

VICE SPEAKER BENJAMIN J.F. CRUZ
Committee on Appropriations and Adjudication
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I Mina'trentai Tres na Liheslaturan Guåhan
THE 33RD GUAM LEGISLATURE
155 Hesler Place, Suite 107, Hagåtña, Guam 96910
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APR 24 2015

The Honorable Judith T. Won Pat
Speaker
I Mina'trentai Tres na Liheslaturan Guåhan
33rd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96910

Rory J. Respicio

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

RE: Committee Report on Bill No. 56-33 (COR), As Introduced

Dear Speaker Won Pat:

Transmitted herewith is the Report of the Committee on Appropriations and Adjudication on Bill No. 56-33 (COR), As Introduced - F.B. Aguon, Jr. - "An act to amend § 2101.1(f) and § 2101.3 of Chapter 2, Title 5 of the Guam Code Annotated; relative to recognizing the independence of the Judiciary of Guam relative to the receipt of federal funds."

Committee votes are as follows:

6 TO DO PASS
____ TO NOT PASS
1 TO REPORT OUT ONLY
____ TO ABSTAIN
____ TO PLACE IN INACTIVE FILE

Sincerely,

[Signature]
BENJAMIN J.F. CRUZ
Chairman

2015 APR 24 PM 6:20

[Handwritten mark]



COMMITTEE REPORT

Bill No. 56-33 (COR), As Introduced

“An act to amend § 2101.1(f) and § 2101.3 of Chapter 2, Title 5 of the Guam Code Annotated; relative to recognizing the independence of the Judiciary of Guam relative to the receipt of federal funds.”

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APR 24 2015

MEMORANDUM

TO: All Members
FROM: Vice Speaker Benjamin J.F. Cruz
Chairman, Committee on Appropriations and Adjudication

SUBJECT: Committee Report on Bill No. 56-33 (COR), As Introduced

Transmitted herewith for your consideration is the Committee Report on Bill No. 56-33 (COR), As Introduced - F.B. Aguon, Jr. - "An act to amend § 2101.1(f) and § 2101.3 of Chapter 2, Title 5 of the Guam Code Annotated; relative to recognizing the independence of the Judiciary of Guam relative to the receipt of federal funds."

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 56-33 (COR), As Introduced
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- COR Referral of Bill No. 56-33 (COR)
- Fiscal Note Requirement
- Notices of Public Hearing
- Public Hearing Agenda
- Related News Reports

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

Sincerely,


BENJAMIN J.F. CRUZ
Chairman

SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER

Committee on Appropriations and Adjudication
 senator@senatorbjcruz.com | www.senatorbjcruz.com



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THE THIRTY-THIRD GUAM LEGISLATURE

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COMMITTEE VOTING SHEET

Bill No. 56-33 (COR), As Introduced – F.B. Aguon, Jr. – “An act to *amend* § 2101.1(f) and § 2101.3 of Chapter 2, Title 5 of the Guam Code Annotated; relative to recognizing the independence of the Judiciary of Guam relative to the receipt of federal funds.”

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
CRUZ, BENJAMIN J.F. Chairperson		✓ 4/24/15				
AGUON, Jr., FRANK B. Vice Chairperson	 4/24/15	✓				
WON PAT, Ed.D., JUDITH T. Speaker and Ex-Officio Member		✓ 4/24/15				
MUÑA BARNES, TINA ROSE Member						
RODRIGUEZ, Jr., DENNIS G. Member		✓ 4/24				
SAN NICOLAS, MICHAEL, F.Q. Member		✓ 4/24/15				
UNDERWOOD, Ph.D., NERISSA B. Member						
ADA, V. ANTHONY Member				✓ 4/24		
MORRISON, THOMAS A. Member		✓ 4/24/15				
TORRES, MARY C. Member						



COMMITTEE REPORT DIGEST

Bill No. 56-33 (COR), As Introduced – F.B. Aguon, Jr. – “An act to *amend* § 2101.1(f) and § 2101.3 of Chapter 2, Title 5 of the Guam Code Annotated; relative to recognizing the independence of the Judiciary of Guam relative to the receipt of federal funds.”

I. OVERVIEW

Bill No. 56-33 (COR) was introduced by Senator Frank B. Aguon, Jr. on March 17, 2015, and subsequently referred to the **Committee on Appropriations and Adjudication** on the same day.

The **Committee on Appropriations and Adjudication** convened a public hearing on **Thursday, April 16, 2015**, beginning at 10:00AM in the Guam Legislature Public Hearing Room. The hearing for **Bill No. 56-33 (COR)** began at **10:01AM** and ended at **10:32AM**.

Public Notice Requirements

All legal requirements for public notices were met, with requests for publication sent to all media and all Senators on April 9, 2015, and April 14, 2015, via email. Copies of the hearing notices are appended to the report.

Senators Present

Vice Speaker Benjamin J.F. Cruz, *Chairperson*
Senator Frank B. Aguon, Jr., *Vice Chairperson*
Senator Rory J. Respicio, *Member*
Senator V. Anthony Ada, *Member*
Senator Thomas A. Morrison, *Member*
Senator Mary C. Torres, *Member*
Senator Brant T. McCreadie

Appeared Before the Committee

Mr. Joshua F. Tenorio, *Administrator of the Courts, Judiciary of Guam*
Ms. Sophia S. Diaz, *Staff Attorney, Judiciary of Guam*
Ms. Cerina Y. Mariano, *Court Programs Administrator, Judiciary of Guam*
Ms. Kate G. Baltazar, *Administrator, Guam State Clearinghouse*

Submitted Written Testimonies

Mr. Joshua F. Tenorio, *Administrator of the Courts, Judiciary of Guam*
Ms. Kate G. Baltazar, *Administrator, Guam State Clearinghouse*

II. TESTIMONY & DISCUSSION

Chairman Benjamin J.F. Cruz announced Bill No. 56-33 (COR), recognized the senators present, and allowed the sponsor of the bill to make an opening statement.

Senator Frank B. Aguon, Jr. thanked Chairman Cruz and continued with his opening remarks:

“This is a proposal that was submitted by representatives from the Judiciary of Guam (Judiciary) requesting consideration in terms of allowing the Judiciary to be able to administer and to acquire federal grants. And my initial question was whether in fact the partnership continues to be a very good working relationship with the Office of the Governor, and the immediate response was ‘yes’. So this is certainly not a reflection of any differences that did not exist and does not exist between the Judiciary [and] the Office of the Governor. It’s just that this will provide the Judiciary with additional flexibility in terms of pursuing other federal grants that otherwise [are] not readily available to the Judiciary. So I thank you for having the public hearing on this measure, and we look forward to some of the comments to be presented.

Chairman Cruz thanked Senator Aguon and recognized the individuals present to testify: Mr. Joshua F. Tenorio, Administrator of the Courts, Judiciary; Ms. Kate G. Baltazar, Administrator, Guam State Clearinghouse (GSC, Clearinghouse), Ms. Sophia S. Diaz, Staff Attorney, Judiciary; and Ms. Cerina Y. Mariano, Court Programs Administrator, Judiciary.

Mr. Joshua F. Tenorio greeted Chairman Cruz and the rest of the senators present, introduced himself, and read his testimony in support of Bill No. 56-33 (COR) as the Administrator of the Courts for the Judiciary (*appended to this report*). He noted for the record that Judiciary staff attorney Ms. Sophia S. Diaz and Court Programs Administrator Ms. Cerina Y. Mariano, who is principally in charge of administering and applying for federal funds, are present to answer questions.

Chairman Cruz acknowledged their presence and motioned for Ms. Kate G. Baltazar to proceed with her testimony.

Ms. Kate G. Baltazar greeted Chairman Cruz and the rest of the senators present, introduced himself, and read his testimony in opposition to Bill No. 56-33 (COR) as the Administrator of GSC (*appended to this report*).

Chairman Cruz thanked Ms. Baltazar for her testimony and requested that she stay for the public hearing of Bill No. 74-33 (COR) as the Committee may have some questions relative to the status of certain federal grants, to which she acquiesced. Chairman Cruz opened the floor for questions.

Senator Frank Aguon, Jr. thanked Chairman Cruz and addressed Mr. Tenorio:

"I thank you for bringing your grants administrator in the Judiciary. I'd like to understand some of the concerns the front office has, which obviously are very legitimate coming from your perspective. And the way I view this particular legislation is certainly not only recognized in the co-equal branch of government, but there are a number of grants that still must go through the state representative, which would be the Office of the Governor—the Administrator of the Federal Grants through the executive branch. And this would not remove that particular process. It would just—and I hope that the Grants Administrator or Mr. Tenorio will be able to better explain entire process—but I want to see if in fact there can be some clarification provided with regards to the issues that you expressed, because certainly this legislation is not in any way meant to be negative toward the administration but to provide the Judiciary with an additional tool that they can go out and much more aggressively pursue federal grants."

Mr. Tenorio responded:

"Ms. Baltazar has presented—the arguments that she's making are actually offensive to the Judiciary. It makes it clear that the intent for the Judiciary to be subordinate to the executive branch and to be subject to their review and compliance. And I think that is counter to the separation of powers. And the second thing I would refer to the Committee members is to reference the White House Office of Finance and Budget web site which lists that there are only twenty (20) states remaining in the union that have intergovernmental review by clearinghouses. We are not suggesting or recommending that the Clearinghouse be abolished in Guam, but if you're going to further review this matter as [Ms. Baltazar] said based on federal policy, then you'll see that the majority trend of the states of the union to move away from such intergovernmental affairs intergovernmental review for government entities to be a bit more competitive with each other, to make sure the right kinds of programs are being funded. So that would be my response."

Chairman Cruz thanked Mr. Tenorio for his position, and noted to Ms. Baltazar that she edited out a bold part of her statement, which **Ms. Baltazar** confirmed. Chairman Cruz continued:

"I think it addressed something that Mr. Tenorio mentioned. The separation of powers and the statement you bolded in your written testimony but you edited out and not utter was 'not to mention the egregiously eroding powers of the executive branch.' Was there a reason for that?"

Ms. Baltazar responded:

"Yes, and I would like to thank [Mr. Tenorio] for those comments. I could see how he could feel the tone of my testimony. However, I think the point here is

that I do not believe that the Judiciary is subordinate inasmuch as it is a partnership. And we certainly don't seek to overstep or encroach on the separation and the recognition of independence. We do congratulate the Judiciary: they have stellar and outstanding performance on their grants; that is to be noted. However, we cannot afford diminishing the powers that we already have, to answer your question."

Chairman Cruz asked Ms. Baltazar whether the Clearinghouse will submit testimony from the Governor asking the Legislature to repeal the exemptions given to the other agencies.

Ms. Baltazar responded:

"If you are referring to the [Guam] Department of Education (GDOE) or the University of Guam (UOG), they are under executive purview in some way or fashion. In some sense, we can already see and look at some input and some funding, and while they do not come under our process, they are still under executive purview. To answer your question, I don't feel that a testimony is necessary to repeal the exemptions."

Chairman Cruz asked Ms. Baltazar if there will legislation proposed to ask for the repeal of exemptions.

Ms. Baltazar replied:

"At this point, no."

Chairman Cruz further inquired about "Pillar Number 2: Monitor and Compliance" [of Ms. Baltazar's testimony], specifically whether the Clearinghouse has had problems with the monitoring and compliance of the grants received by the Judiciary or the comment about the Judiciary's stellar performance stand as it relates to this area.

Ms. Baltazar replied:

"It certainly does stand. As I've mentioned, we've had a really good working relationship with their federal programs. And Jackie Cruz was on it before and now Serena Ray Dungca and the team. We have a wonderful working relationship with their court programs office. And we do not have any issues that this juncture or with their monitoring, compliance, performance, deliverables, etc."

Chairman Cruz asked Ms. Baltazar whether she, in the four years that she has served as Administrator, has known of an issue with the Judiciary in any of its applications that would have pause or reason to keep the Judiciary within her office's purview.

Ms. Baltazar replied:

"No, Vice Speaker. And the GSC to the Judiciary has not been a hindrance by mere fact that they [perform] concurrent review which is not a preclusion to applications. So [the Judiciary does not] need in some instances our clearance to apply for grants but [GSC reviews the applications] as a courtesy just to make sure that [the Judiciary is] running [the application] through our processes as well. In essence, we're not a hindrance inasmuch as we are a partner in ensuring that the projects are sound as applied for."

Chairman Cruz asked Ms. Baltazar to confirm that GSC reviews the Judiciary's grant applications despite protocol, to which **Ms. Baltazar** replied affirmatively. He questioned Ms. Baltazar further:

"And [for the application for] grants that [the Judiciary has] to cooperate with you, [it does so] because either an executive agency – or like the Guam Police Department or the Attorney General's Office – needs to be the main grantee; they all work with you on that?"

Ms. Baltazar replied:

"That's correct."

Chairman Cruz asked Ms. Baltazar:

"And you can't point to any point in the last four (4) years when you've been the head where there's been a problem with your relationship with the Judiciary as it relates to either the grants that they can apply for directly, or the grants they have to apply to conjointly with you?"

Ms. Baltazar responded:

"No. We have not taken issue with any of their applications, but we do certainly appreciate the relationship that they send forth through our processes concurrently."

Senator Rory Respicio thanked Chairman Cruz and posed a follow-up question for Mr. Tenorio:

"So, even if this bill passed and became law, there's nothing that would stop the current relationship. There's nothing that would stop the Judiciary from having the GSC as a courtesy concurrently review these grant applications. Do you foresee that that relationship can still continue?"

Mr. Tenorio answered affirmatively.

Senator Respicio remarked:

"And I think that's where you would draw the fine line and respect the separation of powers' authority. I remember when this was amended to take out

the Guam Community College, UOG, GDOE, because to have to run—we're recognizing that these agencies deal with education and that's something within their scope of authority. And I think at the time, there was some concerns with your predecessor in how long the review took and how this government was actually losing opportunities to pursue these federal grants because of this review requirement. But I think the bill, if we're going to approach this, as the sponsor said—which I absolutely agree that it's time that we examine all of our statutes, and anywhere where there is some semblance of micromanaging a third branch of government, and not respecting a third branch of government as it being separate but coequal. I certainly would support something like that. So I understand Ms. Baltazar where you're coming from. I would probably take the same position if anybody wanted to take any of my authority away, but as you admitted in your testimony and in your follow-up responses, you really have not exerted that authority over the Judiciary, and you've never really told them, 'Don't pursue this grant,' or has there been a—there has never been an instance where they've asked you to concurrently review something and you basically said, 'No, this is not in line with what the island, the Government of Guam is supposed to be doing.' And so you've objected [to this bill]?"

Ms. Baltazar replied:

"Well, Senator, while that's true up until this point, we can't foreseeably grant this in perpetuity. Because in the future, such as [for] grants that do require intergovernmental review, we may or may not by virtue of this law be able to provide that clearance, which will cause us not to be able to avail of certain grants."

Senator Respicio continued:

"But in most instances, if you're going to do something to make it in perpetuity, it would be based on a track record. And you've admitted that their past performance has been nothing but stellar, and I can certainly attest to what the Judiciary has done over the years to pursue these federal funds, and to provide for a holistic approach to therapeutic jurisprudence so that they're not totally reliant on general fund resources. And so, I think the time is right. The Judiciary has proven themselves. And I think, and I hope that you would reconsider your position and embrace this, because if there's any semblance of this kind of relationship continuing, really would [change] your approach to this bill, and again I would hope that you would reconsider. Thank you Mr. Chairman."

Senator Tommy Morrison thanked Chairman Cruz, and thanked the panel for their testimony. He proceeded to ask Ms. Baltazar about the bill's impact on GSC, specifically administrative costs or any of the agency's resources.

Ms. Baltazar replied that the bill has no impact on GSC, and further explained:

“While there are indirect costs that are captured by the government, they’re spread throughout the government. Essentially it would not have a financial impact on our office whatsoever. And I thank you for commenting; as I remember, you were working for then-Senator Kaleo Moylan in modernizing the current statute, so I thank you for that comment.”

Senator Morrison continued:

“Right. And again I was leading in that direction because I remember there were many folks involved in trying to expand the GSC level and having a fully functional clearinghouse with housing many grants administrators throughout our government, and just having them go after whatever funding is available out there. As they do not only in the other states [and] jurisdictions, but also territories where these models are in place for, where there is so much opportunity but they were housed. And that was the vision behind that at the end. But, I think, I’m glad that my colleagues brought up the separations of powers, but I’m more or less focusing on the intergovernmental review process. Can you make it clear to the Committee that this does not impact any process? Apparently, this process has been in place for many, many years. And we see the relationship there. I remember working with the Judiciary, as a member of the GSC from [Bureau of Statistics and Plans] (BSP) and on some great grants. I’m very aware of the capacity there of those folks that help to facilitate these grant programs. Do you see what, how this would impact inter-government process in the future?”

Ms. Baltazar replied:

“Well, certainly. I feel as though it won’t. Truly, it will not. There’s nothing absent of this bill that precludes them from seeking federal assistance, applying for federal assistance, getting grants directly and we’re not a hindrance to that in any way. Obviously they do so quite regularly and [they] receive and manage their grants. Absent of this bill, there’s nothing that would cause hindrance.”

Senator Morrison proceeded to pose his last question to Ms. Baltazar:

“You notice here in your testimony, BSP is a member of GSC; has there been plans to look at how when we look at growing building capacity or the membership, or building the continuity with those folks that go after each grants that are available for our island? Have you looked at BSP as an agency to build up on that? I’ve always looked at that, that could also house many administrators [who can] mainly focus on grant opportunities that are available, as a direct support to the GSC. And I know there are guys out there like Terry Quabo with great ideas and were working on some plans with the Lieutenant Governor at the time but have you seen any plans that are being pursued into that end?”

Ms. Baltazar replied:

"At this point, Senator, we have not. We are open to that. That is something we can take back and explore further. But in relation to what we're discussing today, I do hope that this doesn't come across as a means to encroach on powers. We do respect that [the Judiciary] is separate and equal branch. Absolutely. There's no contention there. However, I feel that there is no room to gamble with our future and our federal funds. And not having a way by which certain programs are vetted, if not all. If I certainly had it my way, there would be a full-fledged office of grants management. We've just seen [the conferment] high-risk grantee status and funds returned every day. I wish I had that capacity, you know, to make sure that we don't send forth applications that are unrealistic, or have deliverables that are not in line with our plans to begin with. And, unfortunately, we don't have that capacity. However, at this point, I just feel that this is not an encroachment to powers. We can't afford diminishing the powers we currently have."

Senator Morrison continued:

"I'm glad that you're there, Ms. Baltazar. I'm glad some past visions of the former Lieutenant Governor is there. I really want to see GSC expand and go after grant opportunities. We see other territories that aggressively seek these opportunities for their territory. And the vision is always there because what I see and from experience, the grants administrators are doing their best, reaching out to whatever opportunities are available. However, not only the grants administrators but also the implementers of these grants stretch themselves very thin. And we have a house that continuously goes after these grants, and farms them out to the necessary agencies and let them start with these implementations. Because of the way things are designed now, we're seeing grants. However, we're also seeing them get tied up with over-implementation, all the way to the end result of the grants. And they end up stuck going after another grant. So I hope those plans go back into place and thank you for the opportunity to be here. Thank you, [Mr. Tenorio] for being here. Thank you, Mr. Chair."

Chairman Cruz remarked:

"Actually, Ms. Baltazar, you brought up a very sore point with me. Because it would seem to me that the Clearinghouse should pay more attention to the executive branch currently. And as you put it—I wasn't the one that said it as you were the one that broke it open—that every day your executive branch department [heads] are sending back millions of dollars. Some of them are sitting in this room today. And it would seem to me that you have had your hands full and should probably tend to your branch of government and leave the one that you yourself described as having 'stellar performance in compliance and implementation' to handle itself—but keep your house clean first."

Ms. Baltazar said that she absolutely does not disagree with Chairman Cruz and that his comments are noted.

Chairman Cruz notified Ms. Baltazar that he plans to file another Freedom of Information Act request to identify the amount of federal grants returned in the last year. He added that he has been pursuing the information from departments and he is shocked every time he sees how much money the government is returning. He stated that he intends to find out how well GSC is complying with its second pillar of monitoring compliance. He thanked the panel for their testimonies and, on account that there were neither further questions from the Committee nor other individuals present to testify, considered Bill No. 56-33 (COR) heard.

III. FINDINGS AND RECOMMENDATIONS

The Committee on Appropriations and Adjudication to which was referred **Bill No. 56-33 (COR) - F.B. Aguon, Jr. - "An act to amend § 2101.1(f) and § 2101.3 of Chapter 2, Title 5 of the Guam Code Annotated; relative to recognizing the independence of the Judiciary of Guam relative to the receipt of federal funds"** hereby submits these findings to *I Mina'trentai Tyes na Liheslaturan Guåhan* and reports out **Bill No. 56-33 (COR), As Introduced**, with a recommendation TO DO PASS.

I MINA'TRENTAI TRES NA LIHESLATURAN GUÁHAN
2015 (FIRST) Regular Session

Bill No. 56-33 (COR)

Introduced by:

FRANK B. AGUON, JR.



AN ACT TO AMEND §2101.1(f) AND §2101.3 OF
CHAPTER 2, TITLE 5 OF THE GUAM CODE
ANNOTATED RELATIVE TO RECOGNIZING THE
INDEPENDENCE OF THE JUDICIARY OF GUAM
RELATIVE TO THE RECEIPT OF FEDERAL FUNDS.

2015 MAR 17 PM 12:59

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *1 Liheslaturan Guáhan*

3 hereby extends the recognition of judicial independence to the application, receipt
4 and administration of federal funds.

5 Section 2. Item (f) of §2101.1 of Chapter 2 of Title 5 of the Guam Code
6 Annotated is hereby *amended* to read:

7 “(f) With the exception of the Judiciary of Guam, the Guam
8 Community College, the University of Guam, and the Guam
9 Department of Education, and notwithstanding any other
10 provision of law to the contrary, no application for any Federal
11 aid programs, grants, loans, contracts, contributions, advances,
12 direct Federal development, or other Federal funding shall be
13 submitted or deemed approved on behalf of the government of
14 Guam or any agency, division, office, department or

1 instrumentality thereof, or any public corporation, without the
2 final approval of the Director of the Guam State Clearinghouse.”

3 **Section 3.** §2101.3 of Chapter 2 of Title 5 of the Guam Code Annotated is
4 hereby *amended* to read:

5 “**§2101.3. Judiciary of Guam, UOG, GCC and DOE Exemptions.**

6 The Judiciary of Guam, the University of Guam, the Guam
7 Community College, and the Department of Education shall be
8 exempted from the provisions prescribed in Title 5 GCA §§ 2101,
9 2101.1 and 2101.2. However, the Administrator of the Courts, the
10 Presidents of the University of Guam and the Guam Community
11 College, and the Superintendent of the Department of Education shall
12 separately perform the following duties and responsibilities:

13 (a) administer the initiation, coordination and review process of
14 all activities within the institution involving Federal financial
15 assistance;

16 (b) ensure that grant proposals for Federal assistance are in
17 accordance with plans, policies, programs, objectives and
18 procedures of the government of Guam;

19 (c) ensure that proposed projects for which Federal financial
20 assistance is sought are fiscally and environmentally sound and
21 are in compliance with all applicable Federal laws;

22 (d) ensure that the institution complies with all applicable
23 Federal laws relating to Federal financial assistance, and that
24 there exists sound tracking, management, and financial
25 accountability for all Federal Programs awarded to the
26 institution;

1 (e) perform cost analysis on all Federal aid programs, grants,
2 loans, contracts, contributions, advances, direct Federal
3 development, or other Federal funding that the institution is
4 applying for, for the financial impact on the institution and the
5 government of Guam's General Fund or special funds used to
6 fund the local matching requirement as prescribed by Federal
7 law; and the financial impact on the institution and the
8 government of Guam for the continuation of the Federal
9 program should the Federal funding expire and require the
10 government of Guam to financially assume the program's
11 operation one hundred percent (100%); and

12 (f) the Administrator of the Courts, the Presidents of the
13 University of Guam and the Guam Community College, and the
14 Superintendent of the Department of Education may delegate
15 any of the foregoing duties and responsibilities to any officers
16 or employees of their respective institution."

17 **Section 4. Effective Date.** This Act *shall* take effect upon enactment.

SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER

Committee on Appropriations and Adjudication
 senator@senatorbjcruz.com | www.senatorbjcruz.com



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 THE THIRTY-THIRD GUAM LEGISLATURE

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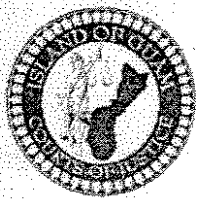
PUBLIC HEARING SIGN-IN SHEET

Thursday, April 16, 2015 - 10:00AM

Guam Legislature Public Hearing Room • Hagåtña, Guam

Bill No. 56-33 (COR) - F.B. Aguon, Jr. - "An act to amend §2101.1(f) and §2101.3 of Chapter 2, Title 5 of the Guam Code Annotated; relative to recognizing the independence of the Judiciary of Guam relative to the receipt of federal funds."

NAME	AGENCY OR ORGANIZATION	POSITION		TESTIMONY		PHONE NO.	EMAIL ADDRESS
		SUPPORT	OPPOSE	WRITTEN	ORAL		
JOSHUA F. TENORIO	JUDICIARY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	475-3278	jenorio@guamcourts.org
Kate Baltazar	Guam State Clearinghouse	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	475-9336	
SOPHIA DIAZ	JUDICIARY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		sdiaz@guamcourts.org
CERINA MARIANO	JUDICIARY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		cmariano@guamcourts.org
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Judiciary of Guam



Administrative Office of the Courts
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HON. ROBERT J. TORRES
CHIEF JUSTICE

HON. ALBERTO C. LAMORENA III
PRESIDING JUDGE

JOSHUA F. TENORIO
ADMINISTRATOR OF THE COURTS

April 16, 2014

Honorable Benjamin J.F. Cruz
Vice Speaker & Chairman
Committee on Appropriations and Adjudication
I Mina Trentai' Tres Liheslaturan Guahan
155 Hesler Place
Suite 107
Hagåtña, Guam 96910

RE: Testimony IN FAVOR of Bill No. 56-33 (COR)

Dear Vice Speaker Cruz:

Hafa Adai! Thank you for providing the opportunity to testify IN FAVOR of Bill No. 56-33(COR), *AN ACT TO AMEND §2101.1(F) AND §2101.3 OF CHAPTER 2, TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO RECOGNIZING THE INDEPENDENCE OF THE JUDICIARY OF GUAM RELATIVE TO THE RECEIPT OF FEDERAL FUNDS.*

In recent years, the legislature has amended 5 GCA §2101.1(f) to exempt the University of Guam, Guam Community College and most recently the Department of Education from requiring the final approval of the Guam State Clearinghouse when applying for federal funds. This legislation will simply add the Judiciary of Guam to this list of government entities already exempt.

The legislation will properly recognize the Judiciary as an independent and co-equal branch of government as it relates to the receipt and expenditure of federal funds and will empower the Judiciary to pursue funding opportunities limited to state and local courts by the Department of Justice, the State Justice Institute, private foundations, and other funding agents.

This authorization will not be applicable to grant opportunities requiring designation by the Governor of Guam as a state agency authorized to apply for grant funding. In these cases, we would continue our working partnership with the Office of the Governor and the executive branch to address programs that improve the criminal justice system of our island.

The Honorable Benjamin J.F. Cruz
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The Judiciary of Guam is already the recipient of grant funds that provide direct services, resources, and programs to support collaborative work with the Guam Police Department, the Department of Corrections, the Office of the Attorney General, and the Department of Youth Affairs. We will continue to find opportunities for system improvements and continue to partner with these agencies.

The Judiciary has an excellent record of accomplishment in managing and expending federal resources to improve and expand effective services for our patrons. Our Court Programs Office is on an aggressive track to develop programs and apply for funds to expand and enhance our therapeutic strategies, reduce recidivism, implement evidence-based programs, manage sex offenders, incorporate technology and address courthouse security.

We have seen program successes in the Sex Offender Registry, Adult Drug Court, Juvenile Drug Court, Mental Health Court, and Family Violence Court, with work underway in the newly established Veterans Treatment Court and the Justice Corps Program.

The Judiciary recognizes that the sharing of information across the government of Guam is extremely important toward efforts to maximize financial assistance to the island and will continue do so if Bill No. 56-33(COR) becomes law.

Should you have any questions, please feel free to contact me. Thank you for your time and consideration.

Sincerely,



JOSHUA F. TENORIO
Administrator of the Courts

cc: Senator Frank B. Aguon, Jr.
Ms. Kate Baltazar, Director, Guam State Clearinghouse

Testimony – 33rd Guam Legislature on Bill 56-33

Kate G. Baltazar, Administrator

Guam State Clearinghouse

Office of the Lt. Governor

Hafa adai, Senator Aguon and committee members—

I am Kate Baltazar, the Administrator of the Guam State Clearinghouse. I am here before you today to unequivocally testify against the passage of Bill 56-33. There are three pillars of purview for GSC, two of which I will speak on further to support our position:

- The first pillar of purview of the Guam State Clearinghouse known as **Intergovernmental Review**, while granted under local law [Cite GCA here], originated in a 1983 Executive Order issued by then-President Ronald Reagan. This is a mechanism to ensure a way by which grant applications are reviewed by various entities, to include Legal, Bureau of Statistics and Plans and Fiscal – determining whether the grant application is in line with various state/territorial plans. In so doing, this would make certain that government resources are not overcommitted in the proposed projects and are utilized accordingly. This system of **checks and balances** is in place to **safeguard our already overcommitted resources**. Passage of this bill would remove the critical and necessary means by which we determine that only the most effective and essential proposals are sent forth. No branch of government should be exempt from this process, not to mention **egregiously eroding the powers of the executive branch**, directly contrary to the Presidential Executive Order's intent.
- In addition, many federal funding agencies **require intergovernmental review** for various projects, again not solely as GSC policy, but as mandated by the federal government. There exists a document published every fiscal year that lists these programs, as provided with my written testimony.

- Input from across the country by and large include their judiciaries in the intergovernmental review process. Sheila Lambert, Grants Manager for State of Nevada states: *Nevada's judiciaries participate, unless specifically excluded by the federal grant announcement. We operate under the premise that the State cannot over-rule the federal EO, regardless of agencies. We operate with the judiciary, attorney general's office, district, municipal and supreme court in the same way. It is not a matter of what "agency" or branch of the "government" but more about ensuring federal compliance with grant funds, of which our office is responsible.*
- Our second pillar of purview is **monitoring and compliance**. This has been a dormant power of the GSC in past administrations, which is apparent in the various agencies with a high-risk grantee status and years of millions in lost or returned federal funding. Since becoming the Administrator, the Guam State Clearinghouse has been ever more aggressive in monitoring federal grants across the board throughout the government; we have saved millions of dollars in potentially lost federal funding through our advocacy with federal funding agencies, corrective action plans and increasing capacity and skills through an annual grantsmanship training. Monitoring and compliance is a provision granted by law and when exercised has proven to be effective and beneficial to our government.

I will close my testimony to this good body with this: In practice of good government, we amend our laws to become **more aligned** with meeting federal standards and requirements, to provide greater transparency and accountability. We must do all we can to encourage better monitoring and compliance of grants throughout the government. This bill seemingly is contradictory as such.

Dangkulu na si Yu'os ma'ase and thank you for giving me the opportunity to speak on this today.

Executive Order 12372--Intergovernmental review of Federal programs

Source: The provisions of Executive Order 12372 of July 14, 1982, appear at 47 FR 30959, 3 CFR, 1982 Comp., p. 197, unless otherwise noted.

By the authority vested in me as President by the Constitution and laws of the United States of America, including Section 401(a) of the Intergovernmental Cooperation Act of 1968 (42 U.S.C. 4231(a)), Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3334) and Section 301 of Title 3 of the United States Code, and in order to foster an intergovernmental partnership and a strengthened federalism by relying on State and local processes for the State and local government coordination and review of proposed Federal financial assistance and direct Federal development, it is hereby ordered as follows:

[Preamble amended by Executive Order 12416 of Apr. 8, 1983, 48 FR 15587, 3 CFR, 1983 Comp., p. 186]

Section 1. Federal agencies shall provide opportunities for consultation by elected officials of those State and local governments that would provide the non-Federal funds for, or that would be directly affected by, proposed Federal financial assistance or direct Federal development.

Sec. 2. To the extent the States, in consultation with local general purpose governments, and local special purpose governments they consider appropriate, develop their own processes or refine existing processes for State and local elected officials to review and coordinate proposed Federal financial assistance and direct Federal development, the Federal agencies shall, to the extent permitted by law:

- (a) Utilize the State process to determine official views of State and local elected officials.
- (b) Communicate with State and local elected officials as early in the program planning cycle as is reasonably feasible to explain specific plans and actions.
- (c) Make efforts to accommodate State and local elected officials' concerns with proposed Federal financial assistance and direct Federal development that are communicated through the designated State process. For those cases where the concerns cannot be accommodated, Federal officials shall explain the bases for their decision in a timely manner.
- (d) Allow the States to simplify and consolidate existing Federally required State plan submissions. Where State planning and budgeting systems are sufficient and where permitted by law, the substitution of State plans for Federally required State plans shall be encouraged by the agencies.
- (e) Seek the coordination of views of affected State and local elected officials in one State with those of another State when proposed Federal financial assistance or direct Federal development has an impact on interstate metropolitan urban centers or other interstate areas. Existing interstate mechanisms that are redesignated as part of the State process may be used for this purpose.
- (f) Support State and local governments by discouraging the reauthorization or creation of any planning organization which is Federally-funded, which has a Federally-prescribed membership, which is established for a limited purpose, and which is not adequately representative of, or accountable to, State or local elected officials.

Sec. 3. (a) The State process referred to in Section 2 shall include those where States delegate, in specific instances, to local elected officials the review, coordination, and communication with Federal agencies.

(b) At the discretion of the State and local elected officials, the State process may exclude certain Federal programs from review and comment.

Sec. 4. The Office of Management and Budget (OMB) shall maintain a list of official State entities designated by the States to review and coordinate proposed Federal financial assistance and direct Federal development. The Office of Management and Budget shall disseminate such lists to the Federal agencies.

Sec. 5. (a) Agencies shall propose rules and regulations governing the formulation, evaluation, and review of proposed Federal financial assistance and direct Federal development pursuant to this Order, to be submitted to the Office of Management and Budget for approval.

(b) The rules and regulations which result from the process indicated in Section 5(a) above shall replace any current rules and regulations and become effective September 30, 1983.

[Sec. 5 amended by Executive Order 12416 of Apr. 8, 1983, 48 FR 15587, 3 CFR, 1983 Comp., p. 186]

Sec. 6. The Director of the Office of Management and Budget is authorized to prescribe such rules and regulations, if any, as he deems appropriate for the effective implementation and administration of this Order and the Intergovernmental Cooperation Act of 1968. The Director is also authorized to exercise the authority vested in the President by Section 401(a) of that Act (42 U.S.C. 4231(a)), in a manner consistent with this Order.

Sec. 7. The Memorandum of November 8, 1968, is terminated (33 *Fed. Reg.* 16487, November 13, 1968). The Director of the Office of Management and Budget shall revoke OMB Circular A-95, which was issued pursuant to that Memorandum. However, Federal agencies shall continue to comply with the rules and regulations issued pursuant to that Memorandum, including those issued by the Office of Management and Budget, until new rules and regulations have been issued in accord with this Order.

Sec. 8. The Director of the Office of Management and Budget shall report to the President by September 30, 1984 on Federal agency compliance with this Order. The views of State and local elected officials on their experiences with these policies, along with any suggestions for improvement, will be included in the Director's report.

[Sec. 8 amended by Executive Order 12416 of Apr. 8, 1983, 48 FR 15587, 3 CFR, 1983 Comp., p. 186]

Appendix I: Programs Requiring Executive Order 12372 Review

This appendix lists programs requiring Executive Order 12372 review. Executive Order 12372 "Intergovernmental Review of Federal Programs," structures the Federal government's system of consultation with State and local governments on its decisions involving grants, other forms of financial assistance, and direct development. Under E.O. 12372, States, in consultation with their local governments, design their own review processes and select those Federal financial assistance and direct development activities they wish to review.

Since October 1, 1983 most States have acted to establish a review and comment system in response to E.O. 12372. In such cases, applicants for grants will need to meet the requirements of the intergovernmental consultation process established by a particular State and its local governments before Federal agencies take action on an application.

For more information on the process a particular State requires to be followed, an applicant should contact the office or official designated as the single point of contact in his or her State. Consult the individual program description in the Catalog to determine whether the programs under which he/she plans to apply is subject to E.O. 12372. Consult the Federal agency's application package for instructions on State notification.

DEPARTMENT OF AGRICULTURE

10.025 Plant and Animal Disease, Pest Control, and Animal Care (B)
10.028 Wildlife Services (B)
10.156 Federal-State Marketing Improvement Program (B)
10.164 Wholesale Farmers and Alternative Market Development (K,M)
10.168 Farmers' Market and Local Food Promotion Program (B)
10.172 Local Food Promotion Program (B)
10.253 Consumer Data and Nutrition Research (L)
10.291 Agricultural and Food Policy Research Centers (B)
10.351 Rural Business Development Grant (B)
10.415 Rural Rental Housing Loans (B,E)
10.420 Rural Self-Help Housing Technical Assistance (B)
10.427 Rural Rental Assistance Payments (C)
10.433 Rural Housing Preservation Grants (B)
10.438 Section 538 Rural Rental Housing Guaranteed Loans (F)
10.475 Cooperative Agreements with States for Intrastate Meat and Poultry Inspection (B)
10.553 School Breakfast Program (A)
10.555 National School Lunch Program (A)
10.556 Special Milk Program for Children (A)
10.557 Special Supplemental Nutrition Program for Women, Infants, and Children (A,B)
10.558 Child and Adult Care Food Program (A)
10.559 Summer Food Service Program for Children (A)
10.560 State Administrative Expenses for Child Nutrition (A)
10.561 State Administrative Matching Grants for the Supplemental Nutrition Assistance Program (A)
10.565 Commodity Supplemental Food Program (A,H)
10.566 Nutrition Assistance For Puerto Rico (C)
10.567 Food Distribution Program on Indian Reservations (B,H)
10.568 Emergency Food Assistance Program (Administrative Costs) (A)
10.569 Emergency Food Assistance Program (Food Commodities) (A)
10.590 Disaster Relief Appropriations Act Emergency Food Assistance Program (Administrative Costs) (A)
10.591 Disaster Relief Appropriations Act Emergency Food Assistance Program (Commodities) (A)
10.664 Cooperative Forestry Assistance (A,B)
10.676 Forest Legacy Program (B)
10.678 Forest Stewardship Program (B)
10.680 Forest Health Protection (A,B)
10.760 Water and Waste Disposal Systems for Rural Communities (B,E,F)
10.763 Emergency Community Water Assistance Grants (B)
10.766 Community Facilities Loans and Grants (B,E,F)
10.767 Intermediary Relending Program (E)
10.768 Business and Industry Loans (F)
10.769 Rural Business Enterprise Grants (B)

10.770 Water and Waste Disposal Loans and Grants (Section 306C) (B,E)
10.771 Rural Cooperative Development Grants (B)
10.781 Water and Waste Disposal Systems for Rural Communities - ARRA (B,E)
10.855 Distance Learning and Telemedicine Loans and Grants (B,E)
10.865 Biorefinery Assistance (F)
10.904 Watershed Protection and Flood Prevention (K)
10.916 Watershed Rehabilitation Program (K)

DEPARTMENT OF COMMERCE

11.012 Integrated Ocean Observing System (IOOS) (B)
11.020 Cluster Grants (B)
11.030 Science and Research Park Development Grants (B)
11.400 Geodetic Surveys and Services (Geodesy and Applications of the National Geodetic Reference System) (B)
11.419 Coastal Zone Management Administration Awards (A,B)
11.420 Coastal Zone Management Estuarine Research Reserves (B)
11.426 Financial Assistance for National Centers for Coastal Ocean Science (B)
11.473 Coastal Services Center (B)
11.482 Coral Reef Conservation Program (B)
11.557 Broadband Technology Opportunities Program (BTOP) (B)
11.558 State Broadband Data and Development Grant Program (B)

DEPARTMENT OF DEFENSE

12.101 Beach Erosion Control Projects (J)
12.110 Planning Assistance to States (J)
12.600 Community Investment (B,L)
12.604 Community Economic Adjustment (B,L)
12.607 Community Economic Adjustment Assistance for Establishment, Expansion, Realignment, or Closure of a Military Installation (B)
12.610 Community Economic Adjustment Assistance for Compatible Use and Joint Land Use Studies (B)
12.611 Community Economic Adjustment Assistance for Reductions in Defense Industry Employment (B)
12.614 Community Economic Adjustment Assistance for Advance Planning and Economic Diversification (B)
12.615 Research and Technical Assistance (B)
12.617 Economic Adjustment Assistance for State Governments (B)
12.750 Uniformed Services University Medical Research Projects (B)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

14.128 Mortgage Insurance_Hospitals (F)
14.129 Mortgage Insurance_Nursing Homes, Intermediate Care Facilities, Board and Care Homes and Assisted Living Facilities (F)
14.157 Supportive Housing for the Elderly (C)
14.181 Supportive Housing for Persons with Disabilities (C)
14.218 Community Development Block Grants/Entitlement Grants (A)

Appendix I: Programs Requiring Executive Order 12372 Review

- 14.314 Assisted Living Conversion for Eligible Multifamily Housing Projects (B)
- 14.850 Public and Indian Housing (C)
- 14.872 Public Housing Capital Fund (A)
- 14.889 Choice Neighborhoods Implementation Grants (B)
- 14.892 Choice Neighborhoods Planning Grants (B)
- 14.895 Jobs-Plus Pilot Initiative (B)

DEPARTMENT OF THE INTERIOR

- 15.250 Regulation of Surface Coal Mining and Surface Effects of Underground Coal Mining (B,C)
- 15.252 Abandoned Mine Land Reclamation (AMLR) Program (A,B)
- 15.253 Not-for-Profit AMD Reclamation (B)
- 15.423 Bureau of Ocean Energy Management (BOEM) Environmental Studies Program (ESP) (B)
- 15.424 Marine Minerals Activities - Hurricane Sandy (B)
- 15.427 Federal Oil and Gas Royalty Management State and Tribal Coordination (B)
- 15.506 Water Desalination Research and Development Program (B)
- 15.509 Title II, Colorado River Basin Salinity Control Program (B)
- 15.512 Central Valley Project Improvement Act, Title XXXIV (B)
- 15.514 Reclamation States Emergency Drought Relief (B,C)
- 15.521 Lower Rio Grande Valley Water Resources Conservation and Improvement (B)
- 15.524 Recreation Resources Management (B)
- 15.529 Upper Colorado and San Juan River Basins Endangered Fish Recovery Programs (B)
- 15.530 Water Conservation Field Services Program (WCFSP) (B)
- 15.538 Lower Colorado River Multi-Species Conservation Program (B)
- 15.605 Sport Fish Restoration Program (A)
- 15.608 Fish and Wildlife Management Assistance (B)
- 15.611 Wildlife Restoration and Basic Hunter Education (A)
- 15.614 Coastal Wetlands Planning, Protection and Restoration Program (B)
- 15.615 Cooperative Endangered Species Conservation Fund (B)
- 15.616 Clean Vessel Act Program (B)
- 15.622 Sportfishing and Boating Safety Act (B)
- 15.625 Wildlife Conservation and Restoration (A)
- 15.626 Enhanced Hunter Education and Safety Program (A)
- 15.628 Multistate Conservation Grant Program (B)
- 15.633 Landowner Incentive Program (B)
- 15.634 State Wildlife Grants (A,B)
- 15.636 Alaska Subsistence Management (B)
- 15.654 Visitor Facility Enhancements - Refuges and Wildlife (B)
- 15.668 Coastal Impact Assistance Program (A)
- 15.904 Historic Preservation Fund Grants-In-Aid (A,B)
- 15.916 Outdoor Recreation Acquisition, Development and Planning (B)
- 15.923 National Center for Preservation Technology and Training (B)
- 15.926 American Battlefield Protection (B)
- 15.928 Civil War Battlefield Land Acquisition Grants (B)
- 15.930 Chesapeake Bay Gateways Network (B)
- 15.940 New Bedford Whaling National Historic Park Cooperative Management (C)
- 15.941 Mississippi National River and Recreation Area State and Local Assistance (B)
- 15.942 Environmental Education and Conservation - North Cascades Bioregion (C,J)

DEPARTMENT OF JUSTICE

- 16.016 Culturally and Linguistically Specific Services Program (B)
- 16.017 Sexual Assault Services Formula Program (A)

- 16.019 Tribal Registry (B)
- 16.021 Justice Systems Response to Families (B)
- 16.023 Sexual Assault Services Culturally Specific Program (B)
- 16.024 Tribal Sexual Assault Services Program (B)
- 16.524 Legal Assistance for Victims (B)
- 16.525 Grants to Reduce Domestic Violence, Dating Violence, Sexual Assault, and Stalking on Campus (B)
- 16.526 OVW Technical Assistance Initiative (B)
- 16.528 Enhanced Training and Services to End Violence and Abuse of Women Later in Life (B)
- 16.529 Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities (B)
- 16.544 Youth Gang Prevention (B)
- 16.548 Title V Delinquency Prevention Program (A)
- 16.550 State Justice Statistics Program for Statistical Analysis Centers (B)
- 16.554 National Criminal History Improvement Program (NCHIP) (B)
- 16.556 State Domestic Violence and Sexual Assault Coalitions (B)
- 16.557 Tribal Domestic Violence and Sexual Assault Coalitions Grant Program (B)
- 16.587 Violence Against Women Discretionary Grants for Indian Tribal Governments (B)
- 16.588 Violence Against Women Formula Grants (A)
- 16.589 Rural Domestic Violence, Dating Violence, Sexual Assault, and Stalking Assistance Program (B)
- 16.590 Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program (B)
- 16.593 Residential Substance Abuse Treatment for State Prisoners (A)
- 16.610 Regional Information Sharing Systems (B)
- 16.614 State and Local Anti-Terrorism Training (K,L,M)
- 16.726 Juvenile Mentoring Program (B)
- 16.727 Enforcing Underage Drinking Laws Program (B)
- 16.736 Transitional Housing Assistance for Victims of Domestic Violence, Dating Violence, Stalking, or Sexual Assault (B)
- 16.738 Edward Byrne Memorial Justice Assistance Grant Program (A,B)
- 16.741 DNA Backlog Reduction Program (A,B)
- 16.742 Paul Coverdell Forensic Sciences Improvement Grant Program (A)
- 16.750 Support for Adam Walsh Act Implementation Grant Program (B)
- 16.752 Economic High-Tech and Cyber Crime Prevention (B)
- 16.753 Congressionally Recommended Awards (B)
- 16.825 Smart Prosecution Initiative (B)
- 16.827 Justice Reinvestment Initiative (B)
- 16.888 Consolidated And Technical Assistance Grant Program to Address Children and Youth Experiencing Domestic and Sexual Violence and Engage Men and Boys as Allies (B)
- 16.889 Grants for Outreach and Services to Underserved Populations (B)

DEPARTMENT OF LABOR

- 17.207 Employment Service/Wagner-Peyser Funded Activities (A,B)
- 17.235 Senior Community Service Employment Program (A,B)
- 17.238 WIA Adult Program (A)
- 17.239 WIA Youth Activities (A)
- 17.264 National Farmworker Jobs Program (A)
- 17.271 Work Opportunity Tax Credit Program (WOTC) (A)
- 17.278 WIA Dislocated Worker Formula Grants (A)
- 17.600 Mine Health and Safety Grants (B)
- 17.801 Disabled Veterans' Outreach Program (DVOP) (A)
- 17.802 Veterans' Employment Program (B)
- 17.804 Local Veterans' Employment Representative Program (A)
- 17.807 Transition Assistance Program (B)

DEPARTMENT OF TRANSPORTATION

Appendix I: Programs Requiring Executive Order 12372 Review

20.106	Airport Improvement Program (B,K)	66.126	The San Francisco Bay Water Quality Improvement Fund (B)
20.108	Aviation Research Grants (B,I)	66.128	Southeastern Multi-Media and Geographic Priority Projects (B)
20.109	Air Transportation Centers of Excellence (B,I,I)	66.202	Congressionally Mandated Projects (B)
20.205	Highway Planning and Construction (A,B)	66.203	Environmental Finance Center Grants (B)
20.219	Recreational Trails Program (A)	66.305	Compliance Assistance Support for Services to the Regulated Community and Other Assistance Providers (B)
20.231	Performance and Registration Information Systems Management (B)	66.306	Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program (B)
20.235	Commercial Motor Vehicle Operator Training Grants (B)	66.309	Surveys, Studies, Investigations, Training and Special Purpose Activities Relating to Environmental Justice (B)
20.237	Commercial Vehicle Information Systems and Networks (B)	66.313	International Compliance and Enforcement Projects (B)
20.500	Federal Transit_Capital Investment Grants (A,B)	66.418	Construction Grants for Wastewater Treatment Works (B)
20.505	Metropolitan Transportation Planning and State and Non-Metropolitan Planning and Research (A)	66.419	Water Pollution Control State, Interstate, and Tribal Program Support (A)
20.507	Federal Transit_Formula Grants (A)	66.424	Surveys, Studies, Investigations, Demonstrations, and Training Grants - Section 1442 of the Safe Drinking Water Act (B)
20.509	Formula Grants for Rural Areas (A)	66.432	State Public Water System Supervision (A)
20.513	Enhanced Mobility of Seniors and Individuals with Disabilities (A)	66.433	State Underground Water Source Protection (A)
20.514	Public Transportation Research (B,L,M)	66.436	Surveys, Studies, Investigations, Demonstrations, and Training Grants and Cooperative Agreements - Section 104(b)(3) of the Clean Water Act (B)
20.516	Job Access And Reverse Commute Program (B)	66.437	Long Island Sound Program (B)
20.520	Paul S. Sarbanes Transit in the Parks (B)	66.439	Targeted Watersheds Grants (B)
20.521	New Freedom Program (A)	66.440	Urban Waters Small Grants (B)
20.526	Bus and Bus Facilities Formula Program (A)	66.441	Healthy Watersheds Consortium Grant Program (B)
20.527	Public Transportation Emergency Relief Program (B)	66.454	Water Quality Management Planning (A)
20.600	State and Community Highway Safety (A)	66.456	National Estuary Program (B)
20.601	Alcohol Impaired Driving Countermeasures Incentive Grants I (B)	66.458	Capitalization Grants for Clean Water State Revolving Funds (A)
20.602	Occupant Protection Incentive Grants (B)	66.460	Nonpoint Source Implementation Grants (A)
20.608	Minimum Penalties for Repeat Offenders for Driving While Intoxicated (B)	66.461	Regional Wetland Program Development Grants (B)
20.610	State Traffic Safety Information System Improvement Grants (B)	66.462	National Wetland Program Development Grants and Five-Star Restoration Training Grant (B)
20.611	Incentive Grant Program to Prohibit Racial Profiling (A)	66.463	Water Quality Cooperative Agreements (B)
20.612	Incentive Grant Program to Increase Motorcyclist Safety (A)	66.466	Chesapeake Bay Program (B)
20.613	Child Safety and Child Booster Seats Incentive Grants (B)	66.467	Wastewater Operator Training Grant Program (B)
20.616	National Priority Safety Programs (A)	66.468	Capitalization Grants for Drinking Water State Revolving Funds (A)
20.700	Pipeline Safety Program State Base Grant (A)	66.469	Great Lakes Program (B,I,L)
20.703	Interagency Hazardous Materials Public Sector Training and Planning Grants (B)	66.472	Beach Monitoring and Notification Program Implementation Grants (A)
20.721	PHMSA Pipeline Safety Program One Call Grant (B)	66.474	Water Protection Grants to the States (A)
20.723	PHMSA Pipeline Safety Research and Development Other Transaction Agreements (B)	66.475	Gulf of Mexico Program (B)
20.816	Americas Marine Highway Grants (B)	66.481	Lake Champlain Basin Program (B)
20.932	Surface Transportation _ Discretionary Grants for Capital Investment (B)	66.482	Disaster Relief Appropriations Act (DRAA) Hurricane Sandy Capitalization Grants For Clean Water State Revolving Funds (A)
20.933	National Infrastructure Investments (B)	66.483	Disaster Relief Appropriations Act (DRAA) Hurricane Sandy Capitalization Grants for Drinking Water State Revolving Funds (A)
NATIONAL ENDOWMENT FOR THE ARTS			
45.025	Promotion of the Arts_Partnership Agreements (B,K)	66.509	Science To Achieve Results (STAR) Research Program (B)
ENVIRONMENTAL PROTECTION AGENCY			
66.001	Air Pollution Control Program Support (B)	66.510	Surveys, Studies, Investigations and Special Purpose Grants within the Office of Research and Development (B)
66.032	State Indoor Radon Grants (B)	66.511	Office of Research and Development Consolidated Research/Training/Fellowships (B)
66.033	Ozone Transport Commission (B)	66.516	P3 Award: National Student Design Competition for Sustainability (B)
66.034	Surveys, Studies, Research, Investigations, Demonstrations, and Special Purpose Activities Relating to the Clean Air Act (B)	66.517	Regional Applied Research Efforts (RARE) (B)
66.039	National Clean Diesel Emissions Reduction Program (B)	66.604	Environmental Justice Small Grant Program (B)
66.040	State Clean Diesel Grant Program (A)	66.605	Performance Partnership Grants (A,B)
66.042	Temporally Integrated Monitoring of Ecosystems (TIME) and Long-Term Monitoring (LTM) Program (B)	66.609	Protection of Children from Environmental Health Risks (B)
66.043	Regional Healthy Indoor Air Projects for Community Outreach and Education, Surveys, Studies, Research, Investigations, Demonstrations, and Special Purpose Activities Relating to the Clean Air Act (B)	66.610	Surveys, Studies, Investigations and Special Purpose Grants within the Office of the Administrator (B)
66.110	Healthy Communities Grant Program (B)	66.611	Environmental Policy and Innovation Grants (B)
66.124	Coastal Wetlands Planning Protection and Restoration Act (B)	66.612	Surveys, Studies, Investigations, Training Demonstrations and
66.125	Lake Pontchartrain Basin Restoration Program (PRP) (B)		

Appendix I: Programs Requiring Executive Order 12372 Review

Educational Outreach Related to Environmental Information and the Release of Toxic Chemicals (B)
 66.708 Pollution Prevention Grants Program (B)
 66.716 Research, Development, Monitoring, Public Education, Training, Demonstrations, and Studies (B)
 66.717 Source Reduction Assistance (B)
 66.801 Hazardous Waste Management State Program Support (A)
 66.802 Superfund State, Political Subdivision, and Indian Tribe Site-Specific Cooperative Agreements (B)
 66.804 Underground Storage Tank Prevention, Detection and Compliance Program (A)
 66.805 Leaking Underground Storage Tank Trust Fund Corrective Action Program (A)
 66.806 Superfund Technical Assistance Grants (TAG) for Community Groups at National Priority List (NPL) Sites (B)
 66.808 Solid Waste Management Assistance Grants (B)
 66.809 Superfund State and Indian Tribe Core Program Cooperative Agreements (B)
 66.812 Hazardous Waste Management Grant Program for Tribes (B)
 66.813 Alternative or Innovative Treatment Technology Research, Demonstration, Training, and Hazardous Substance Research Grants (B)
 66.814 Brownfields Training, Research, and Technical Assistance Grants and Cooperative Agreements (B)
 66.816 Headquarters and Regional Underground Storage Tanks Program (B)
 66.817 State and Tribal Response Program Grants (A)
 66.818 Brownfields Assessment and Cleanup Cooperative Agreements (B)
 66.819 Disaster Relief Appropriations Act (DRAA) Hurricane Sandy Leaking Underground Storage Tank Trust Fund Corrective Action Program (A)
 66.931 International Financial Assistance Projects Sponsored by the Office of International and Tribal Affairs (B)

DEPARTMENT OF ENERGY

81.041 State Energy Program (A,B,L)
 81.042 Weatherization Assistance for Low-Income Persons (A,B)
 81.127 Energy Efficient Appliance Rebate Program (EEARP) (A)
 81.128 Energy Efficiency and Conservation Block Grant Program (EECBG) (A,B)

DEPARTMENT OF EDUCATION

84.002 Adult Education - Basic Grants to States (A)
 84.004 Civil Rights Training and Advisory Services (B)
 84.011 Migrant Education_State Grant Program (A)
 84.015 National Resource Centers Program for Foreign Language and Area Studies or Foreign Language and International Studies Program and Foreign Language and Area Studies Fellowship Program (B)
 84.016 Undergraduate International Studies and Foreign Language Programs (B)
 84.027 Special Education_Grants to States (A)
 84.031 Higher Education_Institutional Aid (B)
 84.042 TRIO_Student Support Services (B)
 84.044 TRIO_Talent Search (B)
 84.047 TRIO_Upward Bound (B)
 84.048 Career and Technical Education -- Basic Grants to States (A)
 84.060 Indian Education_Grants to Local Educational Agencies (A)
 84.066 TRIO_Educational Opportunity Centers (B)
 84.103 TRIO Staff Training Program (B)
 84.116 Fund for the Improvement of Postsecondary Education (B)
 84.120 Minority Science and Engineering Improvement (B)
 84.126 Rehabilitation Services_Vocational Rehabilitation Grants to States (A)
 84.128 Rehabilitation Services_Service Projects (B)

84.129 Rehabilitation Long-Term Training (B)
 84.132 Centers for Independent Living (B)
 84.141 Migrant Education_High School Equivalency Program (B)
 84.144 Migrant Education_Coordination Program (B)
 84.145 Federal Real Property Assistance Program (H)
 84.149 Migrant Education_College Assistance Migrant Program (B)
 84.160 Training Interpreters for Individuals who are Deaf and Individuals who are Deaf-Blind (B)
 84.161 Rehabilitation Services_Client Assistance Program (A)
 84.165 Magnet Schools Assistance (B)
 84.169 Independent Living_State Grants (A)
 84.173 Special Education_Preschool Grants (A)
 84.177 Rehabilitation Services_Independent Living Services for Older Individuals Who are Blind (B)
 84.181 Special Education-Grants for Infants and Families (A)
 84.184 Safe and Drug-Free Schools and Communities_National Programs (B)
 84.187 Supported Employment Services for Individuals with the Most Significant Disabilities (A)
 84.191 Adult Education_National Leadership Activities (B,C)
 84.196 Education for Homeless Children and Youth (A)
 84.200 Graduate Assistance in Areas of National Need (B)
 84.206 Javits Gifted and Talented Students Education (B)
 84.217 TRIO_McNair Post-Baccalaureate Achievement (B)
 84.220 Centers for International Business Education (B)
 84.224 Assistive Technology (A)
 84.235 Rehabilitation Services Demonstration and Training Programs (B)
 84.240 Program of Protection and Advocacy of Individual Rights (A)
 84.246 Rehabilitation Short-Term Training (B)
 84.264 Rehabilitation Training_Continuing Education (B)
 84.265 Rehabilitation Training_State Vocational Rehabilitation Unit In-Service Training (B)
 84.274 American Overseas Research Centers (B)
 84.287 Twenty-First Century Community Learning Centers (A)
 84.295 Ready-To-Learn Television (B)
 84.299 Indian Education -- Special Programs for Indian Children (B)
 84.315 Capacity Building for Traditionally Underserved Populations (B)
 84.323 Special Education - State Personnel Development (B)
 84.324 Research in Special Education (B)
 84.325 Special Education - Personnel Development to Improve Services and Results for Children with Disabilities (B)
 84.326 Special Education_Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities (B)
 84.327 Special Education_Educational Technology Media, and Materials for Individuals with Disabilities (B)
 84.328 Special Education_Parent Information Centers (B)
 84.330 Advanced Placement Program (Advanced Placement Test Fee; Advanced Placement Incentive Program Grants) (B)
 84.334 Gaining Early Awareness and Readiness for Undergraduate Programs (B)
 84.335 Child Care Access Means Parents in School (B)
 84.336 Teacher Quality Partnership Grants (B)
 84.343 Assistive Technology_State Grants for Protection and Advocacy (A)
 84.350 Transition to Teaching (B)
 84.351 Arts in Education (B)
 84.354 Credit Enhancement for Charter School Facilities (B)
 84.356 Alaska Native Educational Programs (B)
 84.360 High School Graduation Initiative (B)
 84.362 Native Hawaiian Education (B)
 84.363 School Leadership (B)

Appendix I: Programs Requiring Executive Order 12372 Review

- 84.368 Grants for Enhanced Assessment Instruments (B)
- 84.370 DC School Choice Incentive Program (B)
- 84.371 Striving Readers (A,B)
- 84.373 Special Education_Technical Assistance on State Data Collection (B)
- 84.374 Teacher Incentive Fund (B)
- 84.378 College Access Challenge Grant Program (A)
- 84.382 Strengthening Minority-Serving Institutions (B)
- 84.407 Transition Programs for Students with Intellectual Disabilities into Higher Education (B)

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

- 89.003 National Historical Publications and Records Grants (B)

DEPARTMENT OF HEALTH AND HUMAN SERVICES

- 93.003 Public Health and Social Services Emergency Fund (B)
- 93.007 Public Awareness Campaigns on Embryo Adoption (B)
- 93.010 Community-Based Abstinence Education (CBAE) (B)
- 93.011 National Organizations of State and Local Officials (B)
- 93.015 HIV Prevention Programs for Women (B)
- 93.018 Strengthening Public Health Services at the Outreach Offices of the U.S.-Mexico Border Health Commission (B)
- 93.042 Special Programs for the Aging_Title VII, Chapter 2_Long Term Care Ombudsman Services for Older Individuals (A)
- 93.043 Special Programs for the Aging_Title III, Part D_Disease Prevention and Health Promotion Services (A)
- 93.044 Special Programs for the Aging_Title III, Part B_Grants for Supportive Services and Senior Centers (A)
- 93.045 Special Programs for the Aging_Title III, Part C_Nutrition Services (A)
- 93.053 Nutrition Services Incentive Program (A)
- 93.060 Competitive Abstinence Education (CAE) (B)
- 93.062 Biomonitoring Programs for State Public Health Laboratories (B)
- 93.068 Chronic Diseases: Research, Control, and Prevention (B)
- 93.069 Public Health Emergency Preparedness (B)
- 93.070 Environmental Public Health and Emergency Response (B)
- 93.082 Sodium Reduction in Communities (B)
- 93.083 Prevention of Disease, Disability, and Death through Immunization and Control of Respiratory and Related Diseases (B)
- 93.086 Healthy Marriage Promotion and Responsible Fatherhood Grants (B,L)
- 93.087 Enhance Safety of Children Affected by Substance Abuse (B)
- 93.088 Advancing System Improvements to Support Targets for Healthy People 2010 (B)
- 93.093 Affordable Care Act (ACA) Health Profession Opportunity Grants (B)
- 93.094 Well-Integrated Screening and Evaluation for Women Across the Nation (B)
- 93.104 Comprehensive Community Mental Health Services for Children with Serious Emotional Disturbances (SED) (B)
- 93.107 Area Health Education Centers Point of Service Maintenance and Enhancement Awards (B)
- 93.116 Project Grants and Cooperative Agreements for Tuberculosis Control Programs (B)
- 93.118 Acquired Immunodeficiency Syndrome (AIDS) Activity (B)
- 93.129 Technical and Non-Financial Assistance to Health Centers (B)
- 93.134 Grants to Increase Organ Donations (B)
- 93.137 Community Programs to Improve Minority Health Grant Program (B)
- 93.145 AIDS Education and Training Centers (B)
- 93.153 Coordinated Services and Access to Research for Women, Infants, Children, and Youth (B)
- 93.155 Rural Health Research Centers (B)
- 93.161 Health Program for Toxic Substances and Disease Registry (B)
- 93.165 Grants to States for Loan Repayment Program (B,C)
- 93.184 Disabilities Prevention (B)
- 93.185 Immunization Research, Demonstration, Public Information and Education_Training and Clinical Skills Improvement Projects (B)
- 93.186 National Research Service Award in Primary Care Medicine (B)
- 93.197 Childhood Lead Poisoning Prevention Projects_State and Local Childhood Lead Poisoning Prevention and Surveillance of Blood Lead Levels in Children (B)
- 93.204 Surveillance of Hazardous Substance Emergency Events (B)
- 93.211 Telehealth Programs (B)
- 93.217 Family Planning_Services (B)
- 93.223 Development and Coordination of Rural Health Services (B)
- 93.224 Consolidated Health Centers (Community Health Centers, Migrant Health Centers, Health Care for the Homeless, and Public Housing Primary Care) (B)
- 93.234 Traumatic Brain Injury State Demonstration Grant Program (B)
- 93.240 State Capacity Building (B)
- 93.243 Substance Abuse and Mental Health Services_Projects of Regional and National Significance (B)
- 93.257 Grants for Education, Prevention, and Early Detection of Radiogenic Cancers and Diseases (B)
- 93.260 Family Planning_Personnel Training (B)
- 93.268 Immunization Cooperative Agreements (B)
- 93.269 Complex Humanitarian Emergency and War-Related Injury Public Health Activities (B)
- 93.270 Adult Viral Hepatitis Prevention and Control (B)
- 93.276 Drug-Free Communities Support Program Grants (B)
- 93.283 Centers for Disease Control and Prevention_Investigations and Technical Assistance (B)
- 93.290 National Community Centers of Excellence in Women's Health (B)
- 93.296 State Partnership Grant Program to Improve Minority Health (B)
- 93.305 National State Based Tobacco Control Programs (B)
- 93.317 Emerging Infections Programs (B)
- 93.323 Epidemiology and Laboratory Capacity for Infectious Diseases (ELC) (B)
- 93.329 Skills Training and Health Workforce Development of Paraprofessionals Grant Program (B)
- 93.330 Leadership in Public Health Social Work Education Grant Program (B)
- 93.336 Behavioral Risk Factor Surveillance System (B)
- 93.352 Construction Support (B)
- 93.389 National Center for Research Resources (B)
- 93.448 Food Safety and Security Monitoring Project (B)
- 93.449 Ruminant Feed Ban Support Project (B)
- 93.452 Health Improvement for Re-entering Ex-offenders Initiative (HIRE) HIV/AIDS (B)
- 93.500 Pregnancy Assistance Fund Program (B)
- 93.505 Affordable Care Act (ACA) Maternal, Infant, and Early Childhood Home Visiting Program (A,B)
- 93.507 PPHF National Public Health Improvement Initiative (B)
- 93.520 Centers for Disease Control and Prevention Affordable Care Act (ACA) Communities Putting Prevention to Work (B)
- 93.521 The Affordable Care Act: Building Epidemiology, Laboratory, and Health Information Systems Capacity in the Epidemiology and Laboratory Capacity for Infectious Disease (ELC) and Emerging Infections Program (EIP) Cooperative Agreements;PPHF (B)
- 93.527 Affordable Care Act (ACA) Grants for New and Expanded Services under the Health Center Program (B)
- 93.531 PPHF - Community Transformation Grants and National Dissemination and Support for Community Transformation Grants - financed solely by Prevention and Public Health Funds (B)
- 93.534 Affordable Care Act Program for Early Detection of Certain Medical

Appendix I: Programs Requiring Executive Order 12372 Review

Conditions Related to Environmental Health Hazards (B)	
93.535	Affordable Care Act (ACA) Childhood Obesity Research Demonstration (B)
93.538	Affordable Care Act - National Environmental Public Health Tracking Program-Network Implementation (B)
93.544	The Patient Protection and Affordable Care Act of 2010 (Affordable Care Act) authorizes Coordinated Chronic Disease prevention and Health Promotion Program (B)
93.547	Affordable Care Act National Health Service Corps (B,C)
93.548	PPHF: State Nutrition, Physical Activity, and Obesity Programs - financed in part by PPHF (B)
93.550	Transitional Living for Homeless Youth (B)
93.551	Abandoned Infants (B)
93.556	Promoting Safe and Stable Families (A,B)
93.557	Education and Prevention Grants to Reduce Sexual Abuse of Runaway, Homeless and Street Youth (B)
93.563	Child Support Enforcement (A)
93.570	Community Services Block Grant_Discretionary Awards (B)
93.576	Refugee and Entrant Assistance_Discretionary Grants (B)
93.592	Family Violence Prevention and Services/Discretionary (B)
93.593	Job Opportunities for Low-income Individuals (B)
93.595	Welfare Reform Research, Evaluations and National Studies (B)
93.598	Services to Victims of a Severe Form of Trafficking (B)
93.600	Head Start (B)
93.601	Child Support Enforcement Demonstrations and Special Projects (B)
93.602	Assets for Independence Demonstration Program (B)
93.604	Assistance for Torture Victims (B)
93.616	Mentoring Children of Prisoners (B)
93.617	Voting Access for Individuals with Disabilities_Grants to States (A)
93.618	Voting Access for Individuals with Disabilities-Grants for Protection and Advocacy Systems (A)
93.623	Basic Center Grant (B)
93.631	Developmental Disabilities Projects of National Significance (B)
93.643	Children's Justice Grants to States (A)
93.645	Stephanie Tubbs Jones Child Welfare Services Program (A)
93.647	Social Services Research and Demonstration (B)
93.669	Child Abuse and Neglect State Grants (A)
93.670	Child Abuse and Neglect Discretionary Activities (B)
93.671	Family Violence Prevention and Services/Domestic Violence Shelter and Supportive Services (A)
93.702	National Center for Research Resources, Recovery Act Construction Support (B)
93.703	ARRA Grants to Health Center Programs (B)
93.708	ARRA - Head Start (B)
93.711	ARRA Strengthening Communities Fund (B)
93.737	PPHF: Community Transformation Grants -Small Communities Program financed solely by Public Prevention and Health Funds (B)
93.739	PPHF: Chronic disease Innovation Grants - financed solely by Public Prevention Health Funds (B)
93.742	PPHF: Early Childcare and Education Obesity Prevention Program - Obesity Prevention in Young Children - financed solely by Public Prevention and Health Funds (B)
93.743	Racial and Ethnic Approaches to Community Health: Obesity and Hypertension Demonstration Projects financed solely by Prevention and Public Health Funds (B)
93.744	PPHF: Breast and Cervical Cancer Screening Opportunities for States, Tribes and Territories solely financed by Prevention and Public Health Funds (B)
93.751	PPHF: Consortium for Tobacco Use Cessation Technical Assistance financed by solely by Prevention and Public Health Funds (B)
93.752	Cancer Prevention and Control Programs for State, Territorial and Tribal Organizations financed in part by Prevention and Public Health Funds (B)
93.754	Promotion and Support of Optimal Breastfeeding Practices throughout the United States financed solely by Prevention and Public Health Funding (PPHF) (B)
93.756	Nutrition and Physical Activity Program funded solely by Prevention and Public Health Funds (PPHF) (B)
93.757	State Public Health Actions to Prevent and Control Diabetes, Heart Disease, Obesity and Associated Risk Factors and Promote School Health financed in part by Prevention and Public Health Funding (PPHF) (B)
93.759	Consortium for Tobacco Use Cessation Technical Assistance financed solely by Prevention and Public Health Funds (B)
93.768	Medicaid Infrastructure Grants To Support the Competitive Employment of People with Disabilities (B)
93.796	State Survey Certification of Health Care Providers and Suppliers (Title XIX) Medicaid (A)
93.824	Area Health Education Centers Infrastructure Development Awards (B)
93.910	Family and Community Violence Prevention Program (B)
93.912	Rural Health Care Services Outreach, Rural Health Network Development and Small Health Care Provider Quality Improvement Program (B)
93.913	Grants to States for Operation of Offices of Rural Health (B)
93.914	HIV Emergency Relief Project Grants (B)
93.917	HIV Care Formula Grants (A)
93.918	Grants to Provide Outpatient Early Intervention Services with Respect to HIV Disease (B)
93.919	Cooperative Agreements for State-Based Comprehensive Breast and Cervical Cancer Early Detection Programs (B)
93.926	Healthy Start Initiative (B)
93.928	Special Projects of National Significance (B)
93.938	Cooperative Agreements to Support Comprehensive School Health Programs to Prevent the Spread of HIV and Other Important Health Problems (B)
93.939	HIV Prevention Activities_Non-Governmental Organization Based (B)
93.940	HIV Prevention Activities_Health Department Based (B)
93.941	HIV Demonstration, Research, Public and Professional Education Projects (B)
93.942	Research, Prevention, and Education Programs on Lyme Disease in the United States (B)
93.944	Human Immunodeficiency Virus (HIV)/Acquired Immunodeficiency Virus Syndrome (AIDS) Surveillance (B)
93.945	Assistance Programs for Chronic Disease Prevention and Control (B)
93.946	Cooperative Agreements to Support State-Based Safe Motherhood and Infant Health Initiative Programs (B)
93.947	Tuberculosis Demonstration, Research, Public and Professional Education (B)
93.965	Coal Miners Respiratory Impairment Treatment Clinics and Services (B)
93.977	Preventive Health Services_Sexually Transmitted Diseases Control Grants (B)
93.990	National Health Promotion (B)
93.995	Adolescent Family Life_Demonstration Projects (B)
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE	
94.013	Volunteers in Service to America (J)
EXECUTIVE OFFICE OF THE PRESIDENT	
95.001	High Intensity Drug Trafficking Areas Program (B)

Appendix I: Programs Requiring Executive Order 12372 Review

DEPARTMENT OF HOMELAND SECURITY

- 97.005 State and Local Homeland Security National Training Program (B)
- 97.007 Homeland Security Preparedness Technical Assistance Program (B)
- 97.008 Non-Profit Security Program (B)
- 97.009 Cuban/Haitian Entrant Program (B)
- 97.012 Boating Safety Financial Assistance (A)
- 97.029 Flood Mitigation Assistance (B)
- 97.030 Community Disaster Loans (E)
- 97.036 Disaster Grants - Public Assistance (Presidentially Declared Disasters) (B)
- 97.039 Hazard Mitigation Grant (B)
- 97.040 Chemical Stockpile Emergency Preparedness Program (B)
- 97.042 Emergency Management Performance Grants (A)
- 97.045 Cooperating Technical Partners (B)
- 97.047 Pre-Disaster Mitigation (B)
- 97.048 Federal Disaster Assistance to Individuals and Households in Presidential Declared Disaster Areas (B,C)
- 97.049 Presidential Declared Disaster Assistance - Disaster Housing Operations for Individuals and Households (C,J)
- 97.050 Presidential Declared Disaster Assistance to Individuals and Households - Other Needs (C)
- 97.052 Emergency Operations Center (B)
- 97.067 Homeland Security Grant Program (A)
- 97.068 Competitive Training Grant (B)
- 97.070 Map Modernization Management Support (B)
- 97.073 State Homeland Security Program (SHSP) (A)
- 97.075 Rail and Transit Security Grant Program (B)
- 97.078 Buffer Zone Protection Program (BZPP) (B)
- 97.080 Information Analysis Infrastructure Protection (IAIP) and Critical Infrastructure Monitoring and Protection (B)
- 97.083 Staffing for Adequate Fire and Emergency Response (SAFER) (B)
- 97.087 Alternative Housing Pilot Program (B)
- 97.089 Driver's License Security Grant Program (B)
- 97.091 Homeland Security Biowatch Program (B,I)
- 97.092 Repetitive Flood Claims (B)
- 97.106 Securing the Cities Program (B,I,L)
- 97.107 National Incident Management System (NIMS) (B)
- 97.110 Severe Repetitive Loss Program (B)
- 97.111 Regional Catastrophic Preparedness Grant Program (RCPGP) (B)
- 97.113 Rail and Transit Security Grant Program (ARRA) (B)
- 97.116 Port Security Grant Program (ARRA) (B)
- 97.120 Border Interoperability Demonstration Project (B)



COMMITTEE ON RULES

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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

April 16, 2015

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Memorandum

Speaker
Judith T.P. Won Pat, Ed.D.
Member

To: **Rennae Meno**
Clerk of the Legislature

Vice-Speaker
Benjamin J.F. Cruz
Member

From: **Senator Rory J. Respicio**
Majority Leader & Rules Chair

Legislative Secretary
Tina Rose Muna Barnes
Member

Subject: **Fiscal Notes**

Senator
Dennis G. Rodriguez, Jr.
Member

Hafa Adai!

Attached please find the fiscal notes for the bill numbers listed below.
Please note that the fiscal notes are issued on the bills as introduced.

Senator
Frank Blas Aguon, Jr.
Member

FISCAL NOTES:

Senator
Michael F.Q. San Nicolas
Member

- Bill No. 56-33(COR)
- Bill No. 66-33(COR)
- Bill No. 70-33(COR)
- Bill No. 74-33(COR)

Senator
Nerissa Bretania Underwood
Member

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

V. Anthony Ada
MINORITY LEADER

Si Yu'os ma'ase'!

Mary C. Torres
MINORITY MEMBER

2015 APR 16 PM 11:04
RJR

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 56-33(COR)**

AN ACT TO AMEND §2101.1(f) AND §2101.3 OF CHAPTER 2, TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO RECOGNIZING THE INDEPENDENCE OF THE JUDICIARY OF GUAM RELATIVE TO THE RECEIPT OF FEDERAL FUNDS.

Department/Agency Appropriation Information	
Dept./Agency Affected: Office of I Maga'lahaen Guahan & I Segundu Na Maga'lahaen Guahan	Dept./Agency Head: Ray Tenorio, Lt. Governor of Guam
Department's General Fund (GF) appropriation(s) to date:	929,216
Department's Other Fund (Specify) appropriation(s) to date: Indirect Cost Fund	253,561
Total Department/Agency Appropriation(s) to date:	\$1,182,777

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2014 Unreserved Fund Balance		\$0	\$0
FY 2015 Adopted Revenues	\$0	\$0	\$0
FY 2015 Appro. (P.L. 32-181 thru 33-07)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2015 (if applicable)	FY 2016	FY 2017	FY 2018	FY 2019
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? / / Yes /x/ No
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /x/ N/A / / Yes / / No
If no, what is the additional amount required? \$ _____ / / N/A
- Does the Bill establish a new program/agency? / / Yes /x/ No
If yes, will the program duplicate existing programs/agencies? / / N/A / / Yes / / No
Is there a federal mandate to establish the program/agency? / / Yes /x/ No
- Will the enactment of this Bill require new physical facilities? / / Yes /x/ No
- Was Fiscal Note coordinated with the affected dept./agency? If no, indicate reason: /x/ Yes / / No
/ / Requested agency comments not received by due date / / Other:

Analyst: <u>William P. Taitinglong</u>	Date: <u>4/15/15</u>	Director: <u>Jose S. Calvo</u>	Date: <u>4/15/15</u>
William P. Taitinglong, BMA Supervisor		Jose S. Calvo, Acting Director	

Comments:
The proposed legislation intends to exempt the Judiciary of Guam from submitting their application for any Federal aid programs, grants, loans, contracts, contributions, advances or other federal funding to the Guam State Clearinghouse for final approval. Although the provision appears administrative in nature, there is a potential fiscal impact to the government of Guam should there be a local matching requirement as prescribed by the federal grant, the financial impact for the continuation of the federal program(s) should federal funding expire thereby requiring the government of Guam to assume the program's operation as well as to recapture indirect cost reimbursements. Based on the Judiciary of Guam's Federal Program Inventory (2007-2011) as listed on the website, total federal funds



COMMITTEE ON RULES

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Senator

Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

March 18, 2015

Senator

Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

VIA E-MAIL

joey.calvo@bbmr.guam.gov

Speaker

Judith T.P. Won Pat, Ed.D.
Member

Jose S. Calvo

Acting Director

Bureau of Budget & Management Research

P.O. Box 2950

Hagåtña, Guam 96910

Vice-Speaker

Benjamin J.F. Cruz
Member

RE: Request for Fiscal Notes– Bill Nos. 56-33(COR) and 57-33(LS)

Legislative Secretary

Tina Rose Muna Barnes
Member

Hafa Adai Mr. Calvo:

Senator

Dennis G. Rodriguez, Jr.
Member

Transmitted herewith is a listing of *I Mina'trentai Tres Na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Senator

Frank Blas Aguon, Jr.
Member

Si Yu'os ma'åse' for your attention to this matter.

Senator

Michael F.Q. San Nicolas
Member

Very Truly Yours,

Senator Rory J. Respicio

Chairperson of the Committee on Rules

Senator

Nerissa Bretania Underwood
Member

V. Anthony Ada

MINORITY LEADER

Attachment (1)

Mary C. Torres

MINORITY MEMBER

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
56-33 (COR)	FRANK B. AGUON, JR.	AN ACT TO AMEND §2101.1(f) AND §2101.3 OF CHAPTER 2, TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO RECOGNIZING THE INDEPENDENCE OF THE JUDICIARY OF GUAM RELATIVE TO THE RECEIPT OF FEDERAL FUNDS
57-33 (LS)	Frank F. Blas, jr.	AN ACT TO ADD PARAGRAPHS (i) AND (j) TO §40128, DIVISION 4, CHAPTER 40, TITLE 5, GUAM CODE ANNOTATED, AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF LAND MANAGEMENT TO INCLUDE THE MAYORS IN THEIR ZONING AND CONSTRUCTION FORMS.



COMMITTEE ON RULES

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Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
Nerissa Bretania Underwood
Member

V. Anthony Ada
MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

March 17, 2015

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio**
Chairperson, Committee on Rules

Subject: Referral of Bill No. 56-33(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 56-33(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Tres Na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

I Mina'Trentai Tres Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
56-33 (COR)	FRANK B. AGUON, JR.	AN ACT TO AMEND §2101.1(f) AND §2101.3 OF CHAPTER 2, TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO RECOGNIZING THE INDEPENDENCE OF THE JUDICIARY OF GUAM RELATIVE TO THE RECEIPT OF FEDERAL FUNDS.	03/17/15 12:59 p.m.	03/17/15	Committee on Appropriations and Adjudication			



Ealani Flores <eflores@senatorbjcruz.com>

FIRST NOTICE of Public Hearing – April 16, 2015

Dani Reyes <danireyes@senatorbjcruz.com>

Thu, Apr 9, 2015 at 10:00 AM

To: PH Notice <phnotice@guamlegislature.org>

Cc: "Senator Rory J. Respicio" <cor@guamlegislature.org>, "Sergeant-at-Arms (Legislature)" <sgtarms@guamlegislature.org>, Management Information System <mis@guamlegislature.org>, Clerks <clerks@guamlegislature.org>

April 9, 2015

MEMORANDUM

To: All Members / All Senators

From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: **FIRST NOTICE of Public Hearing – April 16, 2015**

Håfa Adai! The **Committee on Appropriations and Adjudication** will conduct a Public Hearing of Bills beginning at **10:00AM** on **Thursday, April 16, 2015**, in the ***Liheslatura* Public Hearing Room** with the following schedule:

10:00AM - Public Hearing of Bills

- **Bill No. 56-33 (COR)** – F.B. Aguon, Jr. – “An act to amend §2101.1(f) and §2101.3 of Chapter 2, Title 5 of the Guam Code Annotated relative to recognizing the independence of the Judiciary of Guam relative to the receipt of Federal funds.”
- **Bill No. 66-33 (COR)** – B.J.F. Cruz – “An act to amend Section 2(II)(AF) of Chapter I and Section 1 of Part I, Chapter II of Public Law 32-181; to add a new Section 17 to Part I, Chapter II of Public Law 32-181; and to amend Section 22425(q) of Chapter 22, Title 5 of the Guam Code Annotated; relative to appropriating start-up funds from the Territorial Educational Facilities Fund for the Guam Department of Education (GDOE) early childhood education program/pre-kindergarten program and to provide additional funds to the GDOE for its operations as a result of the enactment of Public Law 32-219.”
- **Bill No. 70-33 (COR)** – N.B. Underwood, Ph.D. / R.J. Respicio – “An act to Amend Section 41105 of Chapter 41, Article 1 of 17 Guam Code Annotated, Relative to the registry for Individuals with Disabilities.”
- **Bill No. 74-32 (COR)** – B.J.F. Cruz – “An act to amend Section 13, Chapter XII of Public Law 32-181; relative to enhancing fiscal discipline and efficiency by authorizing the expenditure of fiscal year 2015 continuing appropriations subject to specific requirements.”

(The links provided above, as shown in the boldfaced and underlined text, direct to the respective PDF documents posted on the Guam Legislature website. For direct access, go to <http://www.guamlegislature.org>; bills are found under Bills > Introduced > 33rd).

Testimonies may be submitted via hand delivery to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; via postal mail to 155 Hesler Street, Hagåtña Guam 96910; via facsimile to 477-2522; or via e-mail to senator@senatorbjcruz.com. Please submit testimonies at least one day prior to the date of the hearing.

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521 or via e-mail at carlo.branch@senatorbjcruz.com.

We look forward to your attendance and participation.

cc: COR
Sgt-at-Arms
MIS
Clerks
Media

—
Dani Reyes
Policy Analyst

Vice Speaker Benjamin J.F. Cruz
I Mina'trentai Tres na Liheslaturan Guåhan
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2 attachments

 **FIRST NOTICE MEMO PH 04162015.pdf**
902K

 **FIRST NOTICE PR PH 04162015.pdf**
894K

VICE SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication
senator@senatorbjcruz.com | www.senatorbjcruz.com



I Mima'trentai Ires na Liheslaturan Guahan

THE 33RD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910
T: (671) 477-2520/1 | F: (671) 477-2522

April 9, 2015

MEMORANDUM

To: All Members/All Senators
From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: **FIRST NOTICE of Public Hearing - April 16, 2015**

Håfa Adai! The **Committee on Appropriations and Adjudication** will conduct a Public Hearing of Bills beginning at **10:00AM** on **Thursday, April 16, 2015**, in the *I Liheslatura Public Hearing Room* with the following schedule:

10:00AM - Public Hearing of Bills

- **Bill No. 56-33 (COR)** - F.B. Aguon, Jr. - "An act to amend §2101.1(f) and §2101.3 of Chapter 2, Title 5 of the Guam Code Annotated relative to recognizing the independence of the Judiciary of Guam relative to the receipt of Federal funds."
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We look forward to your attendance and participation.

VICE SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication
senator@senatorbjcruz.com | www.senatorbjcruz.com



I Mina'trentai Tres na Liheslaturan Guåhan

THE 33RD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

T: (671) 477-2520/1 | F: (671) 477-2522

FOR IMMEDIATE RELEASE

April 9, 2015

FIRST NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law (GUAM PUB. L. 24-109), relative to notice for public meetings, let this release serve as five (5) days' notice for a Public Hearing by the **Committee on Appropriations and Adjudication** scheduled on **Thursday, April 16, 2015**, in the Guam Legislature Hearing Room in Hagåtña, on the following:

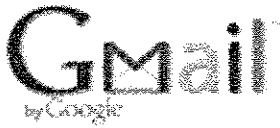
10:00AM - Public Hearing of Bills

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Testimonies may be submitted in person to the Office of Vice Speaker Benjamin J.F Cruz at the Guam Legislature; by postal mail to 155 Hesler Place, Hagåtña Guam 96910; by facsimile to 477-2522; or by e-mail to senator@senatorbjcruz.com. Copies of written testimonies received at least one day before the scheduled date will be available at the hearing.

Individuals requiring assistance or special accommodations should contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521, or by e-mail at carlo.branch@senatorbjcruz.com.

###



Ealani Flores <eflores@senatorbjcruz.com>

SECOND NOTICE of Public Hearing – April 16, 2015

Dani Reyes <danireyes@senatorbjcruz.com>

Tue, Apr 14, 2015 at 9:30 AM

To: PH Notice <phnotice@guamlegislature.org>

Cc: Management Information System <mis@guamlegislature.org>, "Senator Rory J. Respicio" <cor@guamlegislature.org>, "Sergeant-at-Arms (Legislature)" <sgtarms@guamlegislature.org>, Clerks <clerks@guamlegislature.org>

April 14, 2015

MEMORANDUM

To: All Members / All Senators

From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: **SECOND NOTICE of Public Hearing – April 16, 2015**

Håfa Adåil The Committee on Appropriations and Adjudication will conduct a Public Hearing of Bills at 10:00AM on Thursday, April 16, 2015, in the *Liheslatura* Public Hearing Room with the following agenda:

10:00AM - Public Hearing of Bills

- **Bill No. 56-33 (COR)** – F.B. Aguon, Jr. – "An act to amend §2101.1(f) and §2101.3 of Chapter 2, Title 5 of the Guam Code Annotated; relative to recognizing the independence of the Judiciary of Guam relative to the receipt of federal funds."
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We look forward to your attendance and participation.

cc: COR
Sgt-at-Arms
MIS
Clerks
Media

—

Dani Reyes
Policy Analyst

Vice Speaker Benjamin J.F. Cruz
/ Minatrentai Tres na Liheslaturan Guâhan
T 671-477-2520 | F 671-477-2522
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2 attachments



SECOND NOTICE PR PH 04162015.pdf
895K



SECOND NOTICE Memo PH 04162015.pdf
901K

VICE SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication
senator@senatorbjcruz.com | www.senatorbjcruz.com



I Mina'trentai Tres na Liheslaturan Guåhan
THE 33RD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910
T: (671) 477-2520/1 | F: (671) 477-2522

April 14, 2015

MEMORANDUM

To: All Members/ All Senators
From: Vice Speaker Benjamin J.F. Cruz, Chairman
Re: **SECOND NOTICE of Public Hearing - April 16, 2015**

Håfa Adai! The Committee on Appropriations and Adjudication will conduct a Public Hearing of Bills at 10:00AM on Thursday, April 16, 2015, in the *I Liheslatura Public Hearing Room* with the following agenda:

10:00AM

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VICE SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication
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FOR IMMEDIATE RELEASE

April 14, 2015

SECOND NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law, P.L. 24-109, relative to notice for public meetings, let this release serve as forty-eight (48) hours' notice for a Public Hearing by the **Committee on Appropriations and Adjudication** scheduled on **Thursday, April 16, 2015**, in the Guam Legislature Hearing Room in Hagåtña, on the following:

10:00AM

- **Bill No. 56-33 (COR)** - F.B. Aguon, Jr. - "An act to *amend* §2101.1(f) and §2101.3 of Chapter 2, Title 5 of the Guam Code Annotated; relative to recognizing the independence of the Judiciary of Guam relative to the receipt of federal funds."
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Listserv: phnotice@guamlegislature.org

Updated as of March 25, 2015

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Updated as of March 25, 2015

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Updated as of March 25, 2015

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THE 33RD GUAM LEGISLATURE

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PUBLIC HEARING AGENDA

Thursday, April 16, 2015

Guam Legislature Public Hearing Room • Hagåtña, Guam

10:00AM

PUBLIC HEARING OF BILLS

Bill No. 56-33 (COR) – F.B. Aguon, Jr. – “An act to *amend* §2101.1(f) and §2101.3 of Chapter 2, Title 5 of the Guam Code Annotated; relative to recognizing the independence of the Judiciary of Guam relative to the receipt of federal funds.”

Bill No. 66-33 (COR) – B.J. Cruz – “An act to *amend* Section 2(II)(AF) of Chapter I and Section 1 of Part I, Chapter II of Public Law 32-181; to *add a new* Section 17 to Part I, Chapter II of Public Law 32-181; and to *amend* Section 22425(q) of Chapter 22, Title 5 of the Guam Code Annotated; relative to appropriating start-up funds from the Territorial Educational Facilities Fund for the Guam Department of Education (GDOE) early childhood education program/pre-kindergarten program and to provide additional funds to the GDOE for its operations as a result of the enactment of Public Law 32-219.”

Bill No. 70-33 (COR) – N.B. Underwood, Ph.D. / R.J. Respicio - “An act to *amend* Section 41105 of Chapter 41, Article 1 of 17 Guam Code Annotated; relative to the registry for Individuals with Disabilities.”

Bill No. 74-33 (COR) – B.J. Cruz – “An act *amend* Section 13, Chapter XII of Public Law 32-181; relative to enhancing fiscal discipline and efficiency by authorizing the expenditure of Fiscal Year 2015 continuing appropriations subject to specific requirements.”