

DIRECTOR
Eric D. Miller



ADMINISTRATIVE DIRECTOR
Bernadette S.N. Chargualaf

PUBLIC DEFENDER SERVICE CORPORATION
(Kotperasion Setbision Defensot Pupbleku)

GOVERNMENT OF GUAM
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William B. Jones
J. Robert Mortland, III

September 29, 2014

Hand-Delivered


Speaker Judith T. Won Pat, Ed. D.
I Mina' Trenta Dos Na Liheslaturan Guahan
155 Hesler Place, Suite 201
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Pursuant to §8113.1 of Chapter 8 Title 5 GCA, enclosed you will please find three (3) compact discs containing electronic files of the meeting packets of the Public Defender Service Corporation Board of Trustees' meetings conducted on July 29, 2014, August 27, 2014 and September 16, 2014.

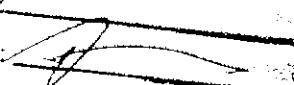
We appreciate your attention to this matter, and look forward to answering any questions you may have in this regard.

Sincerely,


BERNADETTE S.N. CHARGUALAF
Board Secretary

2014 SEP 29 PM 4:33

32-14-2069
Office of the Speaker
Judith T. Won Pat, Ed.D.

Date: 29 SEPTEMBER 2014
Time: 4:14
Received By: 

2069

PUBLIC DEFENDER SERVICE CORPORATION
Board of Trustees Regular Meeting
Tuesday, July 29, 2014
Conference Room,
Public Defender Service Corporation
12:30 p.m.

A G E N D A

- I. Call to Order**
- II. Roll Call**
- III. Proof of Due Notice of Meeting:**
 - 5 Working Days Notice: Marianas Variety, Tuesday, July 22, 2014
 - 48 Hours Notice: Marianas Variety, Friday, July 25, 2014
- IV. Determination of Quorum**
- V. Approval of Minutes:** (Regular Meeting of June 24, 2014)
- VI. Old/Unfinished Business:**
 - A. Financial Status Update (PDSC and APD Allotment Releases)
 - B. Domestic Violence Program Update
 - C. Alternate Public Defender Update
 - D. PDSC Director's Performance Review
- VII. New Business:**
 - A. Implementation of Competitive Wage Act of 2014 (CWA):
Pay Period Beginning August 10, 2014
 - B. Results of Grant-Writing Research
 - C. Diversity Training for PDSC Employees
- VIII. Public Discussion**
- IX. Executive Session**
- X. Adjournment and Next Meeting Date**

Father, son, squadron team renovate Chagui'an memorial



Contributed photo

Jackson Umlauf and his father, Maj. Kurt Umlauf, 36th Munitions Squadron operations officer, brought together the 36th MUNS Airmen and Boy Scouts of America Troop 1420 to update the memorial site.

(36TH WING) — Members from the 36th Munitions Squadron and Boy Scouts of America Troop 1420 were recognized for their efforts in renovating the forgotten Chagui'an Massacre Memorial site during a memorial ceremony in Yigo on July 14.

Due to the fact that there were no survivors of the massacre, little is known about what actually happened in the Chagui'an Massacre. It was documented in a military report that on Aug. 8, 1944, a patrol of U.S. Marines discovered the decapitated bodies of 45 Chamorro men at Chagui'an in Yigo. The story of these men was forgotten until 2004 when students

from the University of Guam came across journals of Japanese officers telling the tale.

The first memorial ceremony for the Chagui'an Massacre was held in 2008. At the time, no monument was at the site and the site itself was difficult to find. After Troop 1420 Boy Scout Jackson Umlauf attended the memorial ceremony in 2013, he thought more could be done to honor those who lost their lives during the massacre.

Jackson Umlauf and his father, Maj. Kurt Umlauf, 36th Munitions Squadron operations officer, brought together the 36th MUNS Airmen and Boy Scouts of America Troop 1420 to update the memorial site.

More than 400 hours of work went into the beautification of the site. As Yigo's sister squadron, the members of the 36th MUNS worked to improve the site alongside the scouts, who ranged in ages from 9 to 15.

Partners

The Sister Squadron-Sister Village Program partners a squadron from Andersen Air Force Base with a local village to develop relationships between the base and the local community.

"The squadron supported the project by providing volunteers," said the major. "Jackson created a schedule of sessions both on- and off-site to keep the project moving forward as funds

were streaming in and materials were becoming available."

After five months of planning and two months of labor, the memorial was completed in time for this month's ceremony. Along with cleaning up the site, the team created four planter boxes and two garbage receptacles, planted a memorial garden, installed a memorial stone with an inscription and added two concrete benches. They also installed a series of informational street signs to lead guests from Marine Corps Drive to the memorial site.

"I'm very proud to have made such an impact; it first hit me when people were thanking us for installing the informational

signs on Marine Corps Drive," said Jackson Umlauf in regards to helping point people in the direction of the ceremony, which was tucked away off the regularly beaten path.

In his closing remarks during the ceremony, Rudy Matanane, mayor of Yigo, thanked Jackson, his family, and the 36th MUNS for their efforts.

"Their spirits of cooperation and volunteerism has made this village sister command relationship work as a true family unit," said Matanane. "We thank you, airmen, for a job well done."

(By Senior Airman Katrina M. Brishin, 36th Wing Public Affairs)

NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct a regular meeting on **Tuesday, July 29, 2014 at 12:30 p.m.** in the Conference Room of the Public Defender Service Corporation, located at the MVP Sinajana Commercial Building, Unit B, 779 Route 4, Sinajana, Guam 96910.

Copies of the agenda will be available prior to the meeting at the Public Defender Service Corporation (address above).

Individuals requiring special accommodations are asked to contact Mrs. Bernadette S.N. Chargualaf at 475-3100.

/s/ CHIEF JUSTICE ROBERT J. TORRES, JR.
Chairman

This public notice is paid for with government funds administered by the Public Defender Service Corporation.

MRE partners with firm for solar project

By Louella Losinio
louella@mvguam.com
Variety News Staff

MICRONESIA Renewable Energy Inc. (MRE) has announced a partnership with SUNNOVA for Solar4All, marking the island's first zero-money-down solar energy service program for residential homeowners, according to a release from the company.

The group will be launching the project tomorrow at the MRE office in Tamuning to provide homeowners with an alternative, cleaner power generation system that would facilitate savings.

Under the Solar4All project,

MRE will install the system for free and also provide maintenance for the life of the agreement. In addition, MRE will also dispatch a crew should issues arise with the system to get it back online immediately.

For its part, SUNNOVA will remotely monitor the system to ensure peak performance. Under the program, eligible homeowners simply pay monthly fees for solar power but at lower rates than they are currently paying for power. Moreover, customers can "lock in" the lower electricity rates for the duration of the contract.

Aside from the potential

savings and the zero down offer, homeowners can also increase property values and reduce their carbon footprint by having a system installed.

MRE specializes in the development, design, engineering, procurement and construction of renewable energy infrastructure and alternative energy solutions.

SUNNOVA is a solar power company providing nationwide coverage with local-minded service to thousands of homes across the United States. Its mission is to be the most reliable and efficient provider of low-cost solar power to homeowners.

Watchdog group says archbishop's behavior was 'dangerous'

By Jasmine Stole
jasmine@mvguam.com
Variety News Staff

ARCHBISHOP Anthony Apuron continues to be criticized by leaders of the Survivors Network of those Abused by Priests (SNAP).

The group that recently publicized molestation accusations against Rev. John Wadeson, who until Tuesday was serving under the Agana Archdiocese, released another statement calling Apuron's behavior "dangerous."

According to Joelle Castiex, SNAP western regional director, Apuron knew Wadeson was a predator and had been banned from Los Angeles, California.

"But (Apuron) simply didn't care," she said. "That behavior is unacceptable, reckless and against common morality."

SNAP Outreach Director Barbara Dorris said Apuron


acted "like a bully" when local Catholics became upset upon learning about Wadeson being allowed to work on Guam. Dorris said Apuron defended a banned priest and silenced his critics.

Wadeson was removed from the Archdiocese of Agana on Tuesday, according to an announcement in a public statement from the Archdiocese of Agana. Since then, the archdiocese has not commented about the accusations against Wadeson or his future.

However, Wadeson told other local media that the accusations against him were lies about him and Apuron. These comments are hurtful and self-aggrandizing, SNAP leaders said in a statement. According to the network, Wadeson is headed to California, which is where he had been stationed as an incardinated priest under the Agana Archdiocese.




Photo shows Archbishop Anthony Apuron and the embattled Rev. John Wadeson, who until Tuesday was serving under the Agana Archdiocese. Contributed photo



GSA General Services Agency
(Aheralan Betibision Hinael)
Department of Administration
Government of Guam

148 Route 1 Marine Drive, Piti, Guam 96915
Tel: 478-1707-13 Fax: 472-4217/476-1727



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FOR: FABRICATION AND INSTALLATION OF MOVABLE PARTITIONS FOR TWO (2) ROOM CREATIONS WITH DOOR ACCESS

OPENING DATE: AUGUST 8, 2014 **TIME:** 10:00 A.M.

PLACE: GENERAL SERVICES AGENCY, PITI, GUAM CONFERENCE ROOM

INTERESTED PARTY MAY PICK UP FORMS/SPECIFICATIONS AT SAID PLACE

/s/ CLAUDIA S. ACFALLE
Chief Procurement Officer

NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct a regular meeting on **Tuesday, July 29, 2014 at 12:30 p.m.** in the Conference Room of the Public Defender Service Corporation, located at the MVP Sinajana Commercial Building, Unit B, 779 Route 4, Sinajana, Guam 96910.

Copies of the agenda will be available prior to the meeting at the Public Defender Service Corporation (address above).

Individuals requiring special accommodations are asked to contact Mrs. Bernadette S.N. Chargualaf at 475-3100.

/s/ **CHIEF JUSTICE ROBERT J. TORRES, JR.**
Chairman

This public notice is paid for with government funds administered by the Public Defender Service Corporation.

Plea proceedings pushed back for man accused of killing wife

By Gina Tabonares-Reilly
gina@mvguam.com
Variety News Staff

THE change of plea proceedings during which Roland San Nicolas Smith is expected to admit that he murdered his common-law wife was moved to Aug. 12 to provide the parties with more time to finalize some glitches in the plea agreement.

Defense and government lawyers were in the courtroom of Superior Court Judge Vernon Perez yesterday morning but the change of plea proceedings had to be continued to allow Alternate Public Defender Anne Gayle to review the revised copy of the plea agreement submitted by Assistant Attorney General Brian Gallagher.

Smith, who is accused of killing Amanda Tedtao Cruz, was first scheduled to change his plea on April 3 but that hearing was pushed back while the

government attorney tried to contact the family of the victim to inform them of the plea deal.

Smith is accused of beating Cruz with a metal pipe on Oct. 10, 2010. Cruz died from blunt force trauma. When police responded to a domestic violence call in Agat where the couple and their 11-year-old son lived, they found Cruz lying in the master bedroom with her head bleeding profusely.

According to court documents, before Cruz died, investigators managed to get statements from her. She reportedly told police that Smith called her into their bedroom to talk and upon entering the room he started beating her with a pipe.

Smith was also taken to Guam Memorial Hospital for treatment of a laceration to his neck. The defendant tried to commit suicide by inflicting the wounds on himself.

Restraining order

Four years before the tragedy, Cruz had obtained a restraining order against Smith while she was staying at Alee Shelter. She told the court that throughout the eight years they were together, Smith physically, mentally and verbally abused her and her children.

In her March 5, 2006 request for a restraining order, Cruz said Smith threatened to cut her head off and throw it out the window. She said whenever she tried calling the police, Smith would tell her son to disconnect the phone.

"I am fearful that a temporary and permanent injunction is necessary to keep the defendant from coming around me and inflicting more damage, or a possible confrontation with me or other persons living at my home or with me," the victim stated in a March 7, 2006 affidavit.

Kmart cashier arrested for theft

By Gina Tabonares-Reilly
gina@mvguam.com
Variety News Staff

A 43-year-old Kmart cashier was arrested and charged with theft as a third-degree felony after she was caught stealing cash and merchandise from the discount department store.

The cashier, Vicky Lyn

Santos, had been the subject of surveillance by Kmart security.

Kmart security called the Guam Police Department on July 22 and confronted Santos for allegedly pocketing approximately \$780 cash as well as merchandise in May. The total value of the missing items was \$795.98.

During the confrontation with Santos, she reportedly made statements to Kmart security as well as to the police admitting to the theft. Store videos depicting the alleged incidents were given to the police.

Santos was magistered yesterday and is scheduled for arraignment next week.

Marianas Variety-Guam Edition is circulated by home and office delivery, consignments, and vending machines throughout Guam, as mail delivery to the Federated States of Micronesia, the Marshall Islands, South Pacific, Hawaii, Japan and the continental U.S. Daily coverage can also be read from our website www.mvguam.com.

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**PUBLIC DEFENDER SERVICE CORPORATION
BOARD OF TRUSTEES
Regular Meeting
of
Wednesday, June 24, 2014
12:50 p.m.
PDSC Conference Room**

MINUTES

I. CALL TO ORDER:

This meeting was called to order by the Chairman, Chief Justice Robert J. Torres at 12:50 p.m.

II. ROLL CALL:

Present: Presiding Judge Alberto C. Lamorena III
Attorney Cynthia Ecube, Guam Bar Association President
Attorney Donna M. Cruz, Member
Mrs. Annette J. U. Ada, Member

Others Present: Attorney Eric D. Miller, PDSC Executive Director
Attorney Stephen P. Hattori, Alternate Public Defender
Bernadette S.N. Chargualaf, PDSC Administrative Director
Michael S. Moreno, Chief Fiscal Officer
Bernadette L.P. Lizama, Personnel Specialist IV
Julito B. Tingson, Jr., MIS Administrator
Robbie T. Call, Chief Investigator
Cecelia M. Fernandez, Administrative Assistant

III. PROOF OF DUE NOTICE OF MEETING:

“Notice of Public Meeting” was published in Marianas Variety on Tuesday, June 17, 2014 and Friday, June 20, 2014.

IV. DETERMINATION OF QUORUM:

With the presence of four (4) board members, a quorum was determined for this meeting.

V. APPROVAL OF MINUTES: Minutes of the regular board meeting held on Wednesday, June 04, 2014 were adopted and approved, subject to corrections.

VI. OLD BUSINESS:

- A. Financial Status Update (PDSC and APD Allotment Releases):** Chief Fiscal Officer Michael S. Moreno reported that PDSC has received allotments through the first half of June 2014 (95%); allotments for the Alternate Public Defender (APD) were received through the month of June 2014 (3rd quarter, 100%).

- B. **Domestic Violence Program Update:** Program continues its progress. Currently, 2012 STOP funds are being used. FY2013 monies have been approved, and will fund the program through April 2015.
- C. **Alternate Public Defender Update:** APD Attorney Stephen P. Hattori indicated that APD's vacancies for an Attorney IV and a Legal Clerk I remain. Recruitment for both positions is active as of this date.
- D. **PDSC Director's Performance Review:** Executive Director Eric Miller reported on some of the items brought to his attention at a previous meeting. This included the formation of a PDSC Employee Association; a survey was distributed to employees, which came back with a majority of NO votes. Director Miller indicated that the matter will be re-visited in the fall of this year.
- E. **PDSC Drug-Free Workplace Policy Update:** Personnel Specialist IV Bernadette Lizama informed those present that the Memorandum of Understanding with the Department of Administration has been cleared with the office of the Attorney General and is now at the Governor's office for his signature. Presiding Judge Lamorena inquired as to whether any training sessions to educate PDSC employees regarding the policy are planned, to which Ms. Lizama indicated affirmatively.

VII. **NEW BUSINESS:** None.

VIII. **PUBLIC DISCUSSION:** None.

IX. **RECESS OF REGULAR MEETING:**

*** This meeting was recessed at 12:55 p.m. and went into Executive Session for further discussion of the PDSC Executive Director's Performance Review.


X. **EXECUTIVE SESSION:**

XI. **RECONVENING OF REGULAR MEETING:** This meeting reconvened at approximately 1:45 p.m.

XII. **ADJOURNMENT AND NEXT MEETING DATE:** The next meeting will take place on Tuesday, July 29, 2014.

There being no further business up for discussion, this meeting was adjourned at 1:50 p.m.

Respectfully submitted,


BERNADETTE S.N. CHARGUALAF
Secretary

PUBLIC DEFENDER SERVICE CORPORATION
Board of Trustees Regular Meeting
Wednesday, August 27, 2014
Conference Room,
Public Defender Service Corporation
4:00 p.m.

A G E N D A

- I. Call to Order**
- II. Roll Call**
- III. Proof of Due Notice of Meeting:**
 - 5 Working Days Notice: Marianas Variety, Monday, August 18, 2014
 - 48 Hours Notice: Marianas Variety, Monday, August 25, 2014
- IV. Determination of Quorum**
- V. Approval of Minutes: (Regular Meeting of July 29, 2014)**
- VI. Old/Unfinished Business:**
 - A. Financial Status Update (PDSC and APD Allotment Releases)
 - B. Domestic Violence Program Update
 - C. Alternate Public Defender Update
 - D. PDSC Director's Performance Review
 - E. Implementation of Competitive Wage Act of 2014 (CWA):
Update
- VII. New Business:**
 - A. Introduction of New Attorneys (PDSC and APD)
- VIII. Public Discussion**
- I X. Adjournment and Next Meeting Date**

Port fined \$500 for smoking violation

By Jasmine Stole
jasmine@mvguam.com
Variety News Staff

DESPITE the Port Authority of Guam's recent ban on cigarette smoking in the container yard, the U.S. Coast Guard found evidence of employees smoking in restricted areas, prompting them to issue the port a \$500 fine last month.

Port General Manager Joanne Brown informed the port board of the incident at its board meeting earlier this month. Brown said Coast Guard officials were inspecting the yard when they found evidence of cigarettes in one of the buildings, in a trashcan. Brown banned smoking in the container yard in April in an effort to deter employees from smoking in restricted areas, thus shielding the port from incurring any more fines

from the Coast Guard for noncompliance.

Brown told board members at the Aug. 8 meeting that if the Coast Guard found evidence of further violations, the amount the port would be fined could increase six-fold. Continued violation could cost the port up to \$3,000 in fines.

The Coast Guard noted deficiencies in the port's operations, including smoking in nonsmoking areas in 2011.

In April, Brown also announced that the port paid off a two-year-old fine for the same violation. That payment totaled \$9,400. The Coast Guard noted deficiencies in the port's operations, including smoking in nonsmoking areas in 2011. The citation was not resolved until 2013 when management paid the \$8,000 fine and \$1,400 interest.

While there are designated areas to smoke on port property, employees do not always comply, Brown said.

Lack of rules hinders land compensation

By Mar-Vic Cagurangan
marvic@mvguam.com
Variety News Staff

THE Guam Ancestral Lands Commission has yet to start processing the compensation for Guam families who will not benefit from returned ancestral property, pending implementation of land bank rules and regulations, according to the Office of Public Accountability.

"There is over \$2 million awaiting distribution upon the effectuation or approval of the regulations," OPA said in an audit report released Friday. "Subsequent to fiscal 2012, draft Land Bank Rules and Regulations have been prepared but cannot be implemented due to conflicting laws and pending cases at the Superior Court and

Supreme Court."

OPA also found that beneficiaries who were able to receive their ancestral properties have not been able to do anything with their lands because "there is no access and zoning, which prevents them from making improvements on the properties."

OPA attributed such challenges to the lack of funding.

"Land Endowment Recordation of \$6.7 million. With the completion of the land inventory, \$406.6 million in investment in land and other real estate was recorded at the government-wide level, of which \$6.7 million was for GALC commercial leases."

OPA said approximately \$400 million was attributed to

Chamorro Land Trust Commission, which has over 11,700 acres of property in its inventory to lease out.

"As of Sept. 30, 2012, GALC had six commercial leases. GALC should coordinate with the Department of Revenue and Taxation regarding real property tax assessments for these leased properties," OPA said.

Despite the challenges, the commission has received a "clean" opinion from independent auditors Deloitte and Touche LLP.

"In order to receive the clean opinion, seven and six audit adjustments were made in 2011 and 2012 that cumulatively increased GALC's fund balance by \$593,000 in 2011 and \$733,000 in 2012," OPA said.



Thousands of public school students will make their way back to the classroom today. Variety file photo

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NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct a regular meeting on **Wednesday, August 27, 2014 at 4:00pm** in the Conference Room of the Public Defender Service Corporation, located at the MVP Sinajana Commercial Building, Unit B, 779 Route 4, Sinajana, Guam 96910.

Copies of the agenda will be available prior to the meeting at the Public Defender Service Corporation (address above).

Individuals requiring special accommodations are asked to contact Mrs. Bernadette S.N. Chargualaf at 475-3100.

/s/ CHIEF JUSTICE ROBERT J. TORRES, JR.
Chairman

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GDOE...

continued from page 1

of employees to ensure that they were handling the problem."

Cleaners removed most of the mold by yesterday afternoon, but the school had one more hurdle before they were entirely in the clear. Benavente teachers and Guam Cleaning Masters cleaners spent part of the afternoon without water while Guam Waterworks Authorities repaired a valve on Consolation Street, west of the campus. Water had been restored by 6 p.m. yesterday.

Sahagon and other clerical staff were making copies or rearranging the main office, which was relocated to the annex section of the school, the only area that had power after the storm.

Eager

"The kids have been on break long and they're eager to come back," Sahagon said. "We're excited to get this school year started. It's going to be a good

year for us."

Sahagon said all of the positions at the school had been filled, some with new teachers who recently graduated from the University of Guam.

First-time teacher Christian Camacho was making sure his room was outfitted with posters and supplies yesterday. Before the first day of school, Camacho made sure to clean and arrange the classroom desks.

"This is a new experience for me. I am just looking forward to getting in there and figuring out how my students work and how I work and, hopefully, the way we work best together," he said.

Camacho graduated from the University of Guam in May and will be teaching freshman English at Southern High School, which is also his alma mater.

Jennifer Mendiola, a veteran math teacher at George Washington High School, said she is looking forward to meeting the students and catching up with former students. Mendiola has been teaching for 16 years.

While she set up her classroom last Friday, she said there is still more to be done to prepare for another school year of geometry and pre-calculus.

Mendiola said she has supplies from previous years that she will be reusing. "But I know I will still end up buying more pencils, paper and other supplies throughout the year," she said. Nonetheless, she is looking forward to another year at GW and hoping her students leave her classroom with a better appreciation for math.

Direction

Sahagon, who has been an educator for 17 years, said she feels there is a better sense of direction under the guidance of GDOE Superintendent Jon Fernandez and Deputy Superintendent Rob Malay.

She said during her time as a teacher in the local education system, she sometimes felt like she was working in isolation, but it seems like Fernandez and Malay have made it so they are approachable and there is mutual support in the department.

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Fed in 'real debate' on rate hike in early to mid-2015

WASHINGTON (Reuters) — The U.S. Federal Reserve is focused on an initial interest rate hike between the first quarter and the middle of next year, with possible changes in its main policy statement as soon as next month, Atlanta Fed President Dennis Lockhart said on Saturday.

"It is reasonable with the improving data to begin to anticipate a change in the basic interest rate policy and, therefore, it is quite a reasonable debate as to whether that ought to be early 2015 or mid-2015 or even later," Lockhart told Reuters in an interview here. "The debate is real."

Lockhart said he continues to forecast a rate increase in mid-2015, with economic growth hovering around 3 percent, and that he feels it is "still early" to change the central bank's main policy statement.

That statement says a rate increase won't be appropriate until a "considerable time" after the central bank's bond purchases end this fall, and that there is still "significant underutilization" of labor.

"Even with good data, and we have had a run of very good data on balance, you still can only draw tentative conclu-

sions," said Lockhart, who does not presently have a vote on the Fed's main policy committee.

Headed that he did not expect progress towards the Fed's dual goals of 2 percent inflation and maximum employment to be "electrically fast."

"It is going to be gradual," he said, speaking on the sidelines of the Fed's annual central banking conference.

Still, with economic growth continuing, "some shift of language is on the table, should be on the table in the coming meetings," said Lockhart, who is viewed as a centrist on monetary policy.

His comments add an important voice to a debate within the Fed that has congealed around two poles — those who feel the fast drop in the unemployment rate means the economy is tightening and that rates should rise soon, and those, including Fed Chair Janet Yellen, who say a broader set of statistics show that labor markets remain weak.

Lockhart said he regards himself as a "U-6er" — meaning he watches the broader definition of unemployment, labeled U6 by the Bureau of Labor Statistics, that includes things like people working part-time for economic reasons.

Gov't warns US retailers about hacking software

WASHINGTON (AP) — More than 1,000 U.S. retailers could be infected with malicious software lurking in their cash register computers, allowing hackers to steal customer financial data, the Homeland Security Department said Friday.

The government urged businesses of all sizes to scan their point-of-sale systems for software known as "Backoff," discovered last October. It previously explained in detail how the software operates and how retailers could find and remove it.

Earlier this month, United Parcel Service said it found infected computers in 51 stores. UPS said it was not aware of any fraud that resulted from the infection but said hackers may have taken customers' names, addresses, email addresses and payment card information.

The company apologized to customers and offered free identity protection and credit monitoring services to those who had shopped in those 51 stores.

Backoff was discovered in October, but according to the Homeland Security Department the software wasn't flagged by

antivirus programs until this month.

Jerome Segura, a senior security researcher at cybersecurity software firm Malware Bytes, said that the way that Backoff works is not unique. The program gains access to companies' computers by finding insufficiently protected remote access points and duping computer users to download malware, tricks that have long been in use and are often automated.

What has changed, Segura said, is that the hackers deploying it have become increasingly sophisticated about identifying high-value computer systems after they've broken into them. "Once the bad guys realized they were able to penetrate larger networks, they saw the opportunity to develop malware that's specifically for credit cards and can evade antivirus programs," he said.

By using Backoff selectively, rather than distributing it widely on the Internet, the hackers likely managed to escape detection for longer. Following Homeland Security's warnings in July, however, companies are much better able to probe their

own computers for Backoff. The battle between retailers and hackers is an ongoing one. Retail giant Target, based in Minneapolis, was targeted by hackers last year and disclosed in December that a data breach compromised 40 million credit and debit card accounts between Nov. 27 and Dec. 15. On Jan. 10, it said hackers stole personal information — including names, phone numbers and email and mailing addresses — from as many as 70 million customers.

Target, the third-largest retailer, has been overhauling its security department and systems in the wake of the pre-Christmas data breach, which hurt profits, sales and its reputation among shoppers worried about the security of their personal data. Target is now accelerating its \$100 million plan to roll out chip-based credit card technology in all of its nearly 1,800 stores.

So-called chip and pin technology would allow for more secure transactions than the magnetic strip cards that most Americans use now. The technology has already been adopted in Europe and elsewhere.

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NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct a regular meeting on **Wednesday, August 27, 2014 at 4:00pm** in the Conference Room of the Public Defender Service Corporation, located at the MVP Sinajana Commercial Building, Unit B, 779 Route 4, Sinajana, Guam 96910.

Copies of the agenda will be available prior to the meeting at the Public Defender Service Corporation (address above).

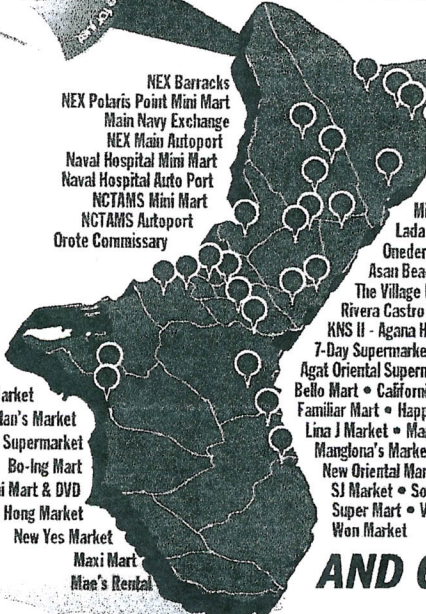
Individuals requiring special accommodations are asked to contact Mrs. Bernadette S.N. Chargualaf at 475-3100.

/s/ **CHIEF JUSTICE ROBERT J. TORRES, JR.**
 Chairman

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 Rivera Castro Retail & Laundry • Grand Market
 RNS II - Agana Hts. • 7-Day Supermarket Hartmon
 7-Day Supermarket Yona • American Bakery
 Agat Oriental Supermarket • Agat Kimchee
 Bello Mart • California Mart • Ebenezer Market
 Familiar Mart • Happy Mart • JS Store
 Lina J Market • Mamason Market
 Manglona's Market • Minagof Mart
 New Oriental Market • Oceanside (Asan)
 SJ Market • Sol Mart
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**PUBLIC DEFENDER SERVICE CORPORATION
BOARD OF TRUSTEES
Regular Meeting
of
Tuesday, July 29, 2014
12:56 p.m.
PDSC Conference Room**

MINUTES

I. CALL TO ORDER:

This meeting was called to order by the Chairman, Chief Justice Robert J. Torres at 12:56 p.m.

II. ROLL CALL:

Present: Chief Justice Robert J. Torres, Jr., Chairman
Presiding Judge Alberto C. Lamorena III, Vice Chairman
Attorney Cynthia Ecube, Guam Bar Association President
Attorney Donna M. Cruz, Member
Mrs. Annette J. U. Ada, Member

Others Present: Attorney Eric D. Miller, PDSC Executive Director
Attorney John P. Morrison, Alternate Public Defender
Bernadette S.N. Chargualaf, PDSC Administrative Director
Michael S. Moreno, Chief Fiscal Officer
Bernadette L.P. Lizama, Personnel Specialist IV
Robbie T. Call, Chief Investigator
Kenneth A. Lim, Computer Systems Analyst
Cecelia M. Fernandez, Administrative Assistant
Karla Ann S. Cepeda, Legal Clerk I

III. PROOF OF DUE NOTICE OF MEETING:

“Notice of Public Meeting” was published in Marianas Variety on Tuesday, July 22, 2014 and Friday, July 25, 2014.

IV. DETERMINATION OF QUORUM:

With the presence of all five (5) board members, a quorum was determined for this meeting.

V. APPROVAL OF MINUTES: Minutes of the regular board meeting held on Tuesday, June 24, 2014 were adopted and approved, subject to corrections.

VI. OLD BUSINESS:

A. Financial Status Update (PDSC and APD Allotment Releases): Chief Fiscal Officer Michael S. Moreno reported that PDSC has received allotments through the first half of July 2014 (95%); 4th quarter allotments for the Alternate Public Defender (APD) have yet to be received. Contact with Mr. Budasi (Controller) has been made; funds will hopefully be received by the end of this week.

- B. **Domestic Violence Program Update:** Funding is in place to support the program through April 2015 according to CFO Mike Moreno.
- C. **Alternate Public Defender Update:** Attorney John Morrison represented the APD and informed those present that the recruitment of an Attorney IV (replacement of Attorney Jeffrey Warfield) is in progress.
- D. **PDSC Director's Performance Review:** Attorney Donna Cruz inquired as to whether other members received her email on this subject. Subsequently, the Performance Review on Executive Director Eric Miller was approved and adopted. Furthermore, a press release for this purpose was also approved.

VII. NEW BUSINESS:

- A. **Implementation of Competitive Wage Act of 2014 (CWA):** Presented for informational purposes, Administrative Director Chargualaf mentioned that August 10, 2014 is the target date for implementation for PDSC/APD employees. However, Chief Justice Torres asked whether PDSC ever received the requested legal opinion from the office of the Attorney General. As of this date, there has been "no movement" on PDSC's request.

Chief Justice Torres noted his concerns regarding the lack of any statute containing language giving PDSC specific authority for the implementation, thereby protecting the Certifying Officers who will be signing off on certain documents. He recommended any of three approaches to this problem: 1) An in-house "Memo to File" regarding the legal authority used for the implementation; or 2) A "Declaratory Judgment" issued by the courts authorizing this specific action; or 3) Following up with the Attorney General for a legal opinion.

Noting the Executive Director's departure for an off-island conference the following day, Chief Justice Torres requested that the Acting Director (Attorney Pablo Aglubat) be made aware of this matter.

- B. **Results of Grant-Writing Research:** Mr. Kenneth A. Lim provided information relative to this item, noting that research is in progress, and Points of Contact have been established. Chief Justice Torres then offered to ask Jackie Zahnen Cruz to assist us with this, and requested email addresses for Kenneth Lim and Karla Cepeda, which will be provided to Ms. Cruz.
- C. **Diversity Training for PDSC Employees:** According to Executive Director Miller, plans are in the works to provide training on this subject to all PDSC employees, who will be grouped into three (3) sessions. Certificates will be awarded and copies will be filed in the employees' personnel jackets as confirmation of their attendance/participation.
- D. **Grievances Filed by Two (2) PDSC Employees:** This item was added to this agenda, although it wasn't included previously. (It was originally thought that this was a discussion reserved for an Executive Session.)

Grievances filed by Rachel Mesubed (Legal Secretary I), and Ali Nusbaum (Attorney II) relative to pay issues were reported to the board. Board members agreed not to entertain this subject, only because the internal process for grievances, as delineated in the PDSC's Personnel Rules and Regulations, should be followed. As such, it is up to Executive

Director Miller as to whether he will accept the grievance. If either of the employees disagreed with his decision, they may take it to the Judicial Council, which is the appellate body for PDSC employees.

VIII. PUBLIC DISCUSSION: None.

XII. ADJOURNMENT AND NEXT MEETING DATE: The next meeting will take place on Wednesday, August 27, 2014 at 4:00 p.m.

There being no further business up for discussion, this meeting was adjourned at 1:30 p.m.

Respectfully submitted,


BERNADETTE S.N. CHARGUALAF
Secretary

PUBLIC DEFENDER SERVICE CORPORATION
Board of Trustees Regular Meeting
Tuesday, September 16, 2014
Conference Room,
Public Defender Service Corporation
12:30 p.m.

A G E N D A

I. Call to Order

II. Roll Call

III. Proof of Due Notice of Meeting:

5 Working Days Notice:	Marianas Variety, Monday, September 08, 2014
48 Hours Notice:	Marianas Variety, Friday, September 12, 2014

IV. Determination of Quorum

V. Approval of Minutes: (Regular Meeting of August 27, 2014)

VI. Old/Unfinished Business:

- A. Financial Status Update (PDSC and APD Allotment Releases)
- B. Domestic Violence Program Update
- C. Alternate Public Defender Update
- D. PDSC Fiscal Year 2015 Budget Appropriation Breakdown
(request for deferment until next Board Meeting-- Chief Fiscal Officer currently off-island for spouse's medical treatment)

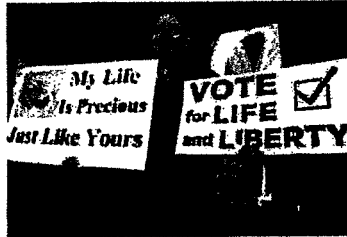
VII. New Business:

- A. Resolution No. 15-14: Request to Use Lapsed Funds to Purchase 50 User Licenses for VLA Office Pro Plus 2013 (Microsoft Office 2013)
- B. Resolution No. 16-14: Request to Use Lapsed Funds for Computer Systems Analyst's Attendance at Guam Computer Training & Solutions "Comp TIA Network+" and "Comp TIA Security+" Training

VIII. Public Discussion

IX. Adjournment and Next Meeting Date

Missouri lawmakers enact 72-hour abortion wait



Joanne Bohrer holds signs as she gathers with other abortion opponents in the rotunda of the Missouri Capitol Wednesday, Sept. 10, in Jefferson City, Mo. AP

JEFFERSON CITY, Mo. (AP) — Missouri lawmakers enacted one of the nation's most stringent abortion waiting periods Wednesday, overriding a veto of legislation that will

require women to wait 72 hours after consulting with a doctor before ending a pregnancy. The vote by Missouri's Republican-led Legislature overrules the veto of Democratic Gov. Jay Nixon, who had denounced the measure as "extreme and disrespectful" toward women because it contains no exception for cases of rape or incest. About half of the states, including Missouri, already

have abortion waiting periods of 24 hours.

Missouri's new law will be the second most-stringent behind South Dakota, where its 72-hour wait can sometimes extend even longer because weekends and holidays are not counted. Utah is the only other state with a 72-hour delay, but it grants exceptions for rape, incest and other circumstances.

Missouri lawmakers specifically rejected an amendment earlier this year that would have granted exceptions for rape and incest. Supporters of the legislation describe it as a "reflection period" for women and their families.

Highway shutdown averted at Ferguson protests

BERKELEY, Mo. (AP) — A planned highway shutdown fell through Wednesday as a wall of officers in riot gear kept people who planned to protest the Ferguson police shooting from walking onto Interstate 70 during the late afternoon commute.

State troopers and St. Louis city and county officers warned the roughly 150 demonstrators who gathered in a nearby suburb to stay out of the road as they protested last month's shooting of Michael Brown, a black, unarmed 18-year-old, by a white officer. There were nearly as many officers as demonstrators.

Organizers said the protest in Berkeley was designed as an act of nonviolent civil disobedience similar to a 1999 demonstration in the same location.



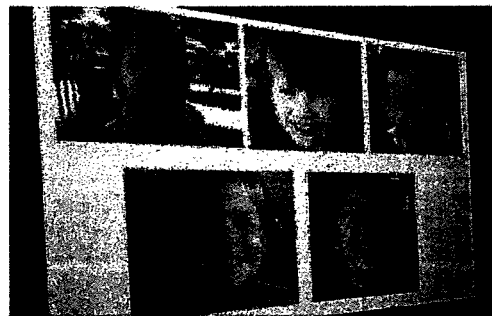
Police walk down the road during an attempt by protesters to shut down Interstate 70 in Berkeley, Mo. on Wednesday, Sept. 10, near the St. Louis suburb of Ferguson, where Michael Brown, an unarmed, black 18-year-old was shot and killed by a white police officer on Aug. 9. AP

During that protest, hundreds of people shut down the interstate in a dispute over minority hiring for road construction projects.

Highway Patrol Sgt. Al Nothum said that 35 people

were arrested, most on charges of unlawful assembly. Nothum said protesters threw rocks, concrete blocks, bricks and bottles, leading to four charges of assault on a law enforcement officer.

'Loving' father now tied to his 5 kids' deaths



Photos of Timothy Ray Jones Jr.'s children are on display during a news conference at the Lexington County Sheriff's Dept Training Center in Lexington, S.C., Wednesday, Sept. 10. AP

PINE APPLE, Ala. (AP) — Their little bodies shrouded in plastic bags, the five children of Timothy Ray Jones Jr. had been dead for days by the time he led investigators to the spot

where they had been dumped among dead trees and scrub brush.

The children's journey to that isolated hilltop in central Alabama covered hundreds of

miles and crisscrossed several Southeastern states as Jones drove his Cadillac Escalade around for days, using bleach to try to mask the smell of the decomposing bodies, authorities said Wednesday.

Jones was arrested Saturday at a DUI checkpoint in Mississippi, about 500 miles from his hometown of Lexington, South Carolina. An officer said he "smelled the stench of death" along with chemicals used to make methamphetamine and synthetic marijuana. Jones was acting strangely and appeared "somewhat disoriented," said Lewis McCarty, the acting sheriff in Lexington.

Court documents show the children's brief lives were troubled, marred for years by discord between their parents.



This Department of Justice handout photo shows boxes containing U.S. currency seized during a raid in the Los Angeles Fashion District. Reuters

LA Fashion District raided in drug money-laundering probe

LOS ANGELES (Reuters) — Police and federal agents on Wednesday raided dozens of Los Angeles Fashion District businesses suspected of operating as part of a major money-laundering hub for narcotics traffickers in Mexico, law enforcement officials said.

Nine people were arrested on charges of taking part in the money laundering through a "black market peso exchange" scheme, in which bulk amounts of ill-gotten U.S. cash are converted to Mexican currency, they said.

Four others charged in the investigation remained at large, federal prosecutors said in a statement announcing the busts, which were carried out by about 1,000 law-enforcement personnel.

Authorities carted off scores of boxes stuffed with U.S. currency in large-denomination bills. Together with funds confiscated from bank accounts in asset-forfeiture actions filed around the world, officials estimated that \$65 million in illegal proceeds were seized as part of

the investigation.

In one of three indictments unsealed in connection with the raids, a wholesaler named QT Fashion was accused of accepting and laundering \$140,000 paid as ransom for an American drug dealer kidnapped and tortured by the Sinaloa drug cartel in Mexico.

The indictment says the payments to win release of the victim — who was beaten, shot, subjected to electrical shocks and waterboarded — were funneled through 17 other Fashion District businesses at the direction of a Mexico-based clothing company.

The Fashion District consists of more than 3,000 wholesale and retail apparel outlets, showrooms and manufacturers covering about 100 blocks of downtown Los Angeles, making the garment industry a key sector of the city's economy.

But prosecutors say that in addition to drawing throngs of designers and bargain-hunting shoppers, the Fashion District has attracted criminal elements from the illegal drug trade.

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Copies of the agenda will be available prior to the meeting at the Public Defender Service Corporation (address above).

Individuals requiring special accommodations are asked to contact Mrs. Bernadette S.N. Charguataf at 475-3100.

/s/ CHIEF JUSTICE ROBERT J. TORRES, JR.
Chairman

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US job growth drops to 142K, slowest in 8 months



In this photo taken Tuesday, Aug. 19, Freddy Jerez, of Hollywood, Fla., fills out a job application during a job fair in Sunrise, Fla. The government issues the August jobs report on Friday, Sept. 5. AP

WASHINGTON (AP) — A surprising drop in hiring and in the number of people seeking work in August sent a reminder that the U.S. economic recovery is still prone to temporary slowdowns. Employers added just 142,000 jobs last month, well below the 212,000 average of the previous 12 months. The

unemployment rate fell to 6.1 percent from 6.2 percent. But that was because more people without jobs stopped looking for one and were no longer counted as unemployed.

Analysts took Friday's Labor Department report in stride. They noted that other gauges of the economy — from manufac-

turing and construction to auto sales — remain solid. Layoffs have dwindled, too. Analysts also noted that month-to-month volatility in hiring is common even in a healthy economy.

But the dip in hiring also suggests that, though the Great Recession officially ended more than five years ago, the economy has yet to shed some of its lingering weaknesses. Held back by sluggish pay growth, for example, consumers continue to spend cautiously.

Most economists foresee an economy that's poised to make further strides, punctuated at times by modest setbacks.

The figures "will inevitably spark speculation that the U.S. recovery is somehow coming off the rails again," said Paul Ashworth, an economist at Capital Economics. "However, we're not too concerned by what is probably just an isolated blip."

Jeans face an uncertain future amid yoga wear rage

NEW YORK (AP) — Americans' obsession with jeans is beginning to wear thin.

Jeans long have been a go-to staple in closets across the country. After all, not many pieces of clothing are so comfortable they can be worn daily, yet versatile enough to be dressed up or down.

But sales of the iconic blues fell 6 percent during the past year after decades of almost steady growth. The decline is being driven by women, but men's interest in jeans also is fading. Why? People more often are sporting yoga pants,

leggings, sweatpants and other athletic wear instead of traditional denim.

The shift is partly due to a lack of new designs since brightly colored skinny jeans were a hit a couple years back. It's also a reflection of changing views about what's appropriate attire for work, school and other places that used to call for more formal attire.

"Yoga pants have replaced jeans in my wardrobe," said Anita Ramaswamy, a Scottsdale, Arizona high-school senior who is buying more leggings and yoga pants than

jeans. "You can make it as sexy as skinny jeans, and it's more comfortable."

To be sure, the jeans business isn't dead: Customer Growth Partners, a retail consultancy, estimates denim accounts for 20 percent of annual sales at the nation's department stores.

But sales of jeans in the U.S. fell 6 percent to \$16 billion during the year that ended in June, according to market research firm NPD Group, while sales of yoga pants and other "active wear" climbed 7 percent to \$33.6 billion.

Philanthropist trade lawsuits over 'life settlements' deal

WASHINGTON (Reuters) — An American International Group Inc. unit and a philanthropist traded lawsuits on Friday over a partnership gone sour involving billions of dollars in life insurance policies sold by elderly individuals in exchange for cash.

AIG's Lavastone Capital said in a lawsuit filed Friday in New York federal court that it had paid Coventry First of Fort Washington, Pennsylvania, more than \$1 billion since 2006 to help it acquire the policies, known as "life settlements."

Coventry, whose chief executive is Philadelphia philanthropist Alan Buerger, is the "leader and creator" of the life settlement industry, according to its website. Investors who acquire a policy cover the premiums until the individual's death and then collect the payout.

Rather than identifying appropriate policies and selling them to Lavastone at the elderly individuals' asking price, the lawsuit claimed, Coventry

used a network of shell companies to artificially inflate the prices to Lavastone. The fraud cost Lavastone more than \$150 million, the lawsuit said.

"Thus, defendants' behavior is no different than an auction house that knows a bidder's maximum price ceiling and then uses 'shell bidders' associated with the auction house to fraudulently inflate the price to that bidder's maximum bid," the lawsuit said. It called Coventry and CEO Buerger "scam artists."

In a countersuit filed in New

York state court a few hours later, Coventry accused Lavastone of breaching its exclusive contract with Coventry by allowing an affiliate to purchase life settlements from other businesses.

The lawsuit also claimed Lavastone "concocted" fraud allegations to escape contractual provisions that limit its ability to resell certain policies, which Coventry estimated could cost AIG \$700 million.

"Their lawsuit is simply meant to get leverage to get rid of the contract provisions," Buerger said in an interview. Coventry asked a judge to award it more than \$100 million and declare that Lavastone is not entitled to its own damages.

An AIG spokeswoman called the Coventry lawsuit "a baseless attempt to distract attention from the fraudulent and illegal scheme that AIG alleged in its complaint."



A new sign is displayed over the entrance to the AIG headquarters offices in New York's financial district, January 9, 2013. AP

Time Warner Cable employees to share \$416M under retention plan

NEW YORK (Reuters) — Employees of Time Warner Cable will be \$416 million richer even if the cable operator's merger with Comcast does not close, a move designed to keep staff from bolting while federal regulators contemplate the deal.

A proxy statement, prepared for the shareholders meetings of both companies in October to vote on the merger, also lays out the nearly \$81.8 million golden parachute that Time Warner Cable's chairman and chief executive, Robert D. Marcus, would receive.

His payment includes cash, restricted stock, options and \$300,000 to pay for financial planning services.

In all, the company will hand out golden parachutes of more than \$136 million to five of its top executives if the deal closes.

Comcast Corp. last February said it would buy Time Warner Cable Inc. in a \$45.2 billion stock swap that combines the two largest U.S. cable operators.

The day before the deal was announced, the compensation committee of Time Warner Cable's board approved reten-



The Time Warner Cable headquarters in New York Feb. 13. Reuters

tion grants for more than 1,800 employees that would pay twice the regularly scheduled annual equity awards granted for each person in 2014.

The awards, which the proxy said totaled approximately \$316.4 million in restricted stock, were awarded to compensate for bonuses in 2015 and 2016 the employees would not receive, according to the proxy.

The compensation committee also approved up to \$100 million in supplemental bonuses to the more than 15,000 employees eligible to receive cash incentive bonuses. Those bonuses would equal 50 percent of each employee's target bonus for 2014.

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/s/ CHIEF JUSTICE ROBERT J. TORRES, JR.
Chairman

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The Guam Visitors Bureau (GVB), a Guam non-stock, non-profit, membership corporation, issues this solicitation to request proposals from a qualified firm or individual ("Offeror") to provide services related to the TUMON BUS SHELTERS DESIGN & MANAGEMENT Project.

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If you are interested in providing TUMON BUS SHELTERS DESIGN & MANAGEMENT for GVB, please send your proposal to: Karl A. Pangolin, General Manager, Guam Visitors Bureau, 401 Pale San Vitores Road, Tumon, Guam 96913. Deadline for submission of all proposals is 1:00 p.m. (Guam Time) on Wednesday, October 08, 2014.

/s/ Karl A. Pangolin
General Manager

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**PUBLIC DEFENDER SERVICE CORPORATION
BOARD OF TRUSTEES
Regular Meeting
of
Wednesday, August 27, 2014
4:05 p.m.
PDSC Conference Room**

MINUTES

I. CALL TO ORDER:

This meeting was called to order by the Chairman, Chief Justice Robert J. Torres at 4:05 p.m.

II. ROLL CALL:

Present: Chief Justice Robert J. Torres, Jr., Chairman
Presiding Judge (Acting) Maria Cenzone, Vice Chairman
Attorney Cynthia Ecube, Guam Bar Association President
Attorney Donna M. Cruz, Member
Mrs. Annette J. U. Ada, Member

Others Present: Attorney Eric D. Miller, PDSC Executive Director
Attorney AnaMaria C. Gayle, Alternate Public Defender
Attorney James R. Mortland, III, Assistant Public Defender
Attorney James N. Spivey, Alternate Public Defender
Bernadette S.N. Chargualaf, PDSC Administrative Director
Michael S. Moreno, Chief Fiscal Officer
Bernadette L.P. Lizama, Personnel Specialist IV
Kenneth A. Lim, Computer Systems Analyst
Cecelia M. Fernandez, Administrative Assistant

III. PROOF OF DUE NOTICE OF MEETING:

"Notice of Public Meeting" was published in Marianas Variety on Monday, August 18, 2014 and Monday, August 25, 2014.

IV. DETERMINATION OF QUORUM:

With the presence of all five (5) board members, a quorum was determined for this meeting.

V. APPROVAL OF MINUTES: Minutes of the regular board meeting held on Tuesday, July 29, 2014 were adopted and approved, subject to corrections.

VI. OLD BUSINESS:

A. Financial Status Update (PDSC and APD Allotment Releases): Chief Fiscal Officer Michael S. Moreno reported that PDSC has received allotments through the first half of August 2014 (96%); 4th quarter allotments for the Alternate Public Defender (APD) have been received (100%).

- B. Domestic Violence Program Update:** Funding is in place to support the program through April 2015 according to CFO Mike Moreno.
- C. Alternate Public Defender Update:** Attorney Annie Gayle introduced Attorney James N. Spivey, APD's recently-hired Attorney.
- D. Implementation of Competitive Wage Act of 2014 (CWA):** Chief Justice Torres gave a summary as to the three (3) approaches to the issue of formal legal authority for the implementation of the CWA 2014 for PDSC employees, as noted on the July 29, 2014 minutes.

He also provided an update on this matter, indicating that legislation was introduced and passed addressing PDSC's issues (i.e., legal authority for implementation, placement of and funding for PDSC investigators under the Law Enforcement Officer Pay Plan, and additional funding to provide for the shortfall for the period of January 26 – August 8, 2014), and that by all indications, Governor Calvo is inclined to sign the Fiscal Year 2015 Budget bill as passed.

VII. NEW BUSINESS:

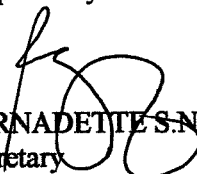
- A. Introduction of New Attorneys (PDSC and APD):** Attorneys James N. Spivey and James R. Mortland, III were introduced and provided both professional and personal background information. Both were welcomed to Guam and to the PDSC/APD family.

VIII. PUBLIC DISCUSSION: Administrative Director invited board members to the annual PDSC Office Picnic to be held on August 30, 2014 at Polaris Beach, from 10:00 a.m. to 3:00 p.m.

XII. ADJOURNMENT AND NEXT MEETING DATE: The next meeting will take place on Tuesday, September 16, 2014 at 12:30 p.m.

There being no further business up for discussion, this meeting was adjourned at 4:25 p.m.

Respectfully submitted,


BERNADETTE S.N. CHARGUALAF
Secretary

**BEFORE THE
BOARD OF TRUSTEES OF THE
PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO THE USE OF LAPSED FUNDS
TO PURCHASE FIFTY (50) USER LICENSES
FOR VLA OFFICE PRO PLUS
(MICROSOFT OFFICE 2013)**

RESOLUTION NO. PDSC 15-14

- WHEREAS,** §11113.1 of 12 GCA authorizes the Public Defender Service Corporation (PDSC) to retain unexpended appropriations beginning with Fiscal Year 2000, and to carry these funds over into succeeding fiscal years; and
- WHEREAS,** the PDSC Board of Trustees adopted Resolution No. 99-07 requiring Board approval for the budgeting of and/or spending authorization(s) for these lapsed funds; and
- WHEREAS,** the PDSC finds it necessary to update its current software from Microsoft Office 2007 to Microsoft Office 2013 in order to promote greater user-interphase, increased speed, and consistent performance which will serve to enhance employee productivity and the agency's overall performance; and
- WHEREAS,** a price quote of \$316.42 for each user has been received from Dell ASAP Software, which amounts to a total of \$15,821.00 for fifty (50) users; now therefore be it
- RESOLVED,** The Board of Trustees of the Public Defender Service Corporation, in its meeting of September 16, 2014, hereby approves the Corporation's request for the expenditure of \$15,821.21 of lapsed funds for the purchase of fifty (50) user licenses associated with Microsoft Office 2013 software as described herein.

DULY AND REGULARLY ADOPTED this 16th day of September, 2014.

Chief Justice ROBERT J. TORRES, JR.
Chairman

ATTEST:

BERNADETTE S.N. CHARGUALAF
Secretary

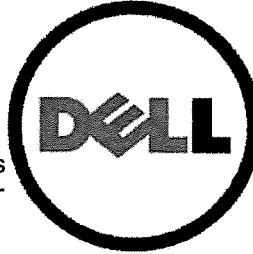


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Quote Information	
Customer Number:	126251520
Customer Name:	PUBLIC DEFENDER SERVICE CORP
Contract Number:	GS03ABZ
Agreement Number:	USCA-09-B-0013
Your Sales Professional:	Jennifer Hillard Jennifer_Hillard@Dell.com (800) 456-3355x 4335662
Quote Number:	690651575
Quote Date:	09/09/2014

Customer Information	
Billing Contact:	ACCOUNTS PAYABLE
Billing Phone Number:	(671) 475-3100
Billing Address:	MVP SINAJANA COMM BLDG UNIT B 779 RTE 4 GOVT OF GUAM 96910 SINAJANA GUAM, XX XXXXX

Quote Details				
Quote Number: 690651575				
Item Number	Mfg P/N	Qty	Item Description	Price
A6589418	79P-04712	50	VLA OFFICE PRO PLUS 2013	316.42

A3458532	ELC	1	ELECTRONIC LICENSE CONFIRMATION elec dwnld only	0
			Subtotal:	\$15,821.00
			Shipping & Handling:	\$0.00
			Tax:	\$0.00
			<u>Environmental Disposal Fee:</u>	\$0.00
			Total Price w/Discounts:	\$15,821.00

Terms & Conditions:

- 1. Federal Tax ID: 74-2616805
- 2. Duns #: 114315195
- 3. All quotes expire the last business day of the month this quotation is issued, unless Customer has a separate purchase agreement with Dell.
- 4. Customer's purchase is subject to Dell's Terms and Conditions of Sale found at www.dell.com, unless Customer has a separate purchase agreement with Dell.
- 5. All prices are based on Net 30 Terms unless Customer has a separate purchase agreement with Dell.
- 6. Sales/use tax is based on the "ship to" address on your invoice. Please indicate your taxability status on your purchase order. If exempt, Customer must have an Exemption Certificate on file. If you have a question re: your tax status, please contact your Dell | ASAP representative.
- 7. All product descriptions and prices are based on latest information available and are subject to change without notice or obligation.
- 8. If not shown, shipping, handling, taxes, and other fees will be added at the time of order, where applicable.
- 9. Customer acknowledges that the products offered under this quotation are subject to the customs and export control laws and regulations of the U.S. and the laws of any country to which the products are exported and agrees to abide by those laws and regulations with respect to those products. Customer acknowledges that it is Customer's sole responsibility to comply with any applicable export and customs laws and regulations.
- 10. Customer understands and acknowledges that all warranties, representations and returns are subject to the manufacturer, publisher or distributor guidelines.

**BEFORE THE
BOARD OF TRUSTEES OF THE
PUBLIC DEFENDER SERVICE CORPORATION
RELATIVE TO THE USE OF LAPSED FUNDS
TO PROVIDE FOR NETWORK AND SECURITY TRAINING
INVOLVING PDSC'S MIS PERSONNEL**

RESOLUTION NO. PDSC 16-14

- WHEREAS,** §11113.1 of 12 GCA authorizes the Public Defender Service Corporation (PDSC) to retain unexpended appropriations beginning with Fiscal Year 2000, and to carry these funds over into succeeding fiscal years; and
- WHEREAS,** the PDSC Board of Trustees adopted Resolution No. 99-07 requiring Board approval for the budgeting of and/or spending authorization(s) for these lapsed funds; and
- WHEREAS,** the PDSC recognizes the need to stay on top of any threats to the Corporation's assets, especially that of network security; and
- WHEREAS,** training opportunities with Guam Computer Training & Solutions involving "Comp TIA Network+" and Comp TIA Security+" have come up, and the PDSC finds it most beneficial for its current Computer Systems Analyst to take advantage of these sessions; and
- WHEREAS,** this training will assist the MIS department in implementing new methodology which may reveal several critical weaknesses in our overall security posture, as well as provide us with the expertise to identify and mitigate vulnerabilities as part of our internal network lifecycle while reducing the potential for damages; now therefore be it
- RESOLVED,** The Board of Trustees of the Public Defender Service Corporation, in its meeting of September 16, 2014, hereby approves the Corporation's request for the expenditure of \$4,590.00 of lapsed funds to ensure the attendance of the agency's Computer Systems Analyst at the Guam Computer Training & Solutions courses described herein; and be it further
- RESOLVED,** the Computer Systems Analyst shall execute an Employee Training Commitment Contract relative to continuing his employment with the PDSC for a minimum of two (2) years following completion of the training above-mentioned.

DULY AND REGULARLY ADOPTED this 16th day of September, 2014.

Chief Justice ROBERT J. TORRES, JR.
Chairman

ATTEST:

BERNADETTE S.N. CHARGUALAF
Secretary

DIRECTOR
Eric D. Miller



ADMINISTRATIVE DIRECTOR
Bernadette S.N. Chargualaf

PUBLIC DEFENDER SERVICE CORPORATION
(Kotperasion Setbision Defensot Pupleku)

GOVERNMENT OF GUAM

779 Route 4

Sinajana, Guam 96910

Tel: (671) 475-3100 ♦ Fax: (671) 477-5844

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William B. Jones

August 21, 2014

To: Bernadette S.N. Chargualaf
Administrative Director

From: Julito Tingson, Jr.
MIS Administrator

Subject: Justification for Network and Security Training

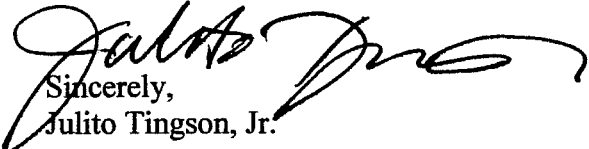
It is an essential business strategy to stay on top of any threats to our assets especially our network security. Having a highly skilled employee who is given the potential to grow their expertise is a great benefit to any organization. An organization's success can often be directly attributed to the skills and expertise of its individual employees, and these benefits should not be overlooked.

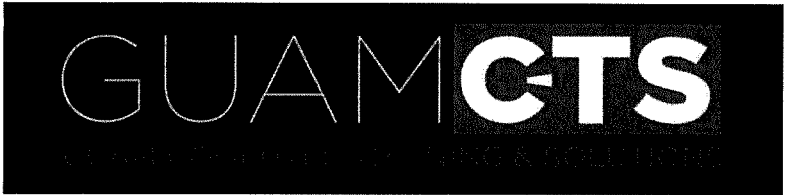
I would kindly like to request approval for Kenneth Lim to attend Guam CTS "Comp TIA Network+" and "CompTIA Security+" training course located at 121 Takano Lane, Suite 303 Tamuning. As a responsibility of Management Information System, our network's security is vital.

This training will assist us in implementing new methodology which may reveal several critical weaknesses in our overall security posture. This class will provide us with the expertise to identify and mitigate vulnerabilities as part of our internal network lifecycle. Addressing these issues early will save us both money and reputational damage.

The course cost is \$4,590.00, and is currently available on island. Please see attached price quotation from GUAM CTS (Guam Computer Training & Solutions). Our employee can repeat a course for up to 6 months on a seat-available basis. (Please see the attached terms and conditions)

I hope you will consider my request, and recognize the clear benefit that specialized skills will bring to our organization's ongoing efforts to improve our network security posture.


Sincerely,
Julito Tingson, Jr.



121 Takano Lane, Suite 303

Tamuning, Guam 96913

Tel: (671) 647-4287 Fax: (671) 647-4288

Training Agreement

Company Information

Contact Name: Kenneth Lim

Company:

Address:

Phone: kennethlim@guampdsc.net

Student Information

Training Consultant

Student Name: TBD

Alicia Castro

Training Services

Table with 6 columns: Qty, Description, Dates, List Price, Discounted Price, Total. Contains 3 rows of training services: CISSP, CompTIA Network+, and CompTIA Security+.

Summary table with Sub Total: \$7,885.00 and Grand Total: \$7,885.00. Includes payment terms text.

Payment options: VISA, MC, AMEX - Card#: CVV: Exp. Date:

Cardholder Name:

Please make checks payable to: GuamCTS Remit payment to: 121 Takano Lane Suite 303 Tamuning Guam 96913

Purchase Order # Check #

Accounting Contact: Phone:

Your signature acknowledges acceptance of the training services, terms and conditions, cancellation policy and guarantee of payment as described within the two (2) pages of this Training Agreement.

Signature: Print Name:

Title: Phone: Date:

Thank you for choosing Guam Computer Training & Solutions as your training solutions provider! Please acknowledge the training services outlined below, arranged in accordance with your instructions, by signing and faxing this form to 671-647-4288.

GUAMCTS

Please take a moment to read the following **Important Information** regarding your upcoming training event.

Terms and Conditions

Cancellation Policy:

___ Application class cancellation requires five (5) business day advance notice prior to the scheduled training date, upon which no cancellation penalty is incurred. If cancellation occurs less than five (5) business days prior to the scheduled training date, client will be charged 100% of the class fee but still be eligible for our six (6) month retake policy to attend the class which the original enrollment was for.

___ Technical class cancellation requires ten (10) business day advance notice prior to the scheduled training date, upon which no cancellation penalty is incurred. If cancellation occurs less than ten (10) business days prior to the scheduled training date, client will be charged 100% of the class fee but still be eligible for our six (6) month retake policy to attend the class which the original enrollment was for.

___ High End Technical / Specialty / Dedicated (CISSP, Cisco, VMware, ETC.) class cancellation requires a ten (10) business day advance notice prior to the scheduled training date, upon which no cancellation penalty is incurred. If cancellation occurs less than ten (10) business days prior to the scheduled training date, client will be responsible for 100% of the class fee but still be eligible for our six (6) month retake policies.

General:

___ To enroll, reschedule, or cancel a registration, please notify your Training Consultant.

___ Enrollment in the class cannot be completed until payment has been received unless otherwise agreed upon.

___ Students can expect to be called by the Registrar to confirm their attendance 48 hours prior to the scheduled class dates.

___ Students should arrive at least fifteen (15) minutes prior to class start time. Students will NOT be admitted to class if they arrive more than thirty (30) minutes after a class begins. If you expect to be late, please CALL - 671.647.4287.

___ Retake Privilege: You may repeat a course* up to 6 months on a seat available basis, with your original courseware and provided that you have completed the original course in its entirety. *Please talk to your Training Consultant about specialized class retakes such as Boot Camps and other high end classes. When retaking certain high end classes, there may be charges to cover the cost of labs and resources that must be paid to attend the course even as a standby. The full payment must be satisfied before any additional training is provided by GuamCTS. Courseware is revised from time to time, due to the advancement of technology. GuamCTS has little to no knowledge when these revisions occur.

___ Due to Microsoft's digital courseware initiative, all Microsoft Official Curriculum will be issued to our students on a thumb drive the first day of class. If a student would like to have it printed and placed in a binder, there will be a \$50 charge for that service.

___ GuamCTS reserves the right to cancel class at any time. If this happens, GuamCTS will refund the course fee in full. GuamCTS liability is limited to the course fee only. GuamCTS cannot be held liable for other related expenses, i.e., airfare, airline penalties, lodging, etc

___ GuamCTS offers many certification courses. The certifying organizations may add or delete courses and credits at any time. GuamCTS is not responsible for changes made to the certification requirements.

Payment Terms:

___ Payment is due upon acceptance of this agreement unless otherwise agreed upon. GuamCTS does not issue refunds. Classes of equal value may be exchanged pursuant to the cancellation policy.

CISSP - Certified Information Systems Security Professional:

Duration: 40 Hours

Topic-Level Outline

ACCESS CONTROL

1. Effectiveness
2. Attacks

TELECOMMUNICATIONS AND NETWORK SECURITY

1. Network architecture and design
2. Communication channels
3. Network components
4. Network attacks

INFORMATION SECURITY GOVERNANCE AND RISK MANAGEMENT

1. Security governance and policy
2. Information classification/ownership
3. Contractual agreements and procurement processes
4. Risk management concepts
5. Personnel security
6. Security education, training and awareness
7. Certification and accreditation

SOFTWARE DEVELOPMENT SECURITY

1. Systems development life cycle (SDLC)
2. Application environment and security controls
3. Effectiveness of application security

CRYPTOGRAPHY

1. Encryption concepts
2. Digital signatures
3. Cryptanalytic attacks
4. Public Key Infrastructure (PKI)
5. Information hiding alternatives

SECURITY ARCHITECTURE AND DESIGN

1. Fundamental concepts of security models
2. Capabilities of information systems (e.g. memory protection, virtualization)
3. Countermeasure principles
4. Vulnerabilities and threats (e.g. cloud computing, aggregation, data flow control)

GuamCTS

**GUAM COMPUTER
TRAINING & SOLUTIONS**

OPERATIONS SECURITY

1. Resource protection
2. Incident response
3. Attack prevention and response
4. Patch and vulnerability management

BUSINESS CONTINUITY AND DISASTER RECOVERY PLANNING

1. Business impact analysis
2. Recovery strategy
3. Disaster recovery process
4. Provide training

121 Takano Lane Suite 303
Rocky Business Center
Tamuning Guam, 96913

Tel: 671-647-4287 Fax: 671-647-4288
Website: www.GuamCTS.com
Email: acastro@GuamCTS.com

CompTIA: Network+ Certification

Duration: 40 Hours

Topic-Level Outline

Unit 1: Network basics

- Topic A: Network concepts
- Topic B: Network architectures
- Topic C: The OSI model

Unit 2: Wired computer-to-computer connections

- Topic A: Wired network connections
- Topic B: Network interface cards and modems

Unit 3: Network-to-network connections

- Topic A: Network-to-network connection components
- Topic B: LAN wiring
- Topic C: LAN wiring tests

Unit 4: Wired internetworking devices

- Topic A: Basic internetworking devices
- Topic B: Specialized internetworking devices

Unit 5: Wired communication standards

- Topic A: The TCP/IP protocol suite
- Topic B: TCP/IP
- Topic C: DHCP servers

Unit 6: Wireless networking

- Topic A: Wireless network devices
- Topic B: Wireless networking standards
- Topic C: Wireless configuration

Unit 7: Security threats and mitigation

- Topic A: Security threats
- Topic B: Threat mitigation

Unit 8: Security practices

- Topic A: Operating systems
- Topic B: Devices

Unit 9: Network access control

- Topic A: Authentication
- Topic B: Public key cryptography
- Topic C: Remote access
- Topic D: Wireless security

Unit 10: Monitoring

- Topic A: Monitoring resources
- Topic B: Event Viewer

Unit 11: Troubleshooting

- Topic A: Troubleshooting basics
- Topic B: Troubleshooting the network
- Topic C: Troubleshooting scenarios

CompTIA Security+

Duration: 40 Hours

Topic-Level Outline

Mitigating threats 1-1

- Topic A: System maintenance
- Topic B: Application security
- Topic C: Physical security
- Topic D: Malware
- Topic E: Social engineering

Cryptography 2-1

- Topic A: Symmetric cryptography
- Topic B: Public key cryptography

Authentication 3-1

- Topic A: Authentication factors and requirements
- Topic B: Authentication systems
- Topic C: Authentication system vulnerabilities

User- and role-based security 4-1

- Topic A: Baseline security policies
- Topic B: Resource access

Peripheral security 5-1

- Topic A: File and disk encryption
- Topic B: Peripheral and component security
- Topic C: Mobile device security

Public key infrastructure 6-1

- Topic A: Public key cryptography
- Topic B: Implementing public key infrastructure
- Topic C: Web server security with PKI

Application and messaging security 7-1

- Topic A: Application security
- Topic B: E-mail security
- Topic C: Social networking and messaging

Ports and protocols 8-1

- Topic A: TCP/IP basics
- Topic B: Protocol-based attacks

Network security 9-1

- Topic A: Network devices
- Topic B: Secure network topologies
- Topic C: Secure networking
- Topic D: Virtualization and cloud computing

Wireless security 10-1

- Topic A: Wireless network security
- Topic B: Mobile device security

Remote access security 11-1

- Topic A: Remote access
- Topic B: Virtual private networks

Vulnerability testing and monitoring 12-1

- Topic A: Risk and vulnerability assessment
- Topic B: Auditing and logging
- Topic C: Intrusion detection and prevention systems
- Topic D: Incident response

Organizational security 13-1

- Topic A: Organizational policies
- Topic B: Education and training
- Topic C: Disposal and destruction

Business continuity 14-1

- Topic A: Business continuity planning
- Topic B: Disaster recovery
- Topic C: Environmental controls