



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement

I Mina Trentai Tres Na Liheslaturan Guåhan • 33rd Guam Legislature

AUG 15 2016

The Honorable Judith T. Won Pat, Ed.D.

Speaker

I Mina Trentai Tres Na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

Rory J. Respiçio

VIA: The Honorable Rory J. Respiçio

Chairperson, Committee on Rules

2016 AUG 17 PM 11:16

RE: Committee Report on the Executive Appointment of Mr. James T. McDonald
to serve as the **Director** of the **Guam Customs and Quarantine Agency.**

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on the **Executive Appointment of Mr. James T. McDonald** to serve as the **Director** of the **Guam Customs and Quarantine Agency.**

Committee votes are as follows:

- 5 TO DO CONFIRM
- _____ TO NOT CONFIRM
- _____ TO REPORT OUT ONLY
- _____ TO ABSTAIN
- _____ TO PLACE IN INACTIVE FILE

Si Yu'os ma'åse',

Thomas C. Ada

Thomas C. Ada



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement

I Mina Trentai Tres Na Libeslaturan Guåhan • 33rd Guam Legislature

COMMITTEE REPORT ON

**The Appointment Of
Mr. James T. McDonald**

**To serve as the Director of the Guam
Customs and Quarantine Agency**



Sen. Thomas Ada


Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guåban • 33rd Guam Legislature

August 8, 2016

MEMORANDUM

To: **All Members**
Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement

From: **Senator Thomas C. Ada** 
Committee Chairperson

Subject: **Committee Report on Appointment of Mr. James T. McDonald**

Håfa Adai,

Transmitted herewith for your consideration is the Committee Report on the appointment of **Mr. James T. McDonald** to serve as the **Director** of the **Guam Customs and Quarantine Agency**.

This report includes the following:

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

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



Sen. Thomas Ada
Chairman

Committee on Transportation, Infrastructure, Lands,
 Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guåhan • 33rd Guam Legislature

COMMITTEE VOTE SHEET

APPOINTEE: **Mr. James T. McDonald**
 Position: Director
 Agency: Guam Customs and Quarantine Agency

COMMITTEE MEMBERS	SIGNATURE	TO Confirm	TO NOT Confirm	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
SENATOR THOMAS C. ADA Chairperson	<i>T.C. Ada</i> 8/5/16	✓				
SENATOR RORY J. RESPICIO Vice Chairperson	<i>Rory Respicio</i>	<i>nr</i> 8-15-16				
VICE SPEAKER BENJAMIN J.F. CRUZ Member	<i>B. Cruz</i>	✓				
SENATOR FRANK B. AGUON, JR. Member	<i>F. Agumon</i>	✓				
SENATOR DENNIS RODRIGUEZ, JR. Member	<i>D. Rodriguez</i>	✓				
SENATOR NERISSA UNDERWOOD Member	<i>N. Underwood</i> 8/16/16	✓				
SENATOR FRANK BLAS, JR. Member						
SENATOR MARY TORRES Member						
SENATOR JAMES V. ESPALDON Member						



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guahan • 33rd Guam Legislature

COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement convened a public hearing on July 19, 2016 at 5:00 p.m. in *I Liheslaturan Guahan* Public Hearing Room. Among the items on the agenda was the consideration of the appointment of **Mr. James T. McDonald** to serve as the **Director** of the **Guam Customs and Quarantine Agency**, whose appointment history is as follows:

- Appointment by Eddie Baza Calvo, *Governor*, on May 30, 2016
- Appointment packet forwarded to *I Liheslaturan Guahan* on June 9, 2016
- Appointment packet forwarded to this committee for public consideration on June 10, 2016.

Public Notice Requirements

Public Hearing notices were disseminated via email to all senators and all main media broadcasting outlets on July 12, 2016 (5-Day Notice) and again on July 15, 2016 (48-Hour Notice). Publication was conducted in the July 12, 2016 and July 15, 2016 issue of the ***Guam Daily Post***, a newspaper of general circulation, fulfilling the 5-Day and 48-hour Notice of the Open Government Law requirements respectively.

Senators Present

Sen. Thomas C. Ada	<i>Committee Chairperson</i>
Sen. Frank Aguon Jr.	<i>Committee Member</i>
Sen. Tina Rose Muña Barnes	Legislative Member
Sen. Thomas A. Morrison	Legislative Member

The confirmation hearing for **Mr. James T. McDonald** commenced at 5:00 p.m.

II. SUMMARY OF TESTIMONY AND DISCUSSION

Chairperson Ada: He calls those who have signed up to give oral testimony.

Carl T.C. Gutierrez (*Former Governor*): He read his written testimony (please see attached) in favor of the appointment of Mr. McDonald. In summary, Mr. Gutierrez stated that his support for the nominee is “based solely on his merit”. Furthermore, he believes that the nominee’s “honesty and integrity will help restore some of the public trust...”

Raffaele M. J. P. Sgambelluri (*Retired Chief of Customs*): He read his written testimony (please see attached) in favor of the appointment of Mr. McDonald. Summarily, Mr. Sgambelluri believes that the nominee is “...a qualified and capable individual who can continue the work

and uphold the intent of CQA...” And that the nominee is “... an accomplished leader, an experienced representative of the public safety community...”

Vincent S. N. Perez (*Major with Customs and Quarantine*): He read his written testimony (please see attached) in favor of the appointment of Mr. McDonald. The salient point of Maj Perez’s testimony is that ‘*Customs needs an experienced and skillful director to strategically get [Customs] out of the rut it is in. The agency needs dynamic and strong leadership to bring [Customs] to where it needs to be.*’

Al San Augustine (*Chamorro Tribe*): He stated, he has known Mr. McDonald for many years. He noted, Mr. McDonald is a compassionate person. He stated that as a Director you need the best infrastructure. He found, Mr. McDonald will have the best infrastructure with the Legislature for the Director position. He is in favor of Mr. McDonald’s appointment.

Jake Cruz: He read his written testimony (please see attached) in favor of the appointment of Mr. McDonald. He added that he feels Mr. McDonald can move Customs and Quarantine into the right direction, because Mr. McDonald is still the one.

Phillip S. N. Taijeron, Jr. (*Major with Customs and Quarantine*): He read his written testimony (please see attached) in favor of the appointment of Mr. McDonald. In summary, MAJ Taijeron highlighted the many initiatives that the nominee has made since he was initially appointed to the Director position , to include making field visits, ordering the development of succession planning, starting morale enhancement programs, development of an Ethics training program, recommendations for the authorization of Hazardous Duty Pay, re-allocation of CQA manpower, development of cost recovery charges,pursuing federal grants, etc.

Dwayne San Nicolas (*Customs and Quarantine*): He stated, he was trained by Mr. McDonald twenty-one years ago as a new Customs Officer. He said Guam Customs has a shortage of Officers. He said, Guam Customs needs a leader to muddle through the issues in front office, and at the Legislature. He finds that Mr. McDonald is this leader. He is in favor of the appointment of Mr. McDonald.

Nick Francisco (*Former Village Commissioner, Former Babe Ruth Commissioner, Retired Civil Defense Employee*): He has known Mr. McDonald for many years through the Babe Ruth Baseball League. He stated, that Mr. McDonald has worked up the ranks at Customs and he likes that fact. He said, the appointment for Director is not from a person coming from the outside, but it is for an experienced person who can get the job done. He is in favor of Mr. McDonald.

Darlene Merfalen (*Major and Acting Chief with Customs and Quarantine*): She read her written testimony (please see attached) in favor of the appointment of Mr. McDonald.

Gregorio Calvo (*Gov. Guam Retiree*): He stated, he has known Mr. McDonald for many years, through community functions and as a co-worker, with the Office of Senator Edward Duenas. He said Mr. McDonald, while working at the Legislature, showed tremendous interest in Law Enforcement, and applied with the Department of Public Safety. He said, Mr. McDonald is a

man of integrity. He said Mr. McDonald is a subject matter expert in the field, which he has been nominated for, which is rare. He is in favor of Mr. McDonald.

Fred E. Bordallo (*Retired Guam Police Department Chief*): He said he has worked and known Mr. McDonald for many years. He recalled an off-island training in which, Mr. McDonald represented Guam Homeland Security, and he represented the Guam Police Department. He indicated that from the training, Mr. McDonald brought back practices taught and implement those practices at the Guam Homeland Security. He stated, Mr. McDonald takes the security of Guam very seriously. He said, Mr. McDonald brings a wealth of knowledge and wide experience. He indicated, that Mr. McDonald understands that his actions, make a great impression on the future leaders, and will show the next generation how to lead, for the betterment of the Guam Customs.

Chairman Ada: He questioned Phillip S. N. Taijeron, Jr. about the timeline stated in his testimony.

Phillip S. N. Taijeron, Jr. (*Major with Customs and Quarantine*): He responded, the timeline is less than forty-five days in which, Mr. McDonald has been placed as Acting Director of Customs.

Chairman Ada: He responded by thanking Major Taijeron for clarification, which was going to be along the line of questioning, when Mr. McDonald testifies.

James T. McDonald (*Appointee and Acting Director*): He read his written testimony (please see attached).

Chairman Ada: He opened for questions by the panel.

Sen. Frank Aguon Jr.: He thanked and congratulated the Governor, in recognizing that Border Protection is critical to our island community, and offering Mr. McDonald the opportunity to serve as Director of Customs and Quarantine. He said that a lot of trees died to turn in your application packet. He said that Mr. McDonald's packet really reflects the experience he brings to the table. He said that Mr. McDonald not only has twenty-three years in law enforcement, but that he established the Fusion Center. He said the Center, that combines Law Enforcement Agencies and Infrastructural Representatives, to monitor antiterrorism activities. He said that he understands, that Customs and Quarantine is understaffed, and the threat levels of terrorism is increasing. He asked, what can this committee and or the Legislature do, to realize an increase of one hundred Customs Officers, by the next fiscal year.

James T. McDonald (*Appointee and Acting Director*): He said the Customs User Fee is \$8.29, and has been that price since he retired twelve years ago. He stated his son was sent to Oregon via Delta. He said in Japan his son was charged \$36, for a one hour stay in transit to Los Angeles. In Los Angeles, his son was charged \$76 for a two hour stay, in transit to Portland. He stated, by increasing our Customs User Fee, we can increase our revenues to get more Customs Officers and automate systems, which are connected to federal law enforcement agencies. He said prior to his retirement, Customs was automated, and now the officers are using folders with a list of suspects.

He said he has looked at the accomplishments of the Port, and the grants which they have received. He said, since Customs is in charge of boarder protection, they are eligible to apply for grants to generate revenue, in addition to finding a permanent building and stop paying millions of dollars to the Airport for rent. He said we need put teeth in our laws. He indicated there is a Fines and Forfeiture section in Customs, and no fines have been issued since his retirement twelve years ago. He said that if there is a broken seal on a container, the fine imposed should be \$25,000, instead it is just a slap on the hand. He said that since the port has acquired an advanced x-ray system, Customs Officers are finding undeclared items and false declarations. He said that we need to address these issues, because we are surrounded by adversaries which notice our boarders are relaxed. He said we need to reemphasize our security and not wait until an incidence which occurred in France. He said he is proactive.

Sen. Frank Aguon Jr.: He said thank you Mr. McDonald, he just wanted to get on the record, that we need to revisit the Cargo and Airport Customs fees, to create revenue for the new recruits. He said that he is pleased with the comments that Mr. McDonald is always concerned about the men and women in the Customs Department. He commends the Governor for his belief in you. He is in support of Mr. McDonald.

Sen. Barnes: She thanked Mr. McDonald for accepting the nomination for the position. She said that Mr. McDonald has an extensive experience in law enforcement, Gov. Guam service, and tremendous support by the testimonies given today. In addition, to the Customs employees who are present today. She said what touches her heart is the awareness and protection against threats such as Human Trafficking, which is here. She is in support of Mr. McDonald's nomination

Sen. Morrison: He said he has played baseball and thanked Mr. McDonald for his community involvement. He said he is looking forward to working with Mr. McDonald and his team at Customs.

Chairman Ada: He said in the last few days he asked for a lot of information from Customs. He said Mr. McDonald could have easily said we can do this and that for you, but Mr. McDonald took the time to respond to his request, and Mr. McDonald said we will give you the information you need. He truly appreciated that Mr. McDonald provided that information. He told Mr. McDonald that his door is always open to update policies to reflect today's environment. He said Nick Francisco testified that Mr. McDonald was not a person coming in from the outside. He likes the fact that Mr. McDonald has had thirteen years to cooling off. He recognizes Mr. McDonald's mother and likes that she is present to support Mr. McDonald. He said, Customs has been given a black eye with the indictment of some officers. He asked Mr. McDonald what he would do to ensure those thing will not occur again under his watch.

James T. McDonald (*Appointee and Acting Director*): He said when he came on board one month ago, there were no division head meetings. He said he now has a division head meeting every week. He said Division heads are now held accountable for their subordinates. He said he is now requiring frequent ethics trainings. He said the officers need to be guided through training, so that they do not stray to negative actions. He wants more accountability from Customs managers and supervisors. He said he wants to seek HIDA (High Intensity Drug Area) certification and federal funding.

Chairman Ada: He said that Customs Officers are the first or second person travelers see coming to Guam. He said that he would like to see them more hospitable, not looking like they want to eat his lunch. He said it is important to have some sort of hospitality.

Chairperson Ada adjourns the confirmation hearing for **Mr. James T. McDonald.**

Submitted Written Testimonies:

Carl T. C. Gutierrez, *Former Governor of Guam*
Phillip S. N. Taijeron Jr., *Major, Customs and Quarantine*
James T. McDonald, *Appointee and Acting Director*
Gabriel V. Cruz, *Lieutenant, Customs and Quarantine*
Darlene R. Merfalen, *Major, Customs and Quarantine*
Paul J. Toves, *Assistant Chief, Customs and Quarantine*
Mar R. Rivo, *Retired Major, Guam Police Department*
Paul J. Toves, *Assistant Chief, Customs and Quarantine*
Christopher Desoto, *Supervisor, Customs and Quarantine*
Joaquin N. Naputi, *Retired Deputy Director, Agriculture*
Daniel P. Salas, *CQIII, Customs and Quarantine*
Anthony G. Lukeala, *Chief Logistics Officer, Guam Homeland Security*
Francisco U. Torres, *CQIII, Customs and Quarantine*
John Augon, *CQIII, Customs and Quarantine*
John F. Asuncion, *CQII, Customs and Quarantine*
Joseph Cruz, *Customs and Quarantine*
Vincent S. N. Perez, *Major, Customs and Quarantine*
Raffaele M. J. P. Sgambelluri, *Retired Chief, Customs and Quarantine*
Franklin J. Gutierrez Jr., *Lieutenant, Customs and Quarantine*
Mayor and Vice Mayor of Barrigada
Jake Cruz
James P. Castro
Sinforoso Galindez
William M. Castro

Committee Findings:

The Committee finds that **Mr. James T. McDonald** received overwhelming support in testimony from leaders, professionals, and senators present in the public hearing.

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement hereby reports out the appointment of **Mr. James T. McDonald** to serve as the Director of the Guam Customs and Quarantine Agency with the recommendation to

TO CONFIRM.



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam.

33-167695

Office of the Speaker
Judith T. Won Pat, Ed.D

JUN 23 2015

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina' trentai Tres Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

Date: 4/9/15
Time: 4:16pm
Received By: [Signature]

RE: Director Appointment

Dear Madame Speaker:

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

APPOINTEE: James T. McDonald
POSITION: Director, Guam Customs & Quarantine Agency
TERM LENGTH: **To serve at the pleasure of the Governor**

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

Senseramente,

EDDIE BAZA CALVO

2015 JUN 23 11:46:06

1695




EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam.

MAY 25 2016

Mr. James T. McDonald


Re: Appointment as Director, Guam Customs and Quarantine Agency

Dear Mr. McDonald:

Thank you for your commitment to serve the people of Guam. The Calvo-Tenorio administration continues to face unprecedented challenges, both near and long-term. The task ahead of us will require the collective efforts of the best minds who have the courage to make tough decisions for the good of all our people. Pursuant to my authority under the Organic Act of Guam, I hereby appoint you to serve in the Calvo-Tenorio administration as:

Director, Guam Customs and Quarantine Agency
Length of term: To serve at the pleasure of the Governor

This appointment is subject to the consent of *I Liheslaturan Guåhan*. Pending the consent of, and confirmation of this appointment by *I Liheslaturan Guåhan*, you are hereby appointed to serve as the Director of Guam Customs and Quarantine Agency, in an acting capacity.





This appointment is effective Monday, May 30, 2016. If you have any questions, please contact the Office of the Governor at 472-8931.

Senseramente,


EDDIE BAZA CALVO

P.O. Box 2950 • Hagatna, Guam 96932

Tel: (671) 472-8931 • Fax: (671) 477-4826 • governor.guam.gov • calendar.guam.gov

 Eddie Baza Calvo  @eddiebazacalvo  @governorcalvo  You governorofguam



OFFICE OF THE GOVERNOR
GUAM

Agency Director/General Manager Nomination Information

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

NOMINEE INFORMATION

Last Name	McDonald	First	James	M.I.	T	Date	June 6, 2016
Address	[REDACTED]			Apartment/Unit #			
City	[REDACTED]		State	[REDACTED]	ZIP	[REDACTED]	
Phone	[REDACTED]			E-mail Address [REDACTED]			

Position to which Appointment is Made Director, Guam Customs & Quarantine Agency

Are you a citizen of the United States? YES NO If no, are you authorized to work in the U.S.? YES NO

EDUCATION

High School	George Washington Senior High School	City/State	Mangilao, Guam					
From	1975	To	1977	Did you graduate?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Degree	Diploma
College	Guam Community College		City/State					
From	10/1981	To	08/1988	Did you graduate?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Degree	Criminal Justice Law Enforcement Administration

EDUCATION

Graduate School		City/State			
From	To	Did you graduate?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Degree
Other Degree		City/State			
From	To	Did you graduate?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Degree

EMPLOYMENT HISTORY

(1) Present Employer	Customs & Quarantine Agency	Position	Acting Director
Address		Dates Held	5/30/2016
(2) Previous Employer	Bureau Statistics & Planning	Position	Deputy Director
Address		Dates Held	07/5/2015
(3) Previous Employer	Guam Homeland Security	Position	Homeland Security Advisor, Acting Administrator Mariana Regional Fusion Center Director
Address		Dates Held	06/2011 - 07/4/2015
(4) Previous Employer	Payless Markets	Position	Warehouse Receiver
Address		Dates Held	2007-2011
(5) Previous Employer	Bali Steel	Position	Manager in Polaris Scrap Yard
Address		Dates Held	2005 - 2006

PRIOR GOVERNMENT OF GUAM SERVICE

Agency	Guam Customs & Quarantine Agency	Phone	671-475-6202
Address	770 East Sunset Blvd., Suite 240, Tiyán, Guam 96913		
Job Title	Assistant Chief	From:	1982 To 2003

PROFESSIONAL INVOLVEMENT

List involvement on a local/national/international level, list organization, activities participated in, offices held:

Attended Aspen Security Forum in Aspen Colorado, July 27 - July 30, 2011.
Attended Naval Postgraduate School Center for Homeland Defense and Security, January 31, 2013 (Hilo, HI)
National Fusion Center Association Annual Training Event in Alexandria VA, November 5, 2013

COMMUNITY / CIVIC INVOLVEMENT

List organizations, activities, participated in, offices held

PTO President, Agana Heights Elementary, 2 years
Guam Crime Stoppers, Board Chair, 2 years
Guam Crime Stoppers, Vice Chair - Present
Men's Agana Heights Cougars - Player/Manager
GWSHS Class of 1977 Reunion President
Our Lady of the Blessed Sacrament Church Group

PUBLICATIONS AND PRESENTATIONS

List any published articles, papers delivered at professional meetings, etc.:

National Threats Presentation, UOG Criminal Justice
National Threats Presentation, Agana Heights Elementary
National Threats Presentation, Jose Rios Middle School
North Korean Threat Presentation, FBI Honolulu, HI

MILITARY SERVICE (PLEASE ATTACH FORM DD-214)

Branch	N/A	From	To
Rank at Discharge		Type of Discharge	

OTHER INFORMATION

(1) Have you ever been found guilty of a felony in any court, whether within or without the United States? YES NO

If so, please specify in detail:

Address of the court: _____

Date of Conviction: _____

Specific infraction committed: _____

(2) Have you ever been declared mentally incompetent by any court, whether within or without the United States? YES NO

If so, please specify in detail the reasons and facts related to such declaration:

(3) Have you ever been found not guilty or not punishable in any criminal proceedings by reason of insanity? YES NO

(4) Have you ever been confined to a mental institution for any reason? YES NO

If so, please specify in why the appointing authority believes you that you are not suffering from any mental illness or affliction:

AFFIDAVIT / DECLARATION UNDER PENALTY OF PERJURY

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

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

Signature



Date

June 6, 2016



SUPERIOR COURT OF GUAM

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

Telephone (671) 475-3370
Fax (671) 472-2856

DANIELLE T. ROSETE
Clerk of Courts

Name: **JAMES T MCDONALD**

SS#: ID# GUAM DL# [REDACTED] Date of Birth: [REDACTED]

CERTIFICATE OF SEARCH

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

Criminal Cases:

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

Criminal Record: Page 1 of 1

Civil Cases:

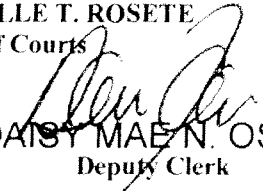
- A. No Case Found
- B. 1. Civil Case No.
- 2. Civil Case No.
- 3. Civil Case No.
- 4. Civil Case No.
- 5. Civil Case No.

Civil Record: Page 1 of 1

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

Dated: 06/08/2016

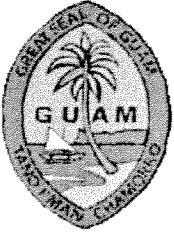
DANIELLE T. ROSETE
Clerk of Courts

BY: 
DAISY MAE N. OSAWA
Deputy Clerk

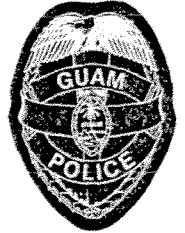
Prepared By: **DMO**



The absence of an original Court Seal invalidates this document



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



June 8, 2016

SUBJECT: CRIMINAL HISTORY RECORD

NAME:	James Thomas MCDONALD		
DATE OF BIRTH:	██████████	FINGERPRINT #:	██████████
<input checked="" type="checkbox"/>	The individual has no record of criminal conviction(s) in GPD files that are subject to Guam law and rules and regulations of the Department.		

*****NOTHING FOLLOWS*****

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

Jm

By Direction: tlc

J. Cruz

**Joseph I. Cruz
 Chief of Police**

The absence of an original GUAM POLICE seal invalidates this police clearance.
 REVISED 08/11/2015

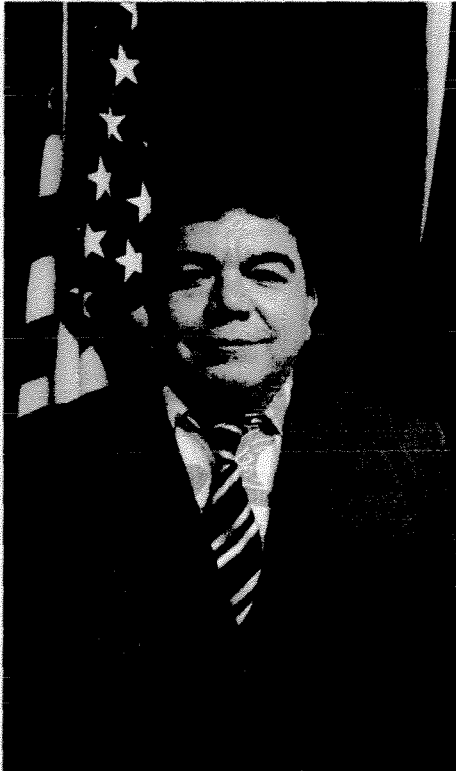


CUSTOMS & QUARANTINE AGENCY, GUAHAN

Guam's First Line of Defense • Protecting Our Island, Our People, Our Resources

BIOGRAPHY

JAMES THOMAS MCDONALD



James (Jimmy) Thomas McDonald is currently the Acting Director for the Guam Customs and Quarantine Agency (CQA). He is responsible for leading and guiding the men and women of CQA with their mission and responsibilities in safeguarding the people and territory of Guam from threats entering our island, facilitating commerce, promoting economic activity, and providing overall public service to all users of customs.

Before assuming his current position, Mr. McDonald was the former Deputy Director for the Bureau of Statistics and Plans bringing about 34 years of public service to the Government of Guam. He currently vice chairs the Guam Crime Stoppers Program and has previously served as an Assistant Chief for Guam Customs and Quarantine Agency.

Mr. McDonald has an Associate of Arts Degree in Criminal Justice and Law Enforcement Administration from the Guam Community College. He began his career in public service in the late 70's working for Senator Edward Ramirez Duenas and the late Senator Edward McDonald Calvo for two years. He was a staff

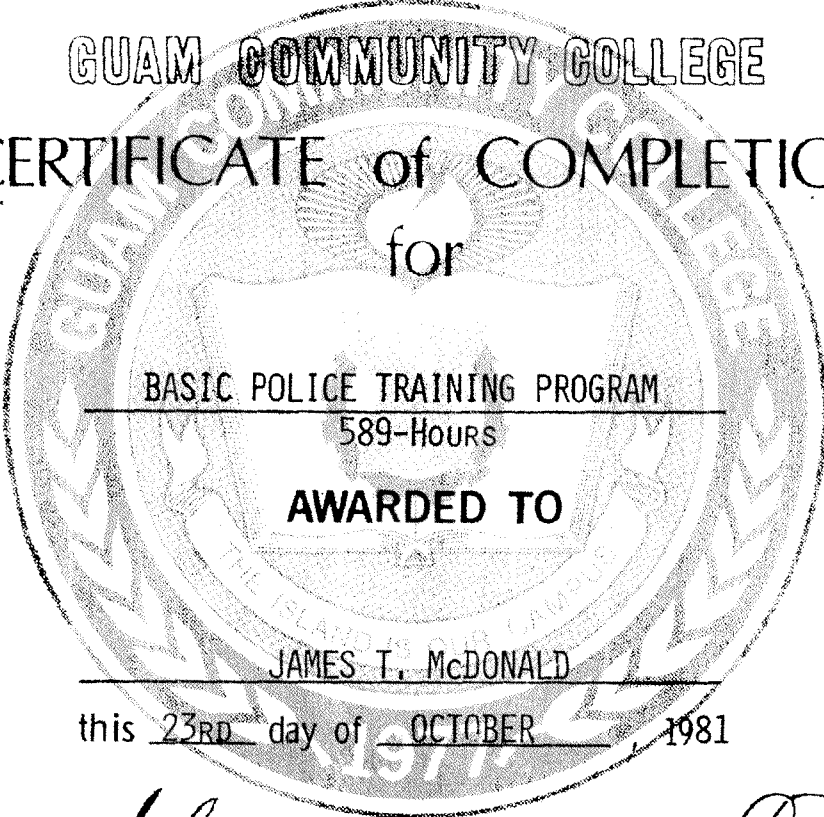
assistant handling concerns about the youth and senior citizens, and at the same time he attended the University of Guam studying Criminal Justice and Public Administration. He later became a police officer completing the Guam Police Academy's 21st Police Cycle. Mr. McDonald later transferred to the Guam Customs and Quarantine Agency where he worked for 21 years and worked his way up the ranks to his final uniform position as Assistant Chief of Customs. During his time as a uniformed officer at CQA, Jimmy spearheaded the separation of Customs and Quarantine from Department of Commerce with the assistance of the late Senator Ben Pangelinan and Speaker Joe T. San Agustin. In 2001, Mr. McDonald was appointed by then Governor Carl T.C. Gutierrez to serve as Director of Guam Customs and Quarantine and later retired in September 2003.

Mr. McDonald has an extensive knowledge in homeland security. In January 2013, he attended the Naval Postgraduate School Center for Homeland Defense and Security in Hilo Hawaii as well as the United States Department of Defense (DOD) exercises in the Pacific Area Command Headquarters (PACOM) in Honolulu Hawaii. In 2011, he was appointed by Governor Eddie Baza Calvo to serve as the Guam Homeland Security Advisor. He was also appointed to be the Mariana Regional Fusion Center (MRFC) Director. During his tenure at MRFC, he was instrumental in making sure that our All Hazard Warning System (siren) be a priority for all hazards and threats. In late January 2013, the MRFC received recognition from the US Department of Homeland Security as the 78th Fusion Center of the United States. Mr. McDonald also attended New Mexico Tech Executive Managers Training in Socorro New Mexico for Incident Response to Terrorist Bombing and Suicide Bombing.

In addition, Mr. McDonald served as a member of the Maritime Domain Awareness Taskforce, the Area Maritime Executive Committee, Joint Terrorism Task Force, Emergency Medical Services Commission, the Oceania Regional Response Team, Task Force and Mass Care and Emergency Assistance, and Peace Officers Security Training (POST) Commission. He also served as the Vice Chair for the Port Readiness Committee, a member for the Invasive Species council and an active member of Guam's Catholic Parish.

Mr. McDonald comes from a family of twelve siblings and is the son of Lucia Eustaquio Garrido Garcia McDonald and the late Charles Henry Quitugua Mariano McDonald, a former Combat Patrol and US Army Korean War Veteran Purple Heart recipient. He is married to Mrs. Sallie Loraine Toves McDonald and together they have two lovely children: Mia-Ashlee Elizabeth Toves McDonald who graduated with a bachelor's degree in Criminal Justice from Our Lady of the Lake in San Antonio Texas and Michael James Charles Toves McDonald who is a Sophomore attending George Washington High School and is a member of the ROTC armed drill team. Mr. McDonald's brother is the current mayor of the beautiful village of Agana Heights and is also the President of the Mayor's Council of Guam.

GOVERNMENT OF GUAM
GUAM COMMUNITY COLLEGE
CERTIFICATE of COMPLETION
for



BASIC POLICE TRAINING PROGRAM
589-HOURS

AWARDED TO

JAMES T. McDONALD

this 23RD day of OCTOBER, 1981

John C. Salas
PROVOST

Richard Williams
DEAN

[Signature]
CHAIRMAN, BOARD OF TRUSTEES


GOVERNMENT OF GUAM
GUAM COMMUNITY COLLEGE
CERTIFICATE of COMPLETION
for

FIRST RESPONDER TRAINING

AWARDED TO

JAMES T. McDONALD

this 23RD day of OCTOBER, 1981


PROVOST


DEAN


CHAIRMAN, BOARD OF TRUSTEES

Guam Community College

The Trustees of the College on recommendation of the
College Faculty and by the virtue of the Authority
vested in them by law
Hereby Certify That

James Thomas McDonald

has satisfactorily completed the Course of Study
prescribed by the College and is therefore awarded this
Associate of Science in Criminal Justice
with emphasis in

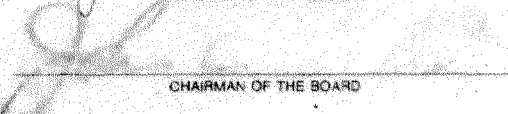
Law Enforcement Administration

Given this month of August, 1988.


DEAN OF OCCUPATIONAL EDUCATION


DEAN OF ACADEMIC EDUCATION


PRESIDENT OF THE COLLEGE


CHAIRMAN OF THE BOARD



Outstanding Young Men of America®

POST OFFICE BOX 300, MONTGOMERY, ALABAMA 36101
Phone (205) 262-4199

OFFICE OF THE DIRECTOR

Mr. and Mrs. Charles H McDonald
#557 Chalan Macajana
Agana Heights, GU 96919

BOARD OF ADVISORS

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General Manager
WBAP, Fort Worth

BOB RICHARDS
TOYM Winner

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Attorney at Law

PETER J. COLLUMB
Business Consultant

Dear Mr. and Mrs. McDonald:

Congratulations! Your son, James Thomas McDonald, has been selected as one of the Outstanding Young Men of America for 1989. The Board of Advisors, in making this announcement, shares your pride in his accomplishments.

Your son, in receiving this distinctive honor, joins an elite group of young men from the entire United States who have demonstrated their excellence in professional endeavors and civic activities. These men work diligently to make their communities, as well as their country, better places in which to live, and deserve recognition for their outstanding achievements.

An honor such as this is one your family will always want to remember. For this reason we are offering to you the OUTSTANDING YOUNG MEN OF AMERICA awards volume. This handsome edition presents a complete biographical sketch of each young man selected for this honor. If you would like to have a copy for your family, please fill out the order card and mail it in the postage-paid envelope provided.

You may also wish to order the official OYMA personalized paperweight which is available only to the award winners and their families. This paperweight is a unique memento of this prestigious award.

Again, on behalf of the Board of Advisors, I want to congratulate you on your son's selection. He has proven through the virtues of hard work, determination, and the willingness to give of himself that he is truly an outstanding young man.

Sincerely,

Doug Blankenship
Chairman, Board of Advisors

DB/psl

Jacksonville State University

Jacksonville, Alabama

This is to certify that

James T. McDonald

*has successfully completed 16 contact hours of instruction,
representing 1.6 continuing education units.*

Course of Study

NBC Domestic Preparedness Training

*This Certificate is duly awarded as evidence of this achievement on
this 20th day of June, 2001*



William D. Carr
Dean of the College of Graduate Studies
and Continuing Education

Emergency Management Institute



FEMA

This Certificate of Achievement is to acknowledge that

JAMES T MCDONALD

has reaffirmed a dedication to serve in times of crisis through continued professional development and completion of the independent study course:

IS-00100.b

Introduction to Incident Command System

ICS-100

Issued this 26th Day of June, 2011



0.3 IACET CEU

A handwritten signature in cursive script, reading "Vilma Schifano Milmoie".

Vilma Schifano Milmoie
Superintendent (Acting)
Emergency Management Institute

Emergency Management Institute



FEMA

This Certificate of Achievement is to acknowledge that

JAMES T MCDONALD

has reaffirmed a dedication to serve in times of crisis through continued professional development and completion of the independent study course:

IS-00700.a

National Incident Management System (NIMS)

An Introduction

Issued this 27th Day of July, 2011



A handwritten signature in cursive script, appearing to read "Vilma Schifano Milmo".

Vilma Schifano Milmo
Superintendent (Acting)
Emergency Management Institute

0.3 IACET CEU

Emergency Management Institute



FEMA

This Certificate of Achievement is to acknowledge that

JAMES T MCDONALD

has reaffirmed a dedication to serve in times of crisis through continued professional development and completion of the independent study course:

IS-00200.b

**ICS for Single Resources and
Initial Action Incident, ICS-200**

Issued this 28th Day of June, 2011



0.3 IACET CEU

A handwritten signature in cursive script, reading "Vilma Schifano Milmoie".

Vilma Schifano Milmoie
Superintendent (Acting)
Emergency Management Institute

Emergency Management Institute



FEMA

This Certificate of Achievement is to acknowledge that

JAMES T MCDONALD

has reaffirmed a dedication to serve in times of crisis through continued professional development and completion of the independent study course:

IS-00800.b

National Response Framework, An Introduction

Issued this 8th Day of September, 2011



0.3 IACET CEU

A handwritten signature in cursive script, appearing to read "Vilma Schifano Milmo".

Vilma Schifano Milmo
Superintendent (Acting)
Emergency Management Institute



Certificate of Achievement

For

Participation in the Annual National Weather Service Tropical Cyclone, Disaster Preparedness and Climate Workshop

Presented To

James McDonald

On May 30-31, 2012 at Guam Marriott Resort, Tumon, Guam

Charles Chip Guard

Charles 'Chip' Guard
Warning Coordination Meteorologist
NWS Forecast Office Guam

Genevieve C. Miller

Genevieve C. Miller
Meteorologist-in-Charge
Weather Forecast Office Guam



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL WEATHER SERVICE PACIFIC REGION
WEATHER FORECAST OFFICE GUAM
2232 HUI NI ME ROAD
BARRIGADA GUAM 96917

June 10, 2012

James McDonald
Guam Homeland Security Advisor
Guam Homeland Security/Office of Civil Defense
221-B Chalan Palasyo
Agana Heights, Guam 96910

Dear Mr. McDonald,

It is with great pleasure that NOAA's National Weather Service recognizes Guam as StormReady and TsunamiReady for an additional three years. The effective date of this recognition is June 12, 2012. This will be valid until June 11, 2015 as long as Guam continues to adhere to the high standards of the StormReady and TsunamiReady programs. From the improvements and programs that were presented at the last StormReady/TsunamiReady Advisory Board meeting, maintenance of those standards should not be a problem at all.

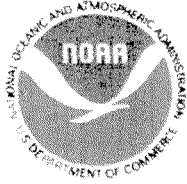
Many improvements have been made or are in the process of being made. These include posting Tsunami Evacuation and Assembly Area signs, testing the island-wide typhoon procedures and most recently evaluating and publishing the Tsunami Evacuation Zones for the island. All of the improvements are too numerous to mention but will continue to make Guam one of the best prepared locations anywhere.

Please relay this renewal information to the Governor, to your staff and to other Government of Guam agencies. They and the people of Guam can be proud of the Island's achievements in attaining and maintaining such high levels of preparedness for storms and tsunamis.

Sincerely,

Genevieve Cruz Miller
Meteorologist-in-Charge





Certificate of Achievement

For

*Participation in the National Weather Service Annual Tropical
Cyclone, Disaster Preparedness and Climate Workshop*

Presented To

James T. McDonald

On June 6-7, 2011 at the Hyatt Regency Guam, Tumon, Guam

Charles Chip Guard

Charles 'Chip' Guard
Warning Coordination Meteorologist
NWS Forecast Office Guam

Genevieve Cruz Miller

Genevieve Cruz Miller
Meteorologist in Charge
NWS Forecast Office Guam



New Mexico Tech

ENERGETIC MATERIALS RESEARCH AND TESTING CENTER

James T. McDonald

Is hereby awarded this certificate and .4 continuing education units
for successfully completing the 4 hour

Incident Response to Terrorist Bombings
Performance Level Training Course

July 12, 2011



Associate Director/Program Manager



New Mexico Tech

ENERGETIC MATERIALS RESEARCH AND TESTING CENTER

James T. McDonald

Is hereby awarded this certificate and .3 continuing education units
for successfully completing the 3 hour

Prevention and Response to Suicide Bombing Incidents
Performance Level Training Course

July 12, 2011



Associate Director/Program Manager



New Mexico Tech

ENERGETIC MATERIALS RESEARCH AND TESTING CENTER

James T. McDonald

Is hereby awarded this certificate and .4 continuing education units
for successfully completing the 4 hour

Understanding and Planning for School Bomb Incidents
Awareness Level Training Course

July 13, 2011



Associate Director/Program Manager



New Mexico Tech

ENERGETIC MATERIALS RESEARCH AND TESTING CENTER

James T. McDonald

Is hereby awarded this certificate and .8 continuing education units
for successfully completing the 8 hour

Initial Law Enforcement Response to Suicide Bombing Attacks
Performance Level Training Course

July 14, 2011



Associate Director/Program Manager

National Emergency Training Center
U.S. Department of Homeland Security
16825 S. Seton Avenue
Emmitsburg, MD 21727-8998



FEMA

CONGRATULATIONS!

It gives me great pleasure to congratulate you on the successful completion of your recent course at the Emergency Management Institute (EMI). EMI is celebrating a *60-Year Legacy of Training and Education in Emergency Management* during 2011. This anniversary year, you have joined other distinguished emergency management professionals who have completed training through EMI. This year, the total number of course completions has already exceeded 22 million.

Please accept my sincere gratitude for your continued support of the emergency management profession. My staff and I wish you the best of luck in your emergency management career.

Sincerely,

A handwritten signature in cursive script that reads "Vilma Schifano Milmoie".

Vilma Schifano Milmoie
Superintendent, (Acting)
Emergency Management Institute

EMERGENCY MANAGEMENT INSTITUTE



ANNIVERSARY CELEBRATION

ACHIEVING MAGNIFICENCE



SERVING PROFESSIONALLY

Certificate of Nomination

WE HONOR YOU

Mariana Regional Fusion Center

IN RECOGNITION OF YOUR NOMINATION FOR
GUAM HOMELAND SECURITY/OFFICE OF CIVIL DEFENSE
UNIT OF THE YEAR

AS A RESULT OF PUBLIC SERVICE EXCELLENCE
IN FISCAL YEAR 2014

EDDIE BAZA CALVO
GOVERNOR OF GUAM



COUNTERSIGNED

RAY TENORIO
LIEUTENANT GOVERNOR OF GUAM

GOVERNOR'S
EMPLOYEE
RECOGNITION
PROGRAM





Certificate of Achievement

For

*Participation in the Annual National Weather Service Tropical
Cyclone, Disaster Preparedness and Climate Workshop*

Presented To

James McDonald

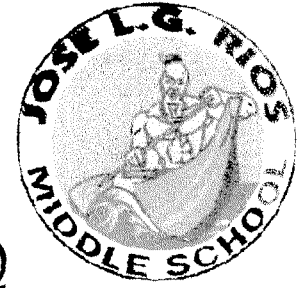
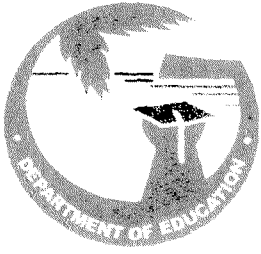
On June 2-3, 2015 at the Westin Resort, Tumon, Guam

Charles 'Chip' Guard

Charles 'Chip' Guard
Warning Coordination Meteorologist
NWS Forecast Office Guam

Genevieve C. Miller

Genevieve C. Miller
Meteorologist-in-Charge
Weather Forecast Office Guam



Certificate of Appreciation

Presented to

JAMES T. MCDONALD

in appreciation for all your contributions and support here at
Jose Rios Middle School
Given this 1st day of August 2015.

Handwritten signature of Naomi Taitingfong.

Naomi Taitingfong
Principal

Handwritten signature of Gerard Tedpahogo.

Gerard Tedpahogo
Assistant Principal

Handwritten signature of Cora Elane.

Cora Elane
Assistant Principal

Handwritten signature of Dr. Ritwena Vega Castro.

Dr. Ritwena Vega Castro
Assistant Principal

KUDOS AND CONNECTIONS



NCR 103/1104 in front of Herrmann Hall before graduation



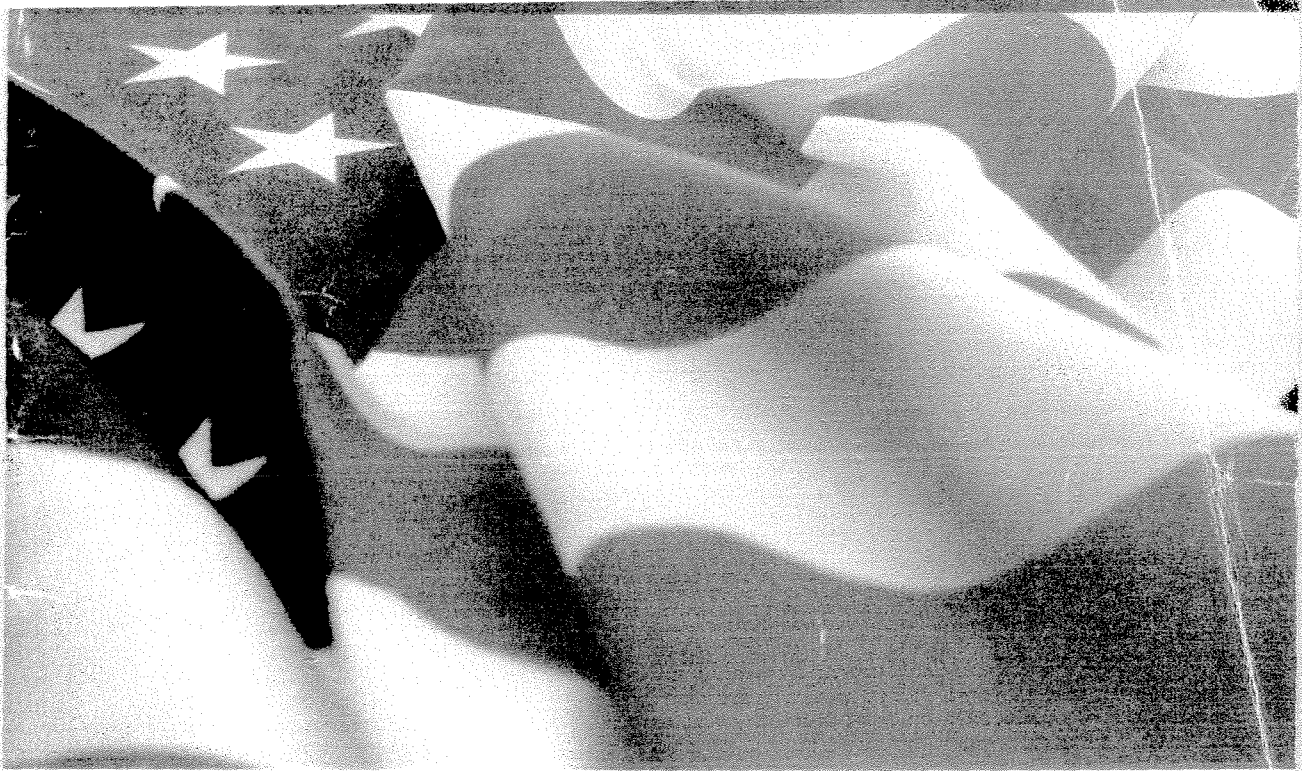
Above, Pacific ELP1302, and right, Pacific ELP1301 take a break for their class photos.



Congratulations to our newest graduates, and welcome to the ranks of CHDS Alumni



Congratulations ELP1301 and mechanics!



ASPEN
SECURITY
FORUM

July 27 – July 30, 2011
Aspen, Colorado



**NATIONAL FUSION CENTER ASSOCIATION
ANNUAL TRAINING EVENT 2013**

Alexandria Hilton - Mark Center

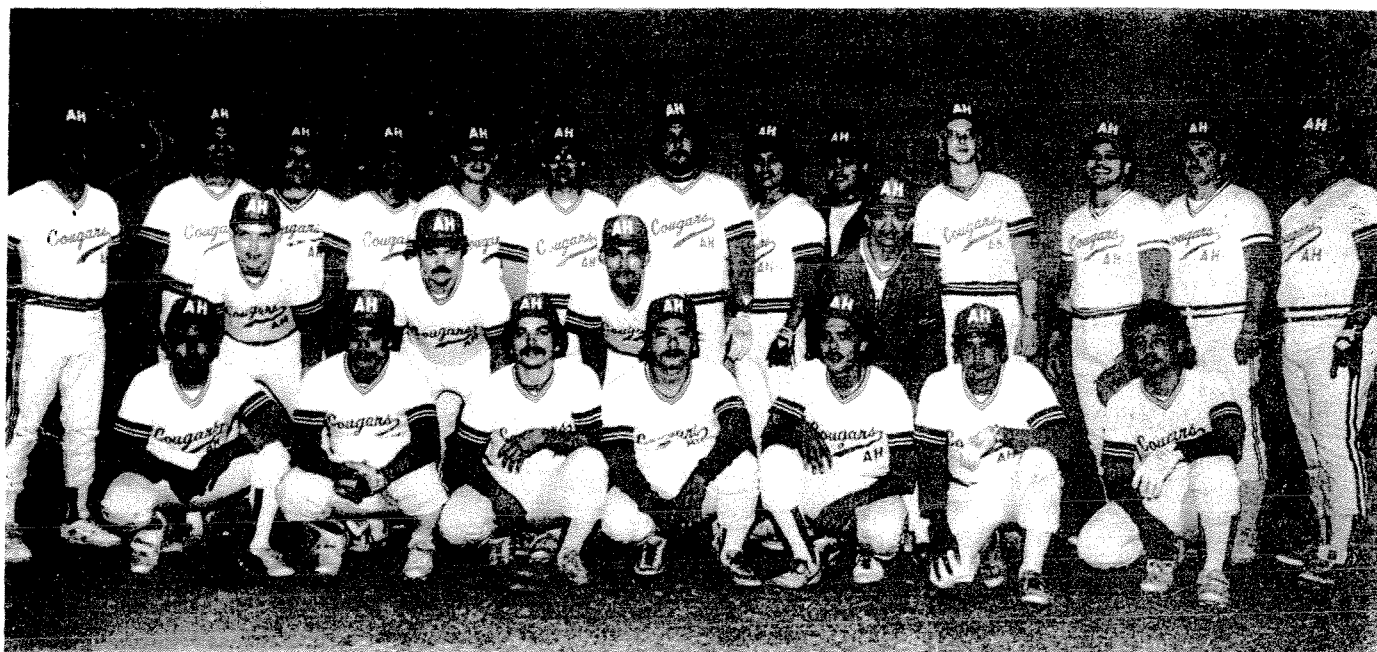
November 5th - 7th, 2013

Agana Heights, 1985 GML Champions



Proud Cougars lift winning pitcher Pete Delgado and walk to their dugout after they defeated the Exton Tigers for the GML championship. The Cougars, after being back to sweep their opponents by scores of 8-4, 13-0, 12-11, and 5-2. In the final game, Delgado went the distance and gave up only four hits.

AGANA HEIGHTS COUGARS





Daily News photo by Chris Plante

The men of the Department of Public Safety's Alpha Company, from the GCC Police Academy, were out doing some running Wednesday on the UOG campus.

Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement
Confirmation / Public Hearing
July 19, 2016
5:00pm
I Liheslaturan Guåhan, Hagåtña

Executive Appointment of **Mr. James T. McDonald** to serve as the **Director** of the **Guam Customs & Quarantine Agency**.

NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT NUMBER	EMAIL ADDRESS
✓ <i>Ralph Sambellon</i>		✓	✓				
✓ <i>Vincent Perez</i>	COA	✓		✓			
✓ <i>AL SAN AUGUSTIN</i>		✓					
✓ <i>John Cruz</i>		✓	✓	✓			
✓ <i>Carl TC Gutierrez</i>		✓	✓	✓			PO Box 404 Hagåtña 96932
✓ <i>Fernando Esteves</i>				✓		489-9016	
✓ <i>Philip Tajeron, Jr</i>	COA	✓	✓	✓		688-4222	P.O. Merizoshertag.com.net
✓ <i>Pam Torres</i>	COA		✓	✓			
✓ <i>Joanquin Naputi</i>	Self		✓	✓		685-6621	Joanquin@hstmail.com
✓ <i>Dwayne San Nrahn</i>	COA	✓	✓	✓		6865444	489.vet@gmccm.com
✓ <i>Nick Francisco</i>		✓				4823650	

Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement
Confirmation / Public Hearing
July 19, 2016
5:00pm
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Executive Appointment of **Mr. James T. McDonald** to serve as the **Director** of the **Guam Customs & Quarantine Agency**.

NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT NUMBER	EMAIL ADDRESS
✓ DARLENE MERFALON	CUSTOMS	✓	✓	✓		488-3639	darlene.merfalon @cqa.guam.gov
✓ Gregorio Calvo	sup	✓	✓	✓		969-8549	gregorioscalvo@gmail.com
✓ FRED E BORDALGO	CIV	✓		✓		4866921	fred.bordalgo@ga.gov



CUSTOMS & QUARANTINE AGENCY, GUAHAN

Guam's First Line of Defense • Protecting Our Island, Our People, Our Resources

Director's Office

*Acting Director – James T. McDonald
Acting Chief of Customs – Darlene R. Merfalen*

Buenas yan Hafa Adai Todus Ham'yu!

Thank you Honorable Senator Thomas C. Ada, Chairman, I Mina Trentai Tres na Liheslaturan Guahan, Committee on Transportation, Infrastructure, Land, Border Protection , Veteran Affairs & Procurement and to all other senators present at this hearing (name them all) for allowing me the opportunity to present my testimony in support of my confirmation as the Guam Customs & Quarantine Agency Director.

In the past month or so, I have had the privilege and pleasure in serving as the Acting Director of the Guam Customs and Quarantine Agency. This has also been an honor as I did retire from this great Agency after serving 23 years and with a total of 34 years of Public Service to the Government of Guam.

While serving in this agency, I had climbed the ranks from a Customs Officer I to a Customs Assistant Chief and once again as Acting Director before my retirement. With my extensive experience working in this agency, I have the advantage and opportunity in seeing first-hand what the Agency is lacking today and it also gives me a better vision of what the agency needs in order to accomplish the mission as our islands first line of defense, by protecting our island, our people and our resources. In addition, as the former Homeland Security Advisor, Administrator for Office of Civil Defense and Director for the Marianas Regional Fusion Center (MRFC), I have had the opportunity to attend various trainings dealing with border protection throughout our nation in alignment with counter terrorism and I am willing to continue sharing and incorporating all my knowledge and experience with this agency and other law enforcement agencies to keep our borders safe, as I did as the Homeland Security Advisor. Currently, we have a total of 137 employees, 120 of them Uniformed Officers. This number is not an adequate amount for the current workload that we are required to perform.

For example, in the last three years we have had an increase in passenger arrival as well as a few new airlines (Jin Air, Jeju, Star Marianas and Cebu Pacific) being added to the Guam route. At the commercial port we have had to deal with an increase of container inspections due to unwanted pests arriving in vessels as our bio-security task force officers have been working diligently in mitigating the issue with limited resources. However, our number of personnel continued to decrease.

Back in 2000, we had about 220 total employees, 180 of them were Uniformed Officers, which was a good amount then. However, every year the demands and scope of our duties have expanded. Since the year 2000 to now, we have had a 60 percent loss of personnel in our agency due to several reasons such as job opportunity elsewhere, upward progression within the agency was stalemated etc. As the Acting Director, I have already taken steps to ensure that our agency continues to get our numbers back up to a level where our Officers can perform their duties proficiently and effectively.

Because the employees are the backbone of this agency, I made it a priority to visit with the employees in all the sections within the agency. To date, I have met about 95 percent of the uniformed Officers and Civilian Staff. I wanted to ensure that my future goals correlated with their suggestions and recommendations as expressed from our employees. I'm confident that with my leadership and the support of my staff that together we will make the Agency great once again.

With the understanding of the employee's inputs regarding the lack of manpower and upward progression opportunities, It is my intention to work closely with the Administration and the Legislature in identifying funds to aggressively recruit around 30-50 trainees to start in the beginning of FY 2017. A few days ago, I requested to open several promotional positions to fill the vacancies within the FY 2016 due to retirements and resignations of several Officers. This will also allow us to open several Officer I positions to fill immediately in order to recover minimal losses from this current year, 2016. I then intend on working with leadership to recruit an additional fifty trainees sometime in April or May of 2017.

Should we be able to recruit the fifty trainees at the beginning of the FY and another fifty trainees in May of 2017, this will bring our Agency numbers closer to or even more than what we had in the year 2000.

In addition to recruitment, our agency is looking to re-organize and expand our scope of duties. We are looking to add new divisions and sections within the organizational chart to ensure that we provide better services to the public. This re-organization will also allow us to open up more positions for our Officers to progress upwards in their career.

Another goal in mind is to increase networking with our local and federal counterparts GPD, GFD, GVB, EPA, PH&SS, The Mayor's Council, GHS/OCD, DHS, FBI, US Attorney's Office, DEA, ATF, HSI, US Postal Service, JRM, and all Private Partners, as they play a big part in the sharing of information and regional collaboration especially with providing additional training and funding.

We currently have about 8 personnel assigned as Task Force Officers who report to federal agencies expanding their knowledge and experience with enforcing both local and federal statutes and keeping our island safe from the entering of illegal narcotics, contraband and with the help of automated systems through smart technology to counter the threats of terrorism, plus any pandemic threats to our island such as Human Trafficking which is currently on the rise within our region. I want to expand the Task Force's manpower to continue to accomplish these mission tasks ahead.

With just a few of these goals I have explained to you that I would like to achieve as the Director of Customs, I have so much more to offer this great agency. I humbly ask for your support in giving me the opportunity and full authority to achieve these goals in keeping our island safe.



JAMES T. MCDONALD

CARL T. C. GUTIERREZ
P.O. Box 404
Hagåtña, Guam 96932

carlgutierrez777@gmail.com

Honorable Thomas C. Ada
33rd Guam Legislature
Chairman, Committee on Public Safety, Infrastructure, & Maritime Transportation
Suite 207 Ada Plaza
173 Aspinall Ave.
Hagåtña, Guam 96910

Members, Committee on Public Safety, Infrastructure, & Maritime Transportation

July 19, 2016

Håfa Ådai, Chairman Ada and Members of the Committee,

I am submitting this written testimony in support of James ("Jimmy") McDonald for the position of Director of the Guam Customs and Quarantine Agency. I have known Jimmy for over 40 years, and fully believe that his decades of experience and service to the people of Guam make him an excellent selection for this directorship.

Jimmy began his career at the Guam Legislature in the 1970s, working for Sen. Edward R. Duenas and late Sen. Edward M. Calvo, under the supervision of the late Frank Delgado and late Gil Shinohara, Sr. After some time with the Legislature, Jimmy embarked on a career in law enforcement, joining the Guam Police Department as a police officer. He later transferred to the Guam Customs and Quarantine Agency. As a customs officer, along with Officer Luis Duenas, he successfully lobbied Sens. Ben Pangelinan, Joe T. San Augustine, and myself to separate Customs from the Department of Commerce, due to the inherent conflict between promoting businesses and commerce, and enforcing Guam's customs laws.

Jimmy worked his way up the ranks at Customs, and during my tenure as Governor of Guam, I appointed him Acting Director of the agency. Jimmy retired from the agency in 2003, and spent his time investing in our community, and particularly our mutual home village of Agana Heights. He played baseball with the Agana Heights Cougars, and remained a very active member of Our Lady of the Blessed Sacrament parish. He also put his law enforcement background to use during his retirement, by serving as a board member for Guam Crime Stoppers.

Neither my appointment of Jimmy when I was Governor nor my support of his appointment now has anything to do with politics, but was, and is, based solely on his merit. Jimmy and I have differing political affiliations, but his qualifications are a matter of record, and his record speaks for itself. Negative publicity has befallen this agency in the past few years, and I believe that Jimmy's honesty and integrity will help restore some of the public trust that may have been shaken. As you might surmise, I have not agreed with many, if not most, of Governor Calvo's decisions; the decision to appoint Jimmy, however, is one with which I wholeheartedly concur.

I thank you and your committee members for the opportunity to submit written testimony in support of Jimmy McDonald's appointment, and ask that you give him due consideration.

Best regards,



Carl T. C. Gutierrez
Governor of Guam (1995-2003)

July 19, 2016

**To: Honorable Senator Frank B. Aguon
Chairman, Committee on Public Safety
33rd Guam Legislature**

**Fr: Retired Chief Raffaele M.J.P. Sgambelluri
Agency of Customs & Quarantine**

Cc: Members of the 33rd Guam Legislature

Honorable Senator Aguon,

My name is Raffale M.J.P. Sgambelluri, the recently retired Chief of Agency of Customs and Quarantine.

Thank you for the opportunity to present this written testimony in support of the confirmation of Mr. James McDonald as the Director of the Agency of Customs and Quarantine. I have known and worked with Mr. McDonald since I was 11 years old, as we were not only classmates, but teammates on various sports teams and co-workers at the agency. Our families have been closely tied for decades, and thus if there is someone who understands the work ethics and competency of Mr. McDonald, then that would be myself.

There isn't a more qualified and capable individual whom can continue the work and uphold the intent of CQA while maintaining the agency, that I was proudly associated with for over 31 years. Mr. McDonald has proudly worn the uniform at CQA for a number of years, understands the objectives of the agency, has the respect of the employees of the organization, and is committed to the pledge he recited when he swore to protect our borders the day he become an officer at CQA. With this in mind, I would urge the members of this esteemed body to support the confirmation of Mr. McDonald as the next Director of the Agency of Customs and Quarantine.

In 1968, US Congress passed the Omnibus Crime Control and Safe Streets Act which set the term limit of the FBI Director to 10 years. This was created in reaction to the extraordinary 48 year term of former director J. Edgar Hoover. While many can firmly state the departments many accomplishments during his almost 5 decade tenure, some in Congress were also apprehensive of the political pressures that someone in that capacity can endure when dealing with the nation's safety.

The intent of passing this law was to "safeguard against improper influence and abuses". They felt that a Director should not necessarily be working at the pleasure of the President who appointed them, thus, and as in the case of President George H. Bush, single termed leaders may not even be given the opportunity to make such an appointment. The position is about entrustment and public guardianship, and should not be one of influence.

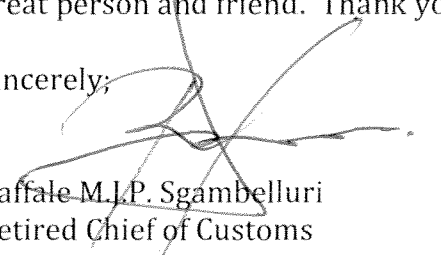
There is no place for politics when it comes to Public Safety, and stability in the any public safety organization should be of utmost priority. The Director of CQA, as with the Chiefs of Police and Fire, should not enter their initial day in office with the uncertainty of political strains or timelines of when patronage may affect their tenure. With this in mind, it is recommended that lawmakers amend subsection 3127, of Chapter 3, Title 5, Guam Code Annotated to establish a 6 year term limit for the Agency of Custom's and Quarantine.

As someone who has been an active member of the public safety community over the years, I have had the opportunity of working with many excellent leaders who have managed intricate public safety agencies, and unfortunately at times we question whether the tenure of that leader should be extended, instead of concluded because of a change in command in the front office.

Yes, there are times when an agency head needs to be removed immediately, and that authority should certainly be given to the governor. However it may be time for the legislature to review these statutes to determine if more autonomy can be provided to public safety line agencies, so that solidity can direct the course to fulfill their objectives. This is an issue our elected leaders to need to dialogue and review as we reform the government to a true service oriented organization, specifically when it comes to keeping our island safe.

I would like to thank the chairman of the committee, members of this committee, and of course the members of the 33rd Guam Legislature for this opportunity to present my testimony today. As indicated, I urge this august body to support the confirmation of Mr. McDonald, so he can work diligently in leading the Agency of Custom's and Quarantine and assuring that our people and our borders are safe. He is a qualified nominee, an accomplished leader, an experienced representative of the public safety community and a great person and friend. Thank you very much.

Sincerely;



Raffale M.J.P. Sgambelluri
Retired Chief of Customs

July 18, 2016

The Honorable Thomas Ada
Chairman, Committee of Transportation &
Border Protection
155 Hesler Street
Hagatna, Guam 96910

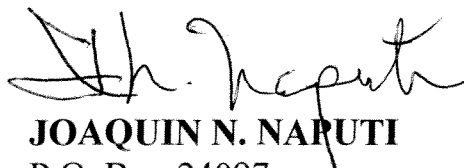
Reference: Confirmation Hearing on the appointment of
Mr. James T. McDonald as the Director of Guam
Customs and Quarantine Agency

Dear Senator Ada & Members of the Committee:

Buenas yan Saludas! My name is Joaquin N. Naputi, a retired Deputy Director of the Guam Department of Agriculture. With responsibilities at the borders dealing with plants and animals, I had the opportunity to formally work directly with Mr. McDonald. I find him to possess a professional demeanor in carrying out the duties of a Custom and Quarantine Officer. He has the tact and personality to deal with people in reaching a desirable outcome. Thus, it is my hope that the Committee confirms Mr. McDonald as the next Director of the Guam Customs and Quarantine Agency Director.

Thank you and Si Yu'os Ma'ase'.

Sincerely,



JOAQUIN N. NAPUTI

P.O. Box 24097

Barrigada, Guam 96921

Christopher Desoto
PO Box 25435 Barrigada, Guam
96921

July 19, 2016

The Honorable Senator Thomas C. Ada
Assistant Majority Leader
33rd Guam Legislature
Ste 207 Ada Plaza Ctr. 173 Aspinall Ave.
Hagatna, Guam
96910

Dear Senator Ada:

It is with much pleasure that I write this letter recommending to this honorable Legislature, my friend James T. McDonald to be confirmed as the new Director of the Guam Custom and Quarantine Agency. I know James is a person with extreme desire to achieve. He is known to be a person with unquestionable integrity through his actions and has displayed much initiative and dedication to the Customs and Quarantine Agency, his family, his friends, and the people of Guam. Not one person can deny this.

I admire him very much and believe in him. I know if he is given a chance through this confirmation, he will be a valuable asset to this community and the Custom's and Quarantine Agency.

I plead with this honorable Legislature to make the right choice for the People of Guam and the Customs and Quarantine family, and that I know that James is a good person, the right person and a competent and qualified person for this job and will do everything in his power to make Guam's borders stronger and safer if given a chance.

Sincerely,

Christopher Desoto

July 19, 2016

Honorable Tom C. Ada
Assistant Majority Leader
Suite 207, Ada Plaza Ctr.
173 Aspinall Ave.
Hagatna, Guam 96910
Ph.: (671) 473-3301
Fax: (671) 473-3303
E-mail: office@senatorada.org
Web: www.senatorada.org

Dear Senator Ada:

It is my pleasure to write a letter in **SUPPORT** of Mr. James T. McDonald as the Director of the Guam Customs and Quarantine Agency, Government of Guam.

I have been a Customs Officer for over 23 years and at one time or another was assigned to all divisions within the Guam Customs and Quarantine Agency. That being said, I have had the pleasure and opportunity to work alongside Mr. McDonald in his capacity as an officer, supervisor, Assistant Chief, Acting Chief, and Acting Director on many occasions. During his tenure as a Customs employee, Mr. McDonald has consistently demonstrated the attributes of a selfless leader and determined manager both of which are necessary in the proper administration of a multifaceted law enforcement agency such as the Guam Customs and Quarantine Agency. In addition to those attributes, Mr. McDonald is a stout proponent of the law enforcement values of public servitude, integrity, ethics, accountability, and transparency. He has displayed these values on countless occasions throughout my personal encounters with him; including positions he held after retiring from the Guam Customs and Quarantine Agency.

Mr. McDonald's 23 years of Customs experience and several years of experience in Guam Homeland Security and Bureau of Statistics and Plans brings to the table a unique blend of border enforcement activities; not to mention federal grant acquisition skills that can only enhance the agencies programs. I have personally worked with Mr. McDonald during his tenure in all these management positions and I can attest to the fact that his work ethics even after retiring from Guam Customs and Quarantine Agency remain above reproach. Moreover, given the latest arrest of several Customs Officers for corruption; the agency is in need of strong proven ethical leadership to guide its efforts into the future and restore integrity and public confidence in its officers.

In conclusion, I fully **SUPPORT** the nomination of Mr. James T. McDonald for the position of Director of the Guam Customs and Quarantine Agency. Mr. McDonald not only has the requisite qualifications, but more importantly he has the talent, focus, knowledge, skills, abilities, and tenacity to make the necessary difficult decisions in an operationally and more importantly financially challenging government environment.

Sincerely,

Joey T. Cruz
Supervisor, BioSecurity Task Force, Agriculture Canine Unit, Drug Detector Dog Unit
Guam Customs and Quarantine Agency

James P. Castro

P.O. Box 20731 GMF
Barrigada, Guam 96921

July 11, 2016

Honorable Thomas C. Ada,
Chairman, Committee on Transportation,
Infrastructure, Lands, Border Protection,
Veterans' Affair, and Procurement
I Mina'trentai tres na Liheslaturan Guåhan
Hagåtña, Guam 96910

GUAM LEGISLATURE
GENERAL CLERK

ACKNOWLEDGEMENT RECEIPT
Received by: AB
Time: 11:00 AM
Date: 7-15-16


Re: Appointment of James T. McDonald to serve as Director, Guam Customs & Quarantine Agency

Dear Senator Ada, Members of the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affair, and Procurement:

It is my pleasure to endorse James T. McDonald for the position of Director, Customs and Quarantine Agency of Guam. As you seek to confirm individuals to serve in key positions, let me just point out that in 1989, the nominee joined an elite group of young men from throughout the United States who have demonstrated their excellence in professional endeavors and civic activities. He was selected as one of the Outstanding Young Men of America. Mr. Chairman, the nominee has worked on various projects at different levels of hierarchy during his 34+ years with the government of Guam. With his law enforcement training, legislative insight, background in homeland security, he can be counted as one of the very hard-working employees who leaves no stone unturned to complete his assigned task.

In closing, I am proud to say that James T. McDonald has all the qualifications required to lead our Customs and Quarantine Agency.

Sincerely,



JAMES P. CASTRO

cc: James T. McDonald



Eddie Baza Calvo
Governor
Ray Tenorio
Lieutenant Governor

OFFICES OF HOMELAND SECURITY AND CIVIL DEFENSE

Inasiguran I Tano' Guahan/Ufisinan Difensia Sibet
221-B Chalan Palasyo, Agana Heights, Guam 96910
Tel: (671) 475-9600 / Fax: (671) 477-3727
Website: www.ghs.guam.gov



Charles V. Esteves
Homeland Security Advisor
Administrator

July 15, 2016

MEMORANDUM FOR: Office of Senator, ATTN: (Thomas C. Ada), Ada Plaza Center, Suite 207, 173rd Aspinall Avenue, Hagatna, Guam 96910

Subject: Letter of Recommendation

Hafa Adai Senator Tom Ada,

It is with great honor to be given this opportunity to speak in behalf of Mr. James T. McDonald confirmation position as the Director of Customs & Quarentine Agency. I am Mr. Anthony G. Lukeala a (Retired) SFC U.S. Army, served 5 years as an Instructor for the 13th Bde, ROTC, Reserve Officer Training Corps, for CNMI High School, Saipan. I am currently employed with the Department of Guam Homeland Security, Office of Civil Defense assigned as the Public Assistance Officer & Chief Logistic Officer. Mr. McDonald was my Administrator for the Guam Homeland Security, Office of Civil Defense, Guam. He is assigned also as the Director for the MRFC, Marianas Regional Fusion Center. This individual has instilled & possess Great Leadership Skills, Understands the Principles of Leadership, Loyalty, Duty, Respect, Selfless Service, Honor, Integrity, Personal Courage and is well versed and Professional. I observed him as his most upper mind responsibility is Accomplishment of the Organizations Mission and the welfare of the personnel assigned to him. He contributes, support the community in time of Emergency Disasters, assist Guam Homeland Advisor, and Teach, Mentor & Coach the AMERICORPS outreach programs. Mr. McDonald is a person who understand the needs for the communities and safety, work well with the Village Mayors during Typhoon disasters. My admiration about him is that he has a sense of Purpose, Direction and Motivation. I know for a fact that he was once a Customs and Quarentine Officer and had proven progression thru the ranks of last held grade of COL and served over 20 faithful years of service. Mr. McDonald Dedication to Duty, @Customs Law Officer, Guam Homeland Security Administrator and continuing a great service for our Island of Guam and our Nations safety is the reason why I am recommending Mr. James T. McDonald for the Director of Guam Customs & Quarentine Agency. I Highly recommend!

ANTHONY G. LUKEALA
Guam Homeland Security,
Office of Civil Defense
Public Assistance Officer/Chief Logistic Officer

**P.O. Box 1268
Hagatna, Guam 96932**

I, Francisco U. Torres, am a retired Chief of Customs of the Government of Guam and also a collaborator for the United States Department of Agriculture for Plant and Animal Quarantine regulations. Because of my poor health, I am unable to appear before this committee in support of the nomination of Mr. Jim McDonald to be the Director of the Guam Customs agency.

Mr. McDonald has the federal knowledge of the operations of the Guam Customs agency. His is a man of great character. For those reasons, I fully support him.

To Governor Calvo, you have made the best choice in your nomination of Mr. McDonald because of his proven ability to administer this agency.

Thank you and Si Yu'us Ma'ase!



**Francisco U. Torres
Retired Chief of Customs**



Senator Tom Ada

Charlene Flores <flores@senatorada.org>

Fwd: Confirmation for James T. McDonald

Tom Ada <tom@senatorada.org>

Tue, Jul 19, 2016 at 6:20 AM

To: Charlene Flores <flores@senatorada.org>, Joe Borja <JBorja@senatorada.org>

Sen. Tom Ada
Chairman, Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs, and Procurement
33rd Guam Legislature
Tel: (671) 473-3301

----- Forwarded message -----
From: **Sinforoso Galindez** <sinforoso.galindez@cqa.guam.gov>
Date: Mon, Jul 18, 2016 at 5:42 PM
Subject: Confirmation for James T. McDonald
To: office@senatorada.org

Hafa adai Tom, (Senator)

Presently, I am still with Guam Customs and I would like to ask for your support to confirm Mr. James T. McDonald as our Customs Director. When I got into Customs back in the late 90s, I worked with him and has been a great asset to Customs and now given the opportunity to be our Director, I think we will benefit greatly with his experience and his future goals for us.

It does make a difference to have a Director that worked the frontline to know what is needed.

Thank you in advance for considering.

Respectfully,

Simp

671-898-1745 (c)



Senator Tom Ada

Blaine Dydasco <bdydasco@senatorada.org>

Fwd: Mr. James McDonald

1 message

Joseph Borja <jborja@senatorada.org>
To: Blaine Dydasco <bdydasco@senatorada.org>

Wed, Jul 20, 2016 at 8:29 PM

----- Forwarded message -----

From: **john aguon** <john.aguon@cqa.guam.gov>
Date: Tue, Jul 19, 2016 at 1:17 PM
Subject: Mr. James McDonald
To: jborja@senatorada.org

Having been under James McDonald's command as a junior officer in the mid 90s & still doing what I enjoy the most with 20+ years strong, I have kept in touch with him off & on since his departure from the agency regarding the functions of the Customs family. He has always instilled in me to do the very best to my abilities to keep the trust of the people of Guam within our Customs family. With him being back @ the reins of the agency, I believe he will make changes for the betterment of Customs & to the island. Glad to see him back & move the agency forward with the experience & knowledge he has.

J.J. Aguon
Customs Officer III



the office of
Senator Tom Ada

Blaine Dydasco <bdydasco@senatorada.org>

Fwd: Confirmation of Acting Director McDonald

1 message

Joseph Borja <jborja@senatorada.org>
To: Blaine Dydasco <bdydasco@senatorada.org>

Wed, Jul 20, 2016 at 8:30 PM

----- Forwarded message -----

From: **john asuncion** <john.asuncion@cqa.guam.gov>
Date: Tue, Jul 19, 2016 at 1:02 PM
Subject: Confirmation of Acting Director McDonald
To: jborja@senatorada.org

Senator Ada,

I would like to start by stating that I have worked for Guam Customs for over 20 years, I have had the privilege of working with retired Col. James McDonald. He was a very knowledgeable and intelligent Officer, with many positive attributes. I feel Director McDonald would be a fair and just Director of Customs, with the agencies well being and advancement in mind.

I feel there would be no better candidate for this position.

Thank you,

--

CQII John F. Asuncion

Inspection & Control
Customs & Quarantine Agency, Guam

(671)988-5208 Cell

john.asuncion@cqa.guam.gov



Senator Tom Ada

Charlene Flores <flores@senatorada.org>

Fwd: Appointment of James T. McDonald for the Director of Guam Customs and Quarantine Agency.

Tom Ada <tom@senatorada.org>
To: Charlene Flores <flores@senatorada.org>

Wed, Jul 20, 2016 at 9:59 AM

Sen. Tom Ada
Chairman, Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs, and Procurement
33rd Guam Legislature
Tel: (671) 473-3301

----- Forwarded message -----

From: **Joseph Cruz** <joseph.cruz@cqa.guam.gov>
Date: Tue, Jul 19, 2016 at 4:27 PM
Subject: Appointment of James T. McDonald for the Director of Guam Customs and Quarantine Agency.
To: office@senatorada.org

Haha Adai sir,

I have been with Customs a little over 20 years, and had the opportunity to work with Mr. McDonald during his employment with Customs. He has many years of experience in this field and has exhibited great leadership capabilities and management skill in the past that is very well needed to move this agency forward. He knows exactly the formula required by all divisions within and has exposed himself to all ranks in the agency to acquire more information needed for success. I know he also brings vast amount of knowledge from his previous position with Guam Homeland Security that will be beneficial to move this agency to run more efficiently and effectively to better serve the public.

I am in full support of having Mr James T. McDonald as the Director of Guam Customs and Quarantine Agency.

WILLIAM M. CASTRO
PO Box 21152, GMF GU 96921
(671) 929-6209 – wilcastro671@gmail.com

July 19, 2016

Honorable Thomas C. Ada
Member, Assistant Majority Leader &
Chairperson, Committee on Transportation,
Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement
I Mina'Trentai Tres Na Liheslaturan Guåhan
155 Hesler Place, Ste. 302
Hagåtña, Guam 96910

**RE: Testimony in support of the confirmation of Mr. James T. McDonald as Director,
Guam Customs and Quarantine Agency**

Hafa Adai Senator Ada.

This letter is furnished in support of Mr. James T. McDonald's legislative confirmation to the position of Director of the Guam Customs and Quarantine Agency.

I have known Mr. McDonald for over 25 years both personally and, more recently, professionally.

Mr. McDonald is man of class with a profound sense of duty to God, family and community. He has a wonderful sense of humor and is an extremely compassionate and affable person.

Mr. McDonald is a consummate and learned professional. On numerous occasions Mr. McDonald has demonstrated his ability to bring people and resources together to achieve a common goal. His 'team play' attitude, loyalty to mission and the work place, coupled with his ability to weave in and out of policy, procedure, public and private paradigms has allowed the Bureau of Statistics and Plans (BSP) to capitalize on initiatives where others may have otherwise thought to be impracticable and unattainable. To my point, Mr. McDonald was instrumental in assisting BSP's grants team to organize and create synergy among and between cooperating agencies in order that we may submit a proposal for a competitive federally funding opportunity. In the past month Guam was named as a finalist for a nationally competitive grant – the largest amount ever awarded to the Marianas.

In closing, Mr. McDonald possesses the institutional knowledge, formal training, policy experience, leadership qualities and interpersonal skills needed to shepherd an agency who serves as our island's 'first line of defense.' It is without reservation that I humbly submit this letter in support of Mr. James T. McDonald's confirmation as the Director of the Guam Customs and Quarantine Agency.

Senseramente,


WILLIAM M. CASTRO

Hafa Adai Mister Chair and Committee Members, I am here in favor of the Confirmation of Mr. James T. McDonald, or as most of us know him as "Jimmy", to be the next Director of the Guam Customs and Quarantine Agency.

For the record, I am from the beautiful village of Agana Heights and have known Jimmy for over twenty years professionally and personally.

Jimmy was one of my first supervisors when I first started in Customs. He taught us many things regarding Customs operations and policies. He was always a big proponent to acknowledge employees when they performed an outstanding job or task. He would hold his daily and weekly briefing and always looked out for the over all well being of the officers and the Customs mission. He truly had a big heart.

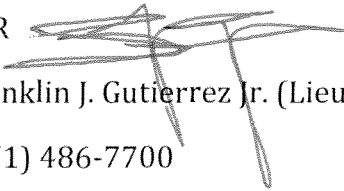
There is also another side of Jimmy that I would see on the weekends. This side was his strong faith for God and his support in community and parish events at Our Lady of the Blessed Sacrament in Agana Heights. This was the humble Jimmy who would give his time and assist with whatever the parish would need.

Then there is the sporty Jimmy. The man who would assist with Baseball games and events in the village to work with the youth and keep them out of trouble.

Although there more positive things I can say about Jimmy, there is one thing I do know. Jimmy knows Customs! By having worked his way up the ranks through the years, Jimmy has the experience to lead this Agency. We (Customs), need a Director who will take us to a higher level of Customs enforcement such as implementing a Customs Management System to track all inbound and outbound passengers, cargo and freight and develop new programs and procedures that will bring is like our US Customs counterparts.

If you should decide to confirm Jimmy, I can assure you that we will work with our new Customs Director to make Guam a safer place for our community especially our children who are the future of Guam.

V/R


Franklin J. Gutierrez Jr. (Lieutenant, Guam Customs and Quarantine Agency)

(671) 486-7700

July 25, 2016

Honorable Senator Thomas C. Ada

Assistant Majority Leader, 33rd Guam Legislature

Chairman of Committee Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs, and Procurement

Suite 207 Ada Plaza Center

173 Aspinall Avenue

Hagåtña, Guam 96910

Phone: (671) 473-3301

Fax: (671) 473-3303

Email: office@senatorada.org

Subject: Support for Confirmation of James T. McDonald as Director, Guam Customs and Quarantine Agency

Hafa Adai Mr. Chairman and Committee Members,

My name is Customs Officer III Daniel P. Salas and I am the Executive Officer of the Guam Customs and Quarantine Agency. I am writing to support the confirmation of Mr. James T. McDonald as the Director of the Guam Customs and Quarantine Agency.

I have known Mr. James T. McDonald from the start of my career in the Agency in 1995. Through many years, I have worked directly under the supervision of then Customs Supervisor, Lt. James T. McDonald at the numerous ports of entry; the old Guam Airport, the current Guam International Air Terminal, and the Jose D. Leon Guerrero Commercial Port. Over the years under Lt. James T. McDonald's supervision, I have witnessed and learned from Lt. McDonald's vast knowledge of Customs operations, enforcement of Customs laws, and the gamut of the administration aspect of the Government of Guam.

Mr. James T. McDonald is a highly versatile professional, whose professional experiences pertain to the highest levels of border protection and homeland security. From his career as a Guam Customs and Quarantine officer, Guam Customs and Quarantine Supervisor, Guam Customs and Quarantine Assistant Chief, Guam Customs and Quarantine Acting Director, Guam Homeland Security Advisor, and his former position as the Deputy Director of the Bureau of Statistics and Plan and with Mr. James T. McDonald's confirmation for the position as the Director of the Guam Customs and Quarantine Agency, he brings with him a wealth of knowledge, experience, and good leadership skills that the Agency can benefit from.

I humbly request for this committee to confirm Mr. James T. McDonald as the Director of the Guam Customs and Quarantine Agency. Thank you for your consideration on this matter.



CQ III DANIEL P. SALAS

Executive Officer

Internal Affairs Investigator

Guam Customs and Quarantine Agency



CUSTOMS & QUARANTINE AGENCY, GUAM

Guam's First Line of Defense. Protecting Our Island, Our People, Our Resources.

*Acting Director - Mr. James T. McDonald
Acting Chief - Major Darlene R. Merfalen
ICD Division Chief - Major Vincent S.N. Perez*

Date: July 19, 2016
To: 33rd Guam Legislature
From: MAJ Vincent SN Perez
Division Chief, ICD
Subject: Testimony on Mr. James McDonald
For CQA Director

Hafa Adai!

My name is Vincent Perez, I am an Assistant Chief of Customs. I am the Division Chief of the Inspection & Control Division overseeing all the ports of entry into Guam. I've been with Customs over 27 years and have seen tremendous building of capacity and growth and know that where we are at right now is NOT where we should be.

During the 90's, the agency experienced positive growth and strategic direction. GUAM CUSTOMS had a full contingent of dedicated officers and support staff with properly working equipment, computers, software, working hard to effectively and efficiently carry out the mission of the Agency. The role of the director is to work within the means at his disposal to move practically and strategically to enhance and improve customs.

In the 1990's, Guam Customs had a law enforcement presence of over 220 Customs Officers who were always immediately seen and recognized- prominent at our borders- 24/7 operations at the Airport and Andersen Air Force Base, the Air Cargo Operations, Post Office, and Maritime operations. As of TODAY, we have lost over 46%- down to roughly 120 officers. Many officers have left the agency because of pay and retention issues- why work in Guam Customs, when you can practically double your salary working for the feds doing the same job?

Now imagine over a million people crossing our border annually while our Customs Officers search for the proverbial needle in a haystack. Now imagine having to search for that needle in numerous haystacks for a myriad of prohibited, or restricted agricultural products, illicit narcotics, and consumer products. Now imagine doing this with a 46% reduction in force- day in and day out, 365 days a year. Imagine using outdated or obsolete equipment, vehicles, technology, etc. Compounding this are pay inequities that exist between law enforcement entities that have yet to be addressed.

Many of the hardworking officers are trying their best, while others have resorted to unscrupulous means to get by. In the past year, several officers have been indicted and are currently awaiting sentences in their roles in a smuggling conspiracy.

This is the situation with the GUAM CUSTOMS. We need an experienced and skilful director to get us strategically out of the rut we are currently in. The agency needs dynamic and strong leadership to bring us where we need to be. Since the departure of our previous director, and retirement of our Chief of Customs, a void has developed which needs to be filled.

I am here to provide my support in nomination of Mr. JAMES MCDONALD as the Guam Customs & Quarantine Agency Director. I have known Mr. MCDONALD since 1989, when I was a novice inspector working the inspection counters at the Guam International Airport. During that time he was always been willing to provide guidance to ensure that people, merchandise, foodstuffs are properly inspected and handled accordingly.

Because of his knowledge and experience, he rose to the rank of Assistant Chief and retired after a long and honorable career. He has a wide perspective coming up from the ranks of CQA. Instead of complaining about things that we cannot change, his view is to find out how can the situation in which the agency finds itself these days be improved.

With his varied experience, Mr. MCDONALD brings to the Agency a fresh perspective on issues and challenges facing the Agency. He has experience with Homeland Security, and Civil Defense initiatives which will help build the capacity and strengthen our mission and enhance our capabilities.

Mr. McDonald takes a proactive, can, and will do approach. I am faithful that Mr. MCDONALD is what Customs needs in order to strategically arrive where we should be- as the premiere law enforcement entity protecting our borders and front lines with integrity, service, and honor.

Thank you.



MAJ Vincent SN Perez

BARRIGADA

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

July 6, 2016

Honorable Thomas C. Ada,
Chairman, Committee on Transportation,
Infrastructure, Lands, Border Protection,
Veterans' Affair, and Procurement
I Mina'trentai tres na Liheslaturan Guåhan
Hagåtña, Guam 96910

GUAM LEGISLATURE
CENTRAL FILES

ACKNOWLEDGEMENT RECEIPT
Received by: AB
Date: 11:00 AM
for: 7-15-16

Re: Appointment of James T. McDonald to serve as Director, Guam Customs & Quarantine Agency

Mr. Chairman and Members of the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affair, and Procurement *Buenas yan Saludu para todos hamyu!* Vice Mayor Jessie P. Bautista and I, together with members of the Barrigada Municipal Planning Council submit testimony in support of James T. McDonald, to serve as the Director of the Customs and Quarantine Agency of Guam.

We know Jimmy to be an energetic and goal oriented individual who is always focused on programs and projects that he undertakes. Furthermore, Jimmy has established a network of resources and has developed an understanding with the government needs and demands throughout Guam, the Commonwealth of the Northern Mariana Islands (CNMI), Micronesia, inclusive of the Federated States of Micronesia, the Republic of Palau, and the Republic of the Marshall Islands (RMI).

With his leadership, we know that Guam's Customs and Quarantine Agency will continue to be Guam's First Line of Defense, Protecting our Island, our People and our Resources. We are also confident that he will develop a management team that will continue to develop better relationships with the Mayors Council of Guam, key government leaders, community partners and media in our region.

Mr. Chairman, Members of the Committee, we look forward to your Committee's favorable report and *I Liheslaturan Guahan's* confirmation of Mr. James T. McDonald to serve as the Director of the Guam Customs and Quarantine Agency.

Sinseraamente,


JUNE U. BLAS
Mayor


JESSIE P. BAUTISTA
Vice Mayor

MAR R. RIVO
P.O. BOX 11703
YIGO, GUAM 96929

July 18, 2016

Honorable Senator Thomas C. Ada
Chairman, Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
33rd Guam Legislature
155 Hesler Place, Suite 107
Hagatna, Guam 96910

Subject: Confirmation Hearing for Mr. James T. McDonald
Ref: Director of Guam Customs & Quarantine Agency

Buenas yan Hafa Adai! My name is Mar R. Rivo and I am a former colleague and friend of Mr. James T. McDonald. I am providing this written testimony in support of his appointment to serve as the Director of the Guam Customs & Quarantine Agency.

Mr. McDonald and I joined the Department of Public Safety (DPS), currently known as the "Guam Police Department", in early 1981. We are both alumni of the Department of Public Safety's 21st Police Recruit Training Cycle, having graduated in October 1981. This encounter marked the beginning of a long-time friendship between us.

On a professional level, I have worked alongside Mr. McDonald as a police recruit and as a patrolman with the DPS for several years. As a police officer, he has undertaken undercover assignments targeting drug traffickers and illegal gamblers. As a patrolman, he roamed the streets ensuring the safety of the community. As I have seen, Mr. McDonald has proven to be a good, aggressive, and dependable police officer.

Mr. McDonald separated from DPS after several years of service and transferred to the Guam Customs and Quarantine Agency (GCQA) as a Customs Officer to broaden his experience in law enforcement. Although his service with DPS was short, I have encountered many people who describe Mr. McDonald as a friend, coworker, and a team player. I can say without reservation that he is a man with honesty, integrity, an individual who commands respect, and a man of few words, but with plenty of actions and a "can do" attitude. Mr. McDonald pursued his career with GCQA and subsequently retired from the agency holding a management position after having served 23 years of government service.

While I was employed as one of the senior staff officers performing as a Division Chief with the Guam Police Department (GPD), I have had several opportunities to experience the cooperation and support that GPD received from the GHS/OCD under the leadership of Mr. McDonald in terms of training, communications equipment, logistical support and transportation.

Honorable Senator Thomas C. Ada
Chairman, Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
Date: July 18, 2016

Page: 2

Subject: Confirmation Hearing for Mr. James T. McDonald
Ref: Director of Guam Customs & Quarantine Agency

Mr. McDonald is no stranger to the Director's position with GCQA, especially after serving in an acting capacity during his 23 years of service with GCQA. Given his prior experience with GCQA, I believe Mr. McDonald will be a strong and effective leader who will make improvements for the betterment of the agency and the community.

After a short taste of retired life, Mr. McDonald's returned to government service through his appointment by Gov. Eddie Calvo to fill an Administrator's position at the Guam Homeland Security/ Office of the Civil Defense (GHS/OCD). So what would compel a man to come out of retirement and give up that irreplaceable time with his family? Knowing Mr. McDonald, it is because he feels he can still make meaningful contributions to the team. That says a lot about Mr. McDonald's character and why I think he will serve our community well.

I would like to thank Senator T.C. Ada and his confirmation committee members for allowing me to provide my testimony in support of Mr. McDonald's confirmation.

Sincerely,


Mar R. Rivo
Police Major (Retired)



CUSTOMS & QUARANTINE AGENCY, GUAM

Guam's First Line of Defense • Protecting Our Island, Our People, Our Resources

Director's Office

*Acting Director – James T. McDonald
Acting Chief of Customs – Major Darlene R. Merfalen*

July 19, 2016

Major Darlene Rose Merfalen, Assistant Chief
Customs and Quarantine Agency, Guam
770 East Sunset Boulevard, Suite 240
Tiyan, Guam 96913
Office: (671) 475-6202
Email: darlene.merfalen@cqa.guam.gov

Written Testimony on James McDonald's Confirmation Hearing as
Director of Customs and Quarantine Agency

Hafa Adai,

Good Evening Mr. Chairman, Senator Tom Ada and Senators. I am here before you to provide an oral and written testimony in support of James McDonald's confirmation as the Director of Customs and Quarantine Agency of Guam.

James McDonald and I began our law enforcement career as police officers with the Department of Public Safety known now as the Guam Police Department. We were beat cops patrolling on motorcycles assigned to the Neighborhood Patrol. After serving more than (5) five years in the police department, James and I transferred to the Department of Commerce and became Customs Officers in 1982. I left the Customs service after (1) year to work in the private sector but James remained.


Upon my return to Customs service in 1989, James was still with the agency and came up the rank and file as an Assistant Chief. I have served under his command as a Customs Officer I, II, III up to the rank of Customs Officer Supervisor. While working with him, he displayed professionalism when interacting with the public and with other officers. He showed tenacity when adversity confronted him. He made wise decisions focusing on the mission of the Agency. When warranted, he was fair and impartial to the officers when administering disciplinary action.

He showed empathy to officers and civilian employees experiencing personal hardship. He respected the opinions of others even when he disagreed keeping in mind the goals and objectives of the Agency. His long experience in Customs and his vast knowledge in Customs work brought him all the way to the top as the Acting Director prior to his retirement.

After his retirement from Customs service, James was appointed as Guam Homeland Security Advisor. Later, he was appointed as the Administrator of Civil Defense and at the same time, Director of the Mariana Regional Fusion Center. Just by coincidence, the Director of Customs assigned me to the Mariana Regional Fusion Center representing Guam Customs. At the Fusion Center, I was trained to be an Intelligence Analyst. While attending a Fusion Center Conference with James McDonald in Virginia in an open forum, James was recognized by the Director of the Fusion Center of Leaders for the hard work and good job that Guam was performing in combating terrorism and transnational crimes. There were previous directors before James McDonald that were assigned to get the Mariana Regional Fusion Center up and running but failed. However, James McDonald got the Mariana Regional Fusion Center staff from various law enforcement agencies, got them trained with the Basic Intelligence Threat Analysis Course as required by DHS and afforded them with numerous trainings. He completed the construction of a secured room as required by DHS. He completed the renovation of (8) work stations for the full time MRFC personnel. He hosted the first Mariana Regional Fusion Center Conference in Guam having law enforcement and Oceania officials from the Asia Pacific region.

His (21) twenty one years of Customs service and (34) years of government service, James McDonald continues to devote his dedication and loyalty to the people of Guam as a public servant. In conclusion, I am in favor and in full support on the confirmation of James McDonald to be the Director of Customs and Quarantine Agency, Guam.

Thank you,


MAJOR DARLENE R. MERFALEN
Acting Chief of Customs



CUSTOMS & QUARANTINE AGENCY, GUAM

Guam's First Line of Defense • Protecting Our Island, Our People, Our Resources

Logistics and Support division

*Acting Director – James T. McDonald
Acting Chief of Customs – Major Darlene R. Merfalen*

July 19, 2016

The Honorable Thomas C. Ada
Assistant Majority Leader, 33rd Guam Legislature
Chairman, Committee on Transportation,
Infrastructure, Lands, Border Protection,
Veterans' Affairs and Procurement
Ste. 207 Ada Plaza Ctr.
173 Aspinall Ave.
Hagåtña, Guam 96910

**RE: *Support for the Appointment of James T. McDonald as the Director of Customs
(Written Testimony)***

Dear Senator Ada,

Buenas yan Hafa adai. Good evening Mr. Chairman and other distinguished members of the 33rd Guam Legislature. My name is Paul J. Toves, Assistant Chief of Customs for the Customs and Quarantine Agency. I am submitting this written testimony in support of Mr. James T. McDonald's appointment and confirmation as the Director of the Customs and Quarantine Agency, Government of Guam.

I have been employed with Customs for over 32 years, and through my tenure I have had the distinct honor of working with Mr. McDonald as a front line inspector, a manager, and even as my supervisor during his term as the Director back in 2001-2002. Throughout this time, Mr. McDonald has consistently proven to be a true public servant... dedicated to the people he serves and his oath to protect the People of Guam from the dangers that threaten our island, our people, and our resources.

With the many challenges faced by Customs today, we are continually striving to meet the growing demands placed upon the agency. Challenges such as an expanding globalized economy and international trade, increasing flights, passengers, and cargo, expanding mission mandates and areas of enforcement, increasing threats of terrorism, more sophisticated and organized smuggling techniques, increasing public demand for greater protections, and at the same time, dwindling funding and resources. With these challenges, as well as the retirement of our previous Chief of Customs, the Agency is in dire need of a leader that can seamlessly transition into the department and immediately continue forward with not only the work in progress, but the improvements that are needed to conquer the challenges we are facing. I am confident that Mr. McDonald is the right man, at the right time, for this job.

With over 23 years of customs experience, together with more than 5 years of managing several highly critical government organizations for the past several years, Mr. McDonald is ideal to what the agency needs at the helm of its leadership today... someone with firsthand

knowledge about the culture and dynamics of the agency, skilled with handling the diverse challenges we face at all levels of the organization, internally and externally, the experience of knowing where we came from, where we are today, and what our vision is for customs and the future of Guam... and the ability to take us there.

It is for these reasons that I humbly submit my testimony to this esteemed body, and kindly request your consideration for the favorable approval of James T. McDonald as the next Director of the Customs and Quarantine Agency. Thank you for your kind attention and understanding.

Sincerely,



PAUL JAMES TOVES
Assistant Chief of Customs



CUSTOMS & QUARANTINE AGENCY, GUAM

Guam's First Line of Defense • Protecting Our Island, Our People, Our Resources

*Special Enforcement Division/
Bio Security Task Force*

*Acting Director – James T. McDonald
Acting Chief of Customs – Darlene R. Merfalen*

July 15, 2016

Honorable Thomas C. Ada
Assistant Majority Leader
Suite 207, Ada Plaza Ctr.
173 Aspinall Ave.
Hagatna, Guam 96910
Ph: (671) 473-3301
Fax: (671) 473-3303
E-mail: office@senatorada.org
Web: www.senatorada.org

Subject: Confirmation Hearing for Director of Guam Customs and Quarantine Agency
Re: James T. McDonald

Hafa Adai Senator Ada,

I am writing you this letter to render my support for the confirmation of Mr. James T. McDonald, as the Director of Guam Customs and Quarantine Agency.

During my tenure in Customs, and in going up through the ranks to my present Customs Supervisory position, Mr. McDonald was instrumental in my successes through his advisement, dissemination of knowledge, and expertise on the field, which has led me to where I am at today. In addition, these same qualities have often been observed in other Customs Officers as well to which he has affected through his leadership and tutelage.

These are the same type of characteristics and qualities that we, officers of Customs, are in need of. Mr. McDonald has proven himself through his professional demeanor and leadership abilities throughout his years with Customs. Further, Mr. McDonald's aptitude for sharing his invaluable experiences, commitment, and dedication to protect our island and people certainly began during his term as a Guam Police Officer, and during his Customs, demonstrated his trustworthiness, fidelity, and dependability of our Guam leaders as he was appointed to the Department of Homeland Security as an advisor in furtherance of protecting and defending the very fiber and essence of our lifestyle

It is only right that Mr. McDonald, a proven son of Guam, be confirmed as our Director of the Customs and Quarantine Agency to continue his legacy of servitude and dedication to our people. It is our hope that the officers and administration staff of this agency reap the benefits of such a leader so that we are fortunate enough to emulate these same talents to pass on to others.

Sincerely,

LT. Gabriel V. Cruz
Customs Supervisor, ICD

Testimonio Para UN Konfit'ma

Unarabli

James T. Mc Donald

Kumu Direktot

Ahensia Reditu yan Quarantian

19 July, 2016

**Buenas yan Hafa Adai Senadot Tomas Castro Ada yan I Man
Membron I Komitea,**

**Finenena' Ya-hu Para Bai Introdusi Maisa Yu antes di hu tutuhon
hafa para UN Sagan hafa para bai Sagan, Guahu si Jake Cruz
Residenten Guahan, gi Dededu 43 anos, Mas Ma Tungo Yu Tat
Kumu Si "RAMBO."**

**Putfin maila ya bai sagan hamyo todos dedi' put si James Mc
Donald. Hu sen tungo si James T. Mc Donald Mas Di Tentai Tres
Anos. Disdi annai ha tutuhon gi Ahensia Reditu Yan Kuarate'an,
gi duranten I fina' che'cho-na bula na taotaogues ma ayuda gi
halom Komunitat Guahan, yan Pumalu siha na San kattan islas
Marianas, yan enteru mundo.**

Hafa Adai Senator Tom Castro Ada and Your Committee, I come here today to offer Testimony in favor of James T. Mc Donald's Appointment to The Custom's and Quarantine Director. I have known James Mc Donald both Personally, and Professionally for Nearly 33 Years, Since his Humble Beginnings of being a Custom's officer, and Rising up the Ranks as Major, then Ultimately being appointed by then Hon. Governor Carl Taitano Cruz Gutierrez, as Director of Custom's. I want to thank Hon. Governor Eddie Baza Calvo, yan Lieutenant Governor Ray S. Tenorio for Having Faith and Trust in Mr. Mc Donald in Bringing back the Agency (Custom's and Quarantine), back to Basics. Mr. Mc Donald would get things done, to ensure that our Ports of Entry are not Compromised, at the same time he will bring the Same Teachings his Parents had Taught him to be Respectful, and more so be Compassionate as to whatever he does, and he will bring the Morale of Custom's up. I am not saying that the Morale is down, but he would Recognize individuals and applaud them for their efforts. He has also demonstrated a "Can Do" attitude, and a willingness to improvise, and make things happen even with the limited resources the government of guam provides,

he goes out to individuals within the Community and brings them together as Partner's within Custom's and Quarantine. Most Notably during his brief tenure as Deputy Director of The Bureau of Statistics and Plan's he has brought his Compassion and willingness to learn about different grants and other parts which affect our everyday life i.e. (NOAA, Coastal, Census, Coral Reef, Pig Hunting Derby, and the Pork in The Park, "Residential Substance Abuse Training, (RSAT), and Many other grants that the Bureau of Statistics and Plans manage. Under The Leadership of William Castro, The Current Director of Bureaus of Statistics and Plans and Mr. James T. Mc Donald Guam Showed Exemplary and Demonstrated The Guam "HAFAADAI", - WELCOMING ALL VISITORS ENTHUSIASTICALLY", and Showing The Spirit of Inaguaiya yan Ina'famaolek to Our FESTIVAL OF PACIFIC ARTS DELEGATIONS Namely Wallis and Futuna Delegation, and Many Many Other Delegations. At the end of the 2 week period we were all saddened that our Delegations had to leave. The Festival of Pacific Arts Came and Went to Fast. Now No More Festival Village Activities and other activities within our Communities.

Senator Tomas Castro Ada, I humbly Seek your Support along with your Committee, Once The Confirmation Hearing is Completed, and after hearing overwhelming Testimony in Favor of Mr. James Mc Donald I humbly ask that your Office Prepare the Committee Report, and Place on The Session First Reading file at the Next Regular Session and Vote in Favor of The. Hon. James T. Mc Donald as the Director of the Guam Custom's and Quarantine Agency, Ahensia Reditu yan Quarantian, he is the Best Choice, and Best Individual To Fulfill the Missions and Objective of Protecting our Ports of Entry, From the Antonio Borja Won Pat Guam International Airport Authority, and The Jose D. Leon Guerrero Port Authority of Guam.

He will be A Champion in bringing Comradeship and bringing the Morale up, and looking out for the Best Interest of the Agency and his Entire Staff...

Un Dangkulu yan Sinsero Na Si Yuus Ma'ase para l
Opurtunidad..

Saina Ma'ase

Biba Ahensia Reditu yan Quarantian

Biba Guahan

Biba James T. Mc Donald

Jake Cruz

165 South Gabgab Court Dededu Guahan 96929

team5andahalfstar@gmail.com

671-971-9585

Confirmation Hearing for Mr. James T. McDonald

August 19, 2016 at 1700 hours

at the Guam Legislature Public Hearing Room

Written Testimony of Major Philip S.N. Taijeron , Jr.

Guam Customs and Quarantine Agency

Hafa adai Senators, Acting Director McDonald, fellow Customs Officers, and all others present. I am Major Philip S.N. Taijeron Jr. I am an Assistant Chief of the Customs and Quarantine Agency. I have 27 years of extremely fulfilling service with Guam Customs. I am here this evening to provide oral and written testimony in support of the confirmation of Mr. James T. McDonald for the position of Director of the Guam Customs and Quarantine Agency.

Jim is not new to our agency or the work that we perform at the border. He worked alongside us for 23 years up until the point of his retirement from the Customs Agency. A strong passion for Government service drives this individual. This is apparent from the numerous leadership positions he has most recently held. He was the Guam Homeland Security Advisor, Office of Civil Defense Administrator, Marianas Regional Fusion Center Director, and the Deputy Director for the Bureau of Statistics and Plans.

Today, Jim seeks confirmation from this Honorable body of Legislators for confirmation as the Director of the Guam Customs and Quarantine Agency; and I ask that you confirm him and give him the opportunity to continue the momentum of positive change that he has already initiated in his short time as our Acting Director. A good leader does not wait until they are confirmed by this body to start spinning the flywheel of positive change. Jim came on board early June, and performed what any good leader does. He observed, oriented himself, made a bunch of important decisions and acted.

I made the decision to testify on Jim's behalf after witnessing first hand Jim's decisiveness on important organizational matters. He recognizes immediately the need for decisions on make or break issues and he takes action. In his short time Jim initiated the following:

1. Frequent field visits to all border inspection work stations, specialized field work areas, and administrative support offices
2. Jim directed the gathering of time-in-service data for all Customs Officers Is and ordered the development of a plan to promote all eligible CQIs once he has identified the funding
3. He reinvigorated the Agency Awards and Recognition Program and by weeks end we should recognize and award our outstanding employees
4. Jim also directed the development of an Ethics Training and is finalizing the establishment and publication of our Organization's Core Values
5. He successfully coordinated the introduction of statute that provided for the Hazardous Duty Pay differential for CQA employees engaged in unavoidable hazardous duty conditions this is representative in Bill 351-33
6. He directed the immediate assessment of Customs officer personnel allocations to re-allocate Customs officer assignments to border inspection work stations experiencing officer shortages
7. Jim directed our BioSecurity Task Force to enhance efforts to ensure the protection of our community and farmers from invasive pests and AgroTerrorism; AND to expand our Agriculture Security Intelligence Alerts to include the Business and Trade stakeholders engaged in Import or Export activities in order to bring our BioSecurity efforts full circle and (to begin the dialogue necessary to set in motion Guam "Food Security Programs")
8. He also directed the development of a plan to collect cost-recovery charges from all transiting passengers who use Guam Customs Services—this is an outstanding issue and has resulted in a conservative estimate of 3 million dollars in lost revenue to the Government of Guam
9. He also directed the completion of the development of a 21-year drug Seizure report and a 5-year Guam Customs Contraband Seizure Report to

perform data analysis and qualify observations of border porousness and vulnerability to smuggling, transnational crime, revenue losses, and terrorism

10. He directed the continuous efforts of the Contraband Enforcement Team's pursuit to officially establish the Office of Intelligence. This office is vital to contraband smuggling intelligence sharing as well as other high-end internal intelligence products
11. Jim directed the refocus of Customs officers and employees and emphasized the RETURN TO increased vigilance and attention to indicators of transnational Terrorism, AgroTerrorism, and Homegrown Terrorism
12. Jim directed the commencement of research to determine the potential for Guam's overburdened Law Enforcement Team to avail itself of HIDTA funding. A High Intensity Drug Trafficking Area designation provides Federal Funding and Federal Personnel support to mitigate high drug trafficking areas
13. He also directed our K9 leadership team to develop a plan to initiate training and acquisition of detector dogs to expand our security layer at the border to include Guam Customs' explosive dogs to be used in our Commercial Port Operations area
14. Jim also directed us to move forward with the acquisition and training of Currency dogs in order to detect bulk cash smuggling to further disrupt the financial conduits supplying and fueling our drug problem
15. Jim also urged our Management Team to investigate the availability of Department of Homeland Security Grants to construct the Customs House Headquarters and the accompanying support facilities
16. Last but not least, Jim continuously expresses his concerns about the increasing costs Guam's import/export industry is exposed too; Jim brought

to light the impact and financial burden Guam Customs imposes on the business and trade industry by allowing highly compensated officers of the Customs Agency to participate in Off Duty Service Charges. The current Acting Chief and some Assistant Chiefs charge their high-rates to importers and customers who use this service. As an Assistant Chief, I do not engage in this activity and in alignment with the concerns of our Acting Director, I support the enactment of statutory amendments that remove Acting Chiefs and Assistant Chiefs from performing Off Duty Services. Through this amendment of statute our import industry would be better served

Considering these immediate directives and the constant reinforcement on Terrorism -- Supporting Jim as our Director is the right thing to do and propels us in the right direction. It looks like it is going to be an exciting time – and I chance to market this era of Customs, even as *premature* as I may be accused, as an era of “Guam Customs Renaissance”.

Please confirm Jim McDonald as the Director for the Customs and Quarantine Agency. Honorable Chairman and Senators if there are no questions of me; I thank you for your time.



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: royfongguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator

Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

June 10, 2016

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 Thomas C. Ada
Acting Chairperson of the Committee on Rules

Legislative Secretary
Tina Rose Muna Barnes
Member

Subject: Referral of Appointment 

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

Senator
Dennis G. Rodriguez, Jr.
Member

Appointee: James T. McDonald
Position: Director, Guam Customs & Quarantine Agency

Senator
Frank Blas Aguon, Jr.
Member

For a copy of Mr. McDonald's appointment packet, please visit the Guam Legislature's website at www.guamlegislature.com. Under the "Reports" menu select the "Messages & Communications" option and refer to:

Senator
Michael E.Q. San Nicolas
Member

"Doc. 33GL-16-1695: Governor's message transmitting the appointment of James T. McDonald, to serve as Director, Guam Customs & Quarantine Agency."

Senator
Nerissa Bretania Underwood
Member

Please ensure that the subject appointment is referred, in my name, to **Senator Thomas C. Ada, Chairperson of the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement**. I also request that the same be forwarded to all Senators of *I Mina'trentai Tres Na Liheslaturan Guåhan*.

V. Anthony Ada
MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

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

Si Yu'os ma'åse'!

I Mina'Trentai Tres Na Liheslaturan Guahan
Appointment Log Sheet

Date Received	M&C No.	Appointee	Position	Agency	Appt. Date	Term Length	Committee Referred	Date Referred	PH Date	CR Filed	Confirmed	Notes
06/09/16	33GL-16-1695	James T. McDonald	Director	Guam Customs & Quarantine Agency	05/25/16	To serve at the pleasure of the Governor	Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement	06/10/16				



Office of
Senator Tom Ada

1st Notice of Confirmation / Public Hearing: Tuesday, July 19, 2016 at 5:00 p.m.

Charlene Flores <flores@senatorada.org>

Tue, Jul 12, 2016 at 9:08 AM

To: Media <media@senatorada.org>, phnotice@guamlegislature.org, james.mcdonald@cqa.guam.gov, john.camacho@revtax.guam.gov, Maria Flores <maria.flores@revtax.guam.gov>, jmcDonald@guamsupremecourt.com, jtenorio@guamcourts.org, justice@guamsupremecourt.com, info@guambar.org, Glenn LG <glenn.leonguerrero@dpw.guam.gov>, chief@gpd.guam.gov, pio@gpd.guam.gov, joey.sannicolas@gfd.guam.gov, "Alan G. Van Aken" <agunner77@teleguam.net>, bjmerenda@yahoo.com, Daniel Mendiola <dmendiola@teleguam.net>, moptf@ite.net, ttsguam@hotmail.com, jgriver1949@gmail.com, "Joseph C. San Nicolas" <joe_kamudo@yahoo.com>, jacerteza@yahoo.com, Diron Cruz <diron.cruz@hotmail.com>, Marlene Slomka <marlene.slomkams@gmail.com>, bcpeagle69@gmail.com, Rodney Cruz <rodneycruzjr@hotmail.com>, alegionguam@yahoo.com, Stan Ko <stanstw@hotmail.com>, lester.stahl@va.gov, cil_m@hotmail.com, Daniel Perez <danperez671@gmail.com>, mmendiola159@gmail.com, David Ehlers <ehlersd58@gmail.com>, Daniel Mendiola <asuliyanchada@gmail.com>, Green Valor <greenvalor22@gmail.com>, Barry Mead <bigb@teleguam.net>, columbus@kuentos.guam.net, afcmstg24@yahoo.com

July 12, 2016

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*

Subject: **1st Notice of Confirmation / Public Hearing: Tuesday, July 19, 2016 at 5:00 p.m.**

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affair, and Procurement will be conducting a confirmation/public hearing on **Tuesday, July 19, 2016 at 5:00 p.m.** This meeting will take place in the public hearing room of *I Liheslaturan Guahan*. The agenda is as follows:

5:00 PM

Executive Appointment of **Mr. James T. McDonald** to serve as the **Director** of the **Guam Customs & Quarantine Agency**.

Bill No. 333-33 (COR) – F.B. Aguon, Jr. / T.C. Ada

An act to add a new § 3101.4 of Chapter 3, Article 1, Title 16, and to amend § 57100 of Chapter 57, Title 10, of Guam Code Annotated, and to require quarterly reports be transmitted to *I Maga'lahren Guåhan* and the Speaker of *I Liheslaturan Guåhan* of the same, relative to the voluntary placement of a distinguishing mark for Guam Veterans on the Guam driver's licences and the Guam identification card.

Bill No. 334-33(COR) – T.C. Ada / F.B. Aguon, Jr. / T. R. Muña Barnes

An act to add a new § 7120.5 to Chapter 7, of Title 16, Guam Code Annotated and to appropriate the sum of three thousand dollars (\$3,000), relative to special recognition veterans license plates.






Bill No. 342-33 (COR) – J.V. Espaldon / F.F. Blas, Jr. / F.B. Aguon, Jr.

An act to establish an automated traffic safety enforcement program on designated Guam highways.

Testimony on the **Executive Appointment of Mr. James McDonald, Bill No. 333-33 (COR), Bill No. 334-33 (COR), and Bill No. 342-33 (COR)** should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **4:00pm Tuesday, July 26, 2016**. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Tom Ada at 473-3301.

--
Charlene Flores
Policy Analyst
Office of Senator Thomas C. Ada
I Mina'trentai Tres na Liheslaturan Guåhan - 33rd Guam Legislature
671-473-3301

5 attachments

-  **1st Notice.pdf**
413K
-  **Doc No. 33GL-16-1695.pdf**
8293K
-  **Bill No. 333-33 (COR).pdf**
221K
-  **Bill No. 334-33 (COR).pdf**
129K
-  **Bill No. 342-33 (COR).pdf**
1247K



Sen. Thomas Ada


Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Liheslaturan Guåhan • 33rd Guam Legislature

July 12, 2016

MEMORANDUM

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Senator Tom Ada

Richard Salas <rsalas@senatorada.org>

2nd Notice of Confirmation / Public Hearing: Tuesday, July 19, 2016 at 5:00 p.m.

1 message

Charlene Flores <flores@senatorada.org>

Fri, Jul 15, 2016 at 8:38 AM

To: Media <media@senatorada.org>, phnotice@guamlegislature.org, james.mcdonald@cqa.guam.gov, john.camacho@revtax.guam.gov, Maria Flores <maria.flores@revtax.guam.gov>, jmcdonald@guamsupremecourt.com, Joshua Tenorio <jtenorio@guamcourts.org>, justice@guamsupremecourt.com, info@guambar.org, Glenn LG <glenn.leonguerrero@dpw.guam.gov>, chief@gpd.guam.gov, pio@gpd.guam.gov, joey.sannicolas@gfd.guam.gov, "Alan G. Van Aken" <agunner77@teleguam.net>, bjmerenda@yahoo.com, Daniel Mendiola <dmendiola@teleguam.net>, moptf@ite.net, ttsguam@hotmail.com, jgriver1949@gmail.com, "Joseph C. San Nicolas" <joe_kamudo@yahoo.com>, jacerteza@yahoo.com, Diron Cruz <diron.cruz@hotmail.com>, Marlene Slomka <marlene.slomkams@gmail.com>, bcpeagle69@gmail.com, Rodney Cruz <rodneycruzjr@hotmail.com>, alegionguam@yahoo.com, Stan Ko <stanstw@hotmail.com>, lester.stahl@va.gov, cil_m@hotmail.com, Daniel Perez <danperez671@gmail.com>, mmendiola159@gmail.com, David Ehlers <ehlersd58@gmail.com>, Daniel Mendiola <asuliyanchada@gmail.com>, Green Valor <greenvalor22@gmail.com>, Barry Mead <bigb@teleguam.net>, columbus@kuentos.guam.net, afcmstg24@yahoo.com

July 15, 2016

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*

Subject: **2nd Notice of Confirmation / Public Hearing: Tuesday, July 19, 2016 at 5:00 p.m.**

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5:00 PM

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Charlene Flores
Policy Analyst
Office of Senator Thomas C. Ada
I Mina'trentai Tres na Liheslaturan Guåhan - 33rd Guam Legislature
671-473-3301

 **2nd Notice.pdf**
427K



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guahan • 33rd Guam Legislature

July 15, 2016

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Public Hearing Notice Listserv
phnotice@guamlegislature.org (Media, All Senators, and Staff)

Updated: June 30, 2016

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Public Hearing Notice Listserv
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Updated: June 30, 2016

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Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Liheslaturan Guåhan • 33rd Guam Legislature

AGENDA

CONFIRMATION / PUBLIC HEARING

Tuesday, July 19, 2016

Public Hearing Room, *I Liheslaturan Guåhan*

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Committee on Transportation
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