums and no longer a living culture.

During the various JGPO meetings throughout the island, I have been adamant in addressing the security needs of the local civilian population and in addressing the construction of bomb shelters. Most of my questions were side-swiped or given the answer of "I do not know." In the event of the out break of war, there is no plan to help and secure the safety of the local civilian population. In the planning of the military expansion, destruction of the land and the training of military personnel is primal as opposed to securing the local civilian population which is governed by this side of the fence. When asked about the civilian population, almost nothing is guaranteed. I am sure that your colleagues at the Legislature and the Governor of Guam have experienced the same in your dealings with Federal officials.

It is prime time that we effectively use diplomacy to our advantage. Bill 43 is one attempt to use diplomacy in our own lands with our administering power in the U.S. Federal Government. I have utmost confidence that *I Liheslatura* and *I Maga Lahin* Guahan will address our needs and concerns. However, this is not enough. It may be time that *I Liheslatura* and *I Magalahi* stand in protest to the upcoming plans to demonstrate and make known the concerns of the people. Like the walk out of the Guam Congress in the 1940's, I would like to encourage all of us to take the stand of **civil disobedience** as this would be necessary in bringing national and international attention to Guam.

At times I often wonder why we continue to operate with the assumption that the Government of Guam and the Organic Act are legal. Under the United Nations charter, our limited self governance is a sign that we are and continue to function as a colony. When do we understand that enough is enough and that we will not take this abuse? Yet, we continue to function as if we are a legitimate government. Notwithstanding that we must do what we must need to do, but when do we realize that we cannot protect our lands when Federal laws supersede our intentions. We know full well that the fight continues everyday in order to effect change within our island colony.

As a young and aspiring Chamoru who cares and loves the island just like the rest of the people who live and work on Guam, I am losing faith in the system of governance on Guam. I support the work that you are all engaging, but alas, I wonder what the future looks like for our children. If lands are taken away again, what would our island look like? If a major highway is constructed or live munitions are used, how many

.. ..

more civilians will be affected by contamination? If more and more of our people leave the island seeking economic gain in various parts of the U.S. continent, what will our numbers look like in terms of the indigenous and aboriginal peoples of these lands? If Federalization in the CNMI comes into effect on June 1, what would their covenant entail in 2011? If we continue to use diplomatic relations with our administering power, what would the back lash be to our Section 30 monies and federal grants? Although these questions are hard to fathom, I ask that we continue to defend the little that we have left.

I remain steadfast that we can get more if we enact legislation that gears towards decolonization. If the commission of decolonization still exists, what is being done to address our self determination in conjunction with the Chamoru Land Trust? Now that a new president has been sworn into the White House, it is time to write and make known our concerns. I believe also that if the land takings are a done deal, then it would behoove us to take legal action which is our only way to address our concerns under our limited self governance.

As we continue to navigate this year, it is my hope that the Guam First Commission continues to be effective in being bold and courageous during this time and space. In closing, I am attaching Chief Hurao's speech of 1671 so that you may contemplate and be reinvigorated to do what is right and just on behalf of our people and the next generation of island children. May our Saina guide us today and always!

Sinceru yan Magahet,

Si Jonathan B. Diaz

Chief Hurao's Speech of 1671

The Spaniards would have done better to remain in their own country. We have no need of their help to live happily. Satisfied with what our islands furnish us, we desire nothing. The knowledge which they have given us has only increased our needs and stimulated our desires. They find it evil that we do not dress. If that were necessary, nature would have provided us with clothes. They treat us as gross people and regard us as barbarians. But do we have to believe them? Under the excuse of instructing us, they are corrupting us. They take away from us the primitive simplicity in which we live.

They dare to take away our liberty, which should be dearer to us than life itself. They try to persuade us that we will be happier, and some of us had been blinded into believing their words. But can we have such sentiments if we reflect that we have been covered with misery and illness ever since those foreigners have come to disturb our peace?

Before they arrived on the island, we did not know insects. Did we know rats, flies, mosquitoes, and all the other little animals which constantly torment us? These are the beautiful presents they have made us. And what have their floating machines brought us? Formerly, we do not have rheumatism and inflammations. If we had sickness, we had remedies for them. But they have brought us their diseases and do not teach us the remedies. Is it necessary that our desires make us want iron and other trifles which only render us unhappy?

The Spaniards reproach us because of our poverty, ignorance and lack of industry. But if we are poor, as they tell us, then what do they search for? If they didn't have need of us, they would not expose themselves to so many perils and make such efforts to establish themselves in our midst. For what purpose do they teach us except to make us adopt their customs, to subject us to their laws, and to remove the precious liberty left to us by our ancestors? In a word, they try to make us unhappy in the hope of an ephemeral happiness which can be enjoyed only after death.

They treat our history as fable and fiction. Haven't we the same right concerning that which they teach us as incontestable truths? They exploit our simplicity and good faith. All their skill is directed towards tricking us; all their knowledge tends only to make us unhappy. If we are ignorant and blind, as they would have us believe, it is because we have learned their evil plans too late and have allowed them to settle here. Let us not lose courage in the presence of our misfortunes. They are only a handful. We can easily defeat them. Even though we don't have their deadly weapons which spread destruction all over, we can overcome them by our large numbers. We are stronger than we think! We can quickly free ourselves from these foreigners! We must regain our former freedom!



A.B. WON PAT
 INTERNATIONAL AIRPORT AUTHORITY, GUAM
 ATURIDAT PUETTON BATKON AIREN GUAHAN ENTENASIONAT

P.O. Box 8770
 Tamuning, GU 96931

Tel (671) 646-0300
Fax (671) 646-8823

www.guamairport.com

January 28, 2009

Senator Judith Guthertz
 Chairperson, Committee on the Military Buildup and Homeland Security
 155 Hesler Place, Guam 96910

Dear Senator Guthertz:

The A.B. Won Pat International Airport Authority, Guam (GIAA), supports the general intent of Bill No. 43, an Act to Amend Title 1 Guam Code Annotated §2301 (c) Relative to Tasking *I Kumision Guahan Fine'nana* to Determine which Land the Federal Government may Intend to Lease or Sub-lease and Report their Findings to *I Liheslatura* and *I Maga'Lahi*'. However, the draft Bill in its current form may present some challenges for the Airport. We believe that the language in Bill 43 needs to be very clear about its intent and offer the following amendments:

- Page 2, line 5 – Rather than "...relative to federal or military purposes", may we suggest it to read "...relative to military purposes that is compatible with existing land use policy or mandate(s) of the Government of Guam and its autonomous agencies or instrumentalities". As you are aware, GIAA has a number of existing agreements with federal entities including explicit conditions contained in the federal deed transferring land ownership to GIAA. These conditions may not directly relate to the military buildup as far as land use and thus, should not require review from this Commission.
- Additionally, we are concerned that potential interest by the military to lease or sublease GIAA property related to the Guam buildup may be delayed or rejected by the Commission. Further, would this particular legislation apply to private contractors of the military or federal government requiring property related to the Guam buildup? If so, then this needs to be clarified.

Also for your information, GIAA submitted a proposal to the Guam Economic Development & Commerce Authority (GEDCA) to develop only a portion of Land Bank Trust Property at Andersen South for the construction of a new General Aviation Airport for Guam. If the Airport's proposal is approved, this new Airport would qualify for FAA funding to support the initial construction (Phase I) at approximately \$15.3 million. This is the same property that the U.S. military has also expressed interest on for other type of activity. We will be glad to discuss with your Committee in greater detail as it is very critical to the growth of aviation in the region and Guam's economic development.

[Handwritten signature and date]
 Date: 1-29-09
 For: I Liheslatura
 Prepared by: G. M. Muna-Barnes

Sincerely,

 Carlos Salas
 Executive Manager

cc: Senator Tina Muna-Barnes



01-30-09

Hafa Adai Senadot's yan Senadora's bonito na ha'ani para hamyu guenao hulo. Guahu si Josephine Aquiningoc Castro Jackson. Hunngan hu supotpote este na bill guini as Senadora Judy Guthertz. I'm here to say that the cold war of 1944 is over for 64 years ago. And yet the federal government hasn't given our Chamoru people here on the Island of Guam our war claims. And that they the federal government hasn't paid our Chamoru people here on Guam our due compensation.

Pues manmatta tatte guini gi tanota talo. Ya pofan gaogao tano guini gi CLT na tano. Daila ya ti mankonfotme ni masakke i tano i man Chamoru tatte gui geruna niha. Pues pofan manlule' talo tano gi CLT. na tano. Isn't the CLT for Chamorus only here on Guam is a law. Didn't they say "that they have enough land for there military build-up." Este ha be sangan na basta este na klasin finat' barbarias yan, suficiente; suficiente; suficiente.

I would like to close like this saying:

Thank-you

yan dunkolu na

SAIVA MA'ASSE

Josephine Aquiningoc Castro Jackson

of America:

And do not forget,
their friends may suddenly
become their enemies -

Remember how one day
in 1942 Japan gave U.S.
thousands of cherry blossom
trees then four days later
bombed Pearl Harbor?

We may fear invasion
without the US here to
protect us but with the
US as our master, we
are poisoned and the land
is being rendered deadly.

This is a dilemma!

However, buying back Guam
and then becoming a commonwealth
might be the solution

Vivvi Aizer
472-2229

I support greatly your ~~at~~
Bill, No. 43

30 Jun 2009

TO SENATOR GUTHERTZ

this Military Build-up Expansions
has become "Non-of-One Business"
yet, all their intention will and has had
impacted us greatly.

Let us not continue to be Bullied by
a ^{foreign} Nation whom has used us, marginalized,
us, and left toxins on our Island, in our
Swamps, and into our deep oceans.

Let us not be bullied by those who lack
respect, who lack consideration, and who
knows nothing about sharing — which is the very

the ^{very} foundation of our Chamorro Culture
It is our Rights to stand up and declare/demand which had
at how much! whatever had they get to use, may it not
disturb neighboring community, that school
children may not be frighten nor traumatized
that it could interfere with abiliton to
study — for this will violate No child left behind.
I believe we should tell the
militarists to "Yankee Go Home!"

Abu Rose
734-3542

AFFIDAVIT OF TRANSFEREE

TO: DIRECTOR OF LAND MANAGEMENT

I, the undersigned, having been first duly sworn do hereby depose and say as follows:

That I have duly acquired any interest that the Guam Ancestral Lands Commission may have in the following described real property:

A portion of Lot P15.2, Yigo, referenced and condemned in Civil Case No. 27-50 of which a portion is contained in federal excess land Lot Andersen South, that certain real property situated in Guam, Municipality of Yigo, consisting of approximately 1,598,877 square meters or 395.09 acres of land, also know as Marbo Base Command "C" more particularly described in Exhibit "A" of Instrument No. 623933

by the terms of a deed executed on the 20th day of May, 2003, bearing the Document Number 676092 said Deed being incorporated herein by reference.

The Transferee is executing this Affidavit exclusively for the purposes of 21 G.C.A. §29158 but in no way is asserting they are a Grantee claiming, entitled to or possessing any ownership interest or rent in the above-described property.

Pursuant to Title 21, Guam Code Annotated, Section 29158, the following statement is made:

I am single and the aforementioned property constitutes the sole and separate property of the heirs of Jose Villagomez Martinez.

File for record is Instrument No. 676092
on the year 20 03 Month 06 Day 05 Time 2:19
Recording Fee 11- Receipt No. 1297298

Dep. of Recorder

Jane Yamasaki

QUITCLAIM DEED

RECITALS

WHEREAS, Guam Public Laws 22-145, 23-23, 23-141, 25-45, 25-178, 26-36 and 26-100 which require that excess federal properties that are reacquired by the Government of Guam be returned to the estate of the original landowners;

WHEREAS, pursuant to Guam Public Law 25-45, the Guam Ancestral Lands Commission was created as the entity to transfer the returned excess federal properties to the original landowners;

WHEREAS, pursuant to a Quitclaim Deed executed on June 30, 2000, recorded with the Department of Land Management on July 6, 2000, in which the UNITED STATES GOVERNMENT, by and through the Office of the Administrator of General Services conveyed excess land to the GOVERNMENT OF GUAM, under Instrument No. 623933 on June 30, 2000, containing:

Lot Andersen South, that certain real property situated in Guam, Municipality of Yigo, consisting of approximately 1,598,877 square meters or 395.09 acres of land, also

25-45, 25-178, 26-36 and 26-100 the GRANTOR on behalf of itself for ONE DOLLAR (\$1.00) plus other good and valuable consideration, the receipt of which is hereby acknowledged unto the HEIRS of Jose Villagomez Martinez (hereinafter referred to collectively as "GRANTEES").

WHEREAS, Grantor hereby does not warrant ingress or egress from or to said property with the exceptions of known dedicated public right of ways and public easements if they so exist prior to the execution of this Deed. Grantor further does not warrant or establish the size, boundaries and property lines and Grantees take said property in regards to size and boundaries subject to survey.

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS:

KNOW YE that the GUAM ANCESTRAL LANDS COMMISSION, whose address is 588 West Marine Drive, Suite 101, Anigua, Guam and whose mailing address is P.O. Box 2950, Hagatna, Guam 96932.

DO HEREBY GRANT, RELEASE and FOREVER **quitclaim** unto the HEIRS of Jose Villagomez Martinez, successors and assigns, without a warranty, express or implied, under or subject to the reservations, limitations, reversions, restrictions, covenants that run with the land, conditions and exceptions as expressed and set out in that certain Quitclaim Deed between the UNITED STATES and the GOVERNMENT OF GUAM dated June 30, 2000, recorded at the Department of Land Management under Instrument No. 623933 on July 6, 2000, incorporated by reference, and unto the Grantees' successors and assigns without liability, expressed or implied, under and

Public Laws 22-145, 23-23, 23-141, 25-45 (Chapter 80 of Title 21 G.C.A.), 25-178, 26-36 and 26-100.

TO HAVE AND TO HOLD the same unto the aforementioned Grantees, their heirs, successors and assigns, forever, **TOGETHER WITH** all the privileges and appurtenances to the same belonging, and all the rents, issues, and profits thereof, **SUBJECT TO THE RESERVATIONS, COVENANTS, LIMITATIONS, REVERSIONS, EXCEPTIONS, RESTRICTIONS AND CONDITIONS** as set forth in this instrument as well as that certain Quitclaim Deed between the UNITED STATES and the GOVERNMENT OF GUAM dated June 20, 2000, Instrument No. 623933 recorded at the Department of Land Management on July 6, 2000, and incorporated by reference.

TO HAVE AND TO HOLD the same unto the aforementioned Grantees, their heirs, successors and assigns, forever, **TOGETHER WITH** all the privileges and appurtenances to the same belonging, and all the rents, issues, and profits thereof, **SUBJECT TO THE RESERVATIONS, COVENANTS, LIMITATIONS, REVERSIONS, EXCEPTIONS, RESTRICTIONS AND CONDITIONS** as set forth in this instrument as well as that certain Grant Deed between the GOVERNMENT OF GUAM and the GUAM ANCESTRAL LANDS COMMISSION dated October 17, 2000, Instrument No. 628549, recorded at the Department of Land Management on October 19, 2000, and incorporated by reference.

transferee's assumption of all the obligations imposed upon the GRANTEES by the provisions of this instrument as well as that certain Quitclaim Deed between the GOVERNMENT OF GUAM and the GUAM ANCESTRAL LANDS COMMISSION dated October 17, 2000, Instrument No. 628549, recorded at the Department of Land Management on October 19, 2000, and incorporated by reference.

BY ACCEPTANCE OF THIS DEED OR ANY RIGHTS HEREUNDER, the Grantees on behalf of the ancestral landowners hereby surrender, release and extinguishes all rights and interest in relation to the ancestral landowner's claim to the portion of the property returned, thereby permanently extinguishing all rights and interest and claims to the property pursuant to and as mandated by P.L. 25-178.

All of the provisions, conveyances, grants and descriptions contained in the Quitclaim Deed are distinct and severable, and if any provision, conveyance, grant or description is deemed to be illegal, void, or unenforceable, it shall independently be severed there from and shall not affect the validity, legality, or enforceability of any other provision, conveyance, grant, description, or portion thereof.

Water and power are not immediately available on the property listed above nor within one hundred (100) feet from the property. Grantees understand that they will be responsible for the hookup of water and power at their own expense. The Government is not required to pay for the water and power hookup.

HAGÁTÑA, GUAM) ss:

On this 30th day of May, 2003, before me, a Notary Public, in and for the Territory of Guam, personally appeared JOHN M. CAMACHO, the Chairman of the Board of Commissioners for Guam Ancestral Lands Commission, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



[Handwritten Signature]

Notary Public

JOEY G. LEON GUERRERO
Notary Public
In and for Guam, U.S.A.
My Commission Expires: October 15, 2005
P.O. Box 2950, Hagatna, Guam 96932

HAGÁTÑA, GUAM) ss:

On this 30th day of May, 2003, before me, a Notary Public, in and for the Territory of Guam, personally appeared CATHERINE F. McCOLLUM, the Secretary of the Board of Commissioners of the Guam Ancestral Lands Commission, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



[Handwritten Signature]

Notary Public

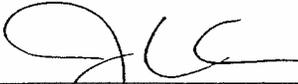
JOEY G. LEON GUERRERO
Notary Public
In and for Guam, U.S.A.
My Commission Expires: October 15, 2005
P.O. Box 2950, Hagatna, Guam 96932

HAGÁTÑA, GUAM) ss:

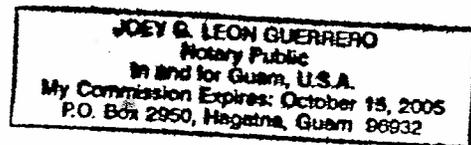
On this 3rd day of June, 2003, before me, a Notary Public, in and for Guam U.S.A., personally appeared JOHN M. CAMACHO, the Chairman of the Board of Commissioners for the Guam Ancestral Lands Commission, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.





Notary Public

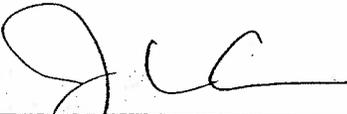


HAGÁTÑA, GUAM) ss:

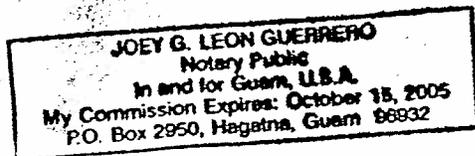
On this 3rd day of June, 2003, before me, a Notary Public, in and for Guam U.S.A., personally appeared Frank San Nicolas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.





Notary Public





Governor's Ancestral Land Grant

FRANK
Francisco C. San Nicolas, Lot P15.2

In over two hundred years of American history, no indigenous American community has ever recovered all their ancestral lands. As Governor of Guam, as a citizen of the United States of America, under solemn oath of office to uphold my nation's laws, proudly born to live and die Chamorro, I with this Grant, do herewith advance the cause of just land ownership by hereby reinstating this Chamorro-American family onto their Ancestral lands by the operation of the laws of Guam and the United States, so doing God's will.

Dated this 7th Day of April, in the year of Our Lord, Nineteen Hundred and Ninety Eight.

Carl T. C. Gutierrez
Governor of Guam

Madeleine Z. Bordallo
Lieutenant Governor of Guam



6

I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2009 (FIRST) Regular Session

Date: April 3, 2009

VOTING SHEET

Bill No. 43(COR)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.		✓			
CALVO, Edward J.B. *	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V. **	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RECTOR, Matthew	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo **	✓				
TENORIO, Ray *	✓				
WON PAT, Judith T.	✓				

TOTAL

14 1 _____

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 43 (COR)
~~(LS)~~

Introduced by

J. P. GUTHERTZ
R.J. RESPICIO
B.J.F. CRUZ

2009 JAN 16 PM 2:39 PM

AN ACT TO AMEND TITLE 1 GUAM CODE ANNOTATED
§ 2301 (c) RELATIVE TO TASKING I KUMISION GUÅHAN
FINE'NANA TO DETERMINE WHICH LAND THE
FEDERAL GOVERNMENT MAY INTEND TO LEASE OR
SUB-LEASE AND REPORT THEIR FINDINGS TO I
LIHESLATURA AND I MAGA'LAHI'.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative findings and intent. *I Liheslaturan Guåhan*
3 finds that the federal government has stated that the ongoing military
4 buildup will result in the need for land over and above that property which
5 is already in Federal hands. This will mean that in order for the United
6 States military to properly carry out their mission, leases, sub-leases or
7 purchases of local property, including land owned in the name of the
8 Government of Guam, may be proposed.

9 *I Liheslatura* further finds that certain individuals may attempt to
10 engage in speculative acts in order to profit from such a need for land, by
11 sub-leasing Government of Guam land for which they already have a lease,
12 or plan to obtain a lease for the purpose of sub-leasing to a federal

1 government entity. Such actions, should they take place, will allow a few
2 individuals to profit at the expense of our entire community.

3 *I Liheslatura* further finds that it should be the final authority in any
4 and all requests to lease, sub-lease or sell property owned in the name of
5 the Government of Guam, relative to federal or military purposes.

6 It is therefore the intent of *I Liheslatura* to amend public law and
7 require that the *I Kumision Guåhan Fine'nana* review the Federal
8 Government's needs and requests for additional land, and inform *I*
9 *Liheslatura* and *I Maga'Lahi'* of any potential leases, sub-leases or requests to
10 purchase property owned in the name of the Government of Guam.

11 **Section 2. Title 1 Guam Code Annotated § 2301 sub-item (c) is**
12 ***amended to read:***

13 “(c) The *Kumision* is also tasked with monitoring all federal and
14 international activities relative to the military expansion and
15 providing all relevant information to *I Maga 'lahi'* and *I Liheslatura*,
16 **including information on federal needs for additional land, and**
17 **any proposed leases, sub-leases or requests to purchase any**
18 **property owned in the name of the Government of Guam.** The
19 *Kumision* will be the initial contact point for public information,
20 official requests, and any other inquiries regarding the buildup.”