

I Mina Trentai Tres Na Liheslaturan Guåhan

Resolutions Log Sheet

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Referred	Committee / Ofc Referred	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	Date Adopted
299-33 (COR)	B. J.F. Cruz	Relative to expressing I Liheslaturan Guåhan's unequivocal support for H.R. 4345, cited as the National Community Service Improvement Act of 2015, to extend participation eligibility in National Service Programs to citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau who are admitted to the United States under the terms of the applicable nation's Compact of Free Association with the United States, as introduced in the United States House of Representatives by the Honorable Congresswoman Madeleine Z. Bordallo of Guam, and co-sponsored by Congresswoman Tulsi Gabbard of Hawaii, and Congressman Gregorio Kilili C. Sablan of the Commonwealth of the Northern Mariana Islands.	02/26/16 2:18 p.m.		02/26/16	The Sponsor	03/18/16 10:00 a.m.	03/29/16 11:38 a.m.	04/02/16

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session

Resolution No. 299-33 (COR)

Introduced by:

B. J.F. Cruz
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
Frank F. Blas, Jr.
James V. Espaldon
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
Mary Camacho Torres
N. B. Underwood, Ph.D.
Judith T. Won Pat, Ed.D.

Relative to expressing *I Liheslaturan Guåhan*'s unequivocal support for H.R. 4345, cited as the *National Community Service Improvement Act of 2015*, to extend participation eligibility in National Service Programs to citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau who are admitted to the United States under the terms of the applicable nation's Compact of Free Association with the United States, as introduced in the United States House of Representatives by the Honorable Congresswoman Madeleine Z. Bordallo of Guam, and co-sponsored by Congresswoman Tulsi Gabbard of Hawaii, and Congressman Gregorio Kilili C. Sablan of the Commonwealth of the Northern Mariana Islands.

1 **BE IT RESOLVED BY *I MINA'TRENTAI TRES NA LIHESLATURAN***
2 ***GUÅHAN*:**

3 **WHEREAS**, a renewed focus on fostering volunteerism in America led to the
4 passage of the *National and Community Service Act of 1990* (U.S. Public Law 101-

1 610, 101st U.S. Congress, November 16, 1990) and its succeeding amendment, the
2 *National and Community Service Trust Act of 1993* (U.S. Public Law 103-82, 103rd
3 U.S. Congress, September 21, 1993), which established the Corporation for National
4 and Community Service (CNCS, or Corporation), a new independent federal agency
5 that carried the responsibility of mobilizing Americans into service through the
6 Corporation's core National Service Programs (NSPs): AmeriCorps, Senior Corps,
7 and the Social Innovation Fund; and

8 **WHEREAS**, by June 1995, AmeriCorps was established on Guam, operating
9 as a program under the Governor of Guam's Community Outreach-Federal
10 Programs Office (GCO-FPO). A decade later, Governor Felix P. Camacho issued
11 Executive Order No. 2005-22, which created a National and Community Service
12 Commission, known as the Serve Guam! Commission (SGC), allowing Guam to
13 more effectively operate national service programs, such as AmeriCorps, on the
14 island; and

15 **WHEREAS**, since the program's establishment on Guam, AmeriCorps has
16 been connecting its volunteers with opportunities to give back to their local
17 communities and the nation through a wide array of service projects. As a result,
18 over one thousand two hundred (1,200) individuals on Guam have participated in
19 AmeriCorps through SGC, collectively garnering over one and a half million service
20 hours and Three Million Six Hundred Seventy Thousand Dollars (\$3,670,000) in
21 Segal AmeriCorps Education Awards; and

22 **WHEREAS**, since the passage of the *Compact of Free Association Act of*
23 *1985* (U.S. Public Law 99-239, 99th U.S. Congress, January 14, 1986), citizens of
24 the Freely Associated States (FAS), comprised of the Federated States of
25 Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, who
26 have been admitted to the United States under the terms of the applicable nation's
27 Compact of Free Association (COFA) with the United States, have been eligible to

1 work and study in the United States as non-immigrants for an unlimited length of
2 time, thus essentially becoming a part of their host communities. As a result, COFA
3 participation in AmeriCorps programs on Guam has been strong since the inception
4 of SGC, dating back to 2009; and

5 **WHEREAS**, however, despite its legislative intent to revive national civic
6 engagement, the *National Community and Service Act of 1990* contains language in
7 Section 137(a)(5), 42 U.S.C. 12591(a)(5) that presently limits participation in NSPs,
8 stipulating that “an individual shall be considered a participant in a national service
9 program [...] if the individual [...] is a citizen or national of the United States or
10 lawful permanent resident of the United States.” Further, under CNCS regulations
11 relative to eligibility requirements for an AmeriCorps member, an individual must
12 be able to furnish documentation of citizenship or residency status listed under 45
13 C.F.R. 2522.200; and

14 **WHEREAS**, the admission of COFA non-immigrants into AmeriCorps
15 programs in Guam is in line with the purpose of the *National and Community Service*
16 *Act of 1990* to renew the ethic of civic responsibility and the spirit of community
17 throughout the United States, and to expand educational opportunities by rewarding
18 individuals who participate in national service with an increased ability to pursue
19 higher education or job training. However, as a consequence of the federal law
20 relative to participation in the CNCS’ NSPs, at least thirty-four (34) FAS participants
21 were unable to provide citizenship or immigration documentation that satisfies the
22 AmeriCorps citizenship requirement and were disqualified in 2015; and

23 **WHEREAS**, among the disqualified COFA non-immigrants were several
24 active members of the Guam Academy Charter School’s AmeriCorps *Guðhan*
25 Academy Youth Project. Through their participation in the Guam Department of
26 Education Extended Day (DEED) program, FAS members served as critical mentors
27 to primary and secondary education (K-12) students, twenty-three percent (23%) of

1 which were from the Freely Associated States, helping children and youth of their
2 respective communities to attain academic achievement; and

3 **WHEREAS**, through the AmeriCorps program coordinated by the cultural
4 dance coalition *Pa'a Taotao Tano'* (A Way of Life of the People of the Land), FAS
5 members actively promoted the preservation of Guam's cultural and historical
6 landscape through participation in a cultural arts program dedicated to educating K-
7 12 students on indigenous cultural activities such as song, dance, chant, and
8 weaving. Moreover, these participants fostered environmental stewardship and
9 conservation efforts on Guam by restoring dilapidated public spaces and educating
10 the community of environmentally conscious practices; and

11 **WHEREAS**, in the same manner, many crucial members of Sanctuary
12 Incorporated of Guam's (Sanctuary, Inc.) AmeriCorps *Ayuda Para I Komunidât*
13 (Help for the Community) program were among the disqualified FAS participants.
14 In a coordinated effort involving Sanctuary, Inc.'s programs for runaway and
15 disadvantaged youth, these participants worked closely with Guam Department of
16 Education middle schools to assist underprivileged and at-risk youth with their
17 assignments, engage students in community service, and facilitate family
18 involvement. Furthermore, COFA participants of Sanctuary, Inc.'s AmeriCorps
19 program received training in cardiopulmonary resuscitation (CPR), first aid, and the
20 Community Emergency Response Team (CERT), becoming critical members of the
21 first responder community and, consequently, strengthening Guam's disaster relief
22 and emergency management system; and

23 **WHEREAS**, through JusticeCorps, a division of AmeriCorps that works to
24 ensure equal access to the legal system, COFA volunteers were actively involved
25 with several services within the Judiciary of Guam, to include accommodating self-
26 represented court users, maintaining the Judiciary's electronic case management
27 system, and assisting with all probation services available to juvenile offenders. The

1 two (2) COFA non-immigrants who volunteered to serve at JusticeCorps - one
2 carried experience from the Pohnpei Judicial System and the other had served a
3 deployment in Afghanistan in the United States Marine Corps - were disqualified
4 based on their residency status as Pohnpeian COFA non-immigrants despite their
5 work experience, military service, and pursuit of education at the University of
6 Guam; and

7 **WHEREAS**, with their deep commitment to civic engagement, the COFA
8 volunteers participating in the island's various AmeriCorps programs had
9 demonstrated that they were not merely individuals seeking stipends in exchange for
10 a few hours of service learning: they were teachers, social workers, first responders,
11 veterans, and culturally conscious citizens seizing the opportunity to contribute to
12 the community that has become their home; and

13 **WHEREAS**, despite the numerous community service hours these COFA
14 non-immigrants had accumulated, the CNCS suspended payment of the living
15 allowance stipend owed to these individuals and called for the repayment of stipends
16 paid to former members who were similarly ineligible to participate based on their
17 residency status. Although allowed to receive federal Pell Grants and enlist in the
18 U.S. Armed Services, these COFA non-immigrants who willingly volunteered to
19 meet the critical needs of the island were refused the opportunity to serve as crucial
20 mentors to their respective communities; and

21 **WHEREAS**, upon learning of this federal action, Vice Speaker Benjamin J.F.
22 Cruz, recognizing the injustice in the exclusion of such aspiring COFA non-
23 immigrants, requested assistance from Congresswoman Madeleine Z. Bordallo,
24 Guam Delegate to the U.S. House of Representatives, on March 31, 2015, to remedy
25 the situation; and

26 **WHEREAS**, Congresswoman Bordallo, in response, agreed that otherwise
27 eligible COFA non-immigrants should not be barred from collecting stipends and

1 awards through their participation in NSPs, and pledged to pursue a legislative
2 solution; and

3 **WHEREAS**, as an immediate remedy to the suspension of payments, the 33rd
4 Guam Legislature included in the *General Appropriations Act of 2016* (Guam Public
5 Law 33-66, September 5, 2015) an appropriation of Forty Thousand Dollars
6 (\$40,000) to the University of Guam to cover the stipend payments withheld from
7 the disqualified volunteers; and

8 **WHEREAS**, Congresswoman Bordallo, along with co-sponsors
9 Congresswoman Tulsi Gabbard of Hawaii and Congressman Gregorio Kilili C.
10 Sablan of the Commonwealth of the Northern Mariana Islands, introduced the
11 *National Community Service Improvement Act of 2015* (H.R. 4345, 114th U.S.
12 Congress, January 7, 2016) which amends Section 137(a)(5) of the *National*
13 *Community and Service Act of 1990*, 42 U.S.C. 12591(a)(5) to expand the eligibility
14 criteria for NSP participation to include COFA non-immigrants, thus effectively
15 eliminating the CNCS's discrimination of such individuals who, in spite of their
16 residency status, are desirous to improve their lives and help strengthen their host
17 communities through service and volunteerism; now therefore, be it

18 **RESOLVED**, that *I Mina'Trentai Tres Na Liheslaturan Guåhan* does hereby,
19 on behalf of the people of Guam, declare its unequivocal support for H.R. 4345,
20 cited as the *National Community Service Improvement Act of 2015*, relative to
21 extending participation eligibility in National Service Programs to citizens of the
22 Federated States of Micronesia, the Republic of the Marshall Islands, and the
23 Republic of Palau who are admitted to the United States under the terms of the
24 applicable nation's Compact of Free Association with the United States, as
25 introduced in the U.S. House of Representatives by the Honorable Congresswoman
26 Madeleine Z. Bordallo of Guam, recognizing that through such legislation, COFA
27 non-immigrants in the United States can participate in CNCS programs to engage in

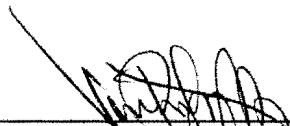
1 service training, and therefore develop the skills essential to enter the workforce and
2 become upstanding members of their respective local communities; and does further
3 urge the Members of the 114th U.S. Congress to support the passage of H.R. 4345;
4 and be it further

5 **RESOLVED**, that the Speaker certify, and the Legislative Secretary attest to,
6 the adoption hereof, and that copies of the same be thereafter transmitted to the
7 Honorable Congresswoman Madeleine Z. Bordallo, Guam Delegate to the U.S.
8 House of Representatives; to the Honorable Congresswoman Tulsi Gabbard, Hawaii
9 Delegate to the U.S. House of Representatives; to the Honorable Congressman
10 Gregorio Kilili C. Sablan, CNMI Delegate to the U.S. House of Representatives; and
11 to the Honorable Edward J.B. Calvo, *I Maga'låhen Guåhan*.

DULY AND REGULARLY ADOPTED BY *I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN* ON THE 2ND DAY OF APRIL 2016.



JUDITH T WON PAT, Ed.D.
Speaker



TINA ROSE MUNA BARNES
Legislative Secretary

LEGISLATIVE SESSION VOTING RECORD

I MINA'TRENTAI TRES NA LIHESLATURAN

2016 (SECOND) Regular Session

Resolution No. 299-33 (COR)

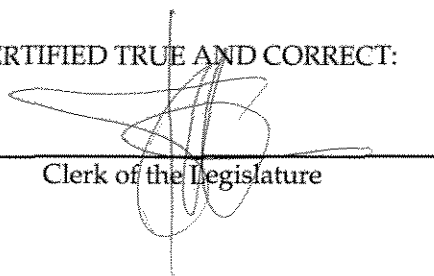
Speaker Antonio R. Unpingco Legislative Session Hall
April 2, 2016

NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator Thomas "Tom" ADA	✓					
Senator V. Anthony "Tony" ADA	✓					
Senator Frank B. AGUON, Jr.	✓					
Senator Frank F. BLAS, Jr.	✓					
Vice-Speaker Benjamin J.F. CRUZ	✓					
Senator James V. ESPALDON	✓					
Senator Brant T. McCREADIE	✓					
Senator Thomas "Tommy" MORRISON	✓					
Senator Tina Rose MUÑA BARNES	✓					
Senator Rory J. RESPICIO	✓					
Senator Dennis G. RODRIGUEZ, Jr.	✓					
Senator Michael F.Q. SAN NICOLAS	✓					
Senator Mary Camacho TORRES	✓					
Senator Nerissa B. UNDERWOOD, Ph.D.	✓					
Speaker Judith T. WON PAT, Ed.D.	✓					

TOTAL: 15 0

Aye Nay Not Voting/
Abstained Out During
Roll Call Absent Excused

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

I = Pass