Chamorro Land Trust Commission

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Felix P. Camacho
Governor of Guam

Kaleo S. Moylan
Lieutenant Governor of Guam

Thomas A. Elliott
Administrative Director

Commission Members

Delfin R. Damian, Jr.,
Chairman

Annie R. Perez
Commissioner

David J. Matanane
Commissioner

Oscar A. Calvo
Commissioner

REGULAR BOARD MEETING AGENDA
Guam Ancestral Lands Commission Conference Room, Anigua
April 26, 2006; 4pm

I. CALL TO ORDER

II. APPROVAL OF MINUTES (February 8, 2006; April 6, 2006)

III. NEW BUSINESS
- A. Budget Hearing

IV. OLD BUSINESS
- A. Draft RFP for Legal Services/Legal Counsel
- B. Geographic Information Systems (GIS) Assessment
  1. Presentation of Preliminary ModeL

V. ADVISORY
- A. Incident Response Report by GEPA
- B. Financial Report – March 2006

VI. PUBLIC COMMENTS

VII. EXECUTIVE SESSION

VIII. NEXT MEETING DATE

IX. ADJOURNMENT

Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

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COMMISSION MEETING MINUTES
Guam Ancestral Lands Commission Conference Room, Anigua
April 26, 2006

I. CALL TO ORDER

Meeting was called to order at 4:10pm by Chairman Delfin Damian. Present were Commissioner Annie Perez, Commissioner David Matanane, Commissioner Oscar Calvo and Administrative Director Thomas Elliott.

II. APPROVAL OF MINUTES (February 8, 2006 & April 6, 2006)

Chairman Damian commented that April 6, 2006 was a working session meeting and no decisions were made.

Commissioner Matanane made a motion to approve the February 8, 2006 minutes subject to corrections. Commissioner Perez seconded the motion. There were no objections, MOTION PASSED.

Commissioner Matanane made a motion to approve the April 6, 2006 minutes subject to corrections. Commissioner Calvo seconded the motion. There were no objections, MOTION PASSED.

III. NEW BUSINESS

A. Budget Hearing

The Administrative Director commented that at the budget hearing there were several concerns that the finance committee had with respect to a couple of the positions that we currently have. Essentially they just questioned why those position titles were still in existence and the position titles somehow in their view were not commencement with the type of jobs that they are doing or are supposed to be doing. Their primary concern was the position title of Program Coordinator who is also our Acting Administrative Services Officer. They also wanted to know what a keypunch operator does. The budget submitted was according to the request of the front office, BBMR, asking us to retain the same budget level that we requested last year and that if any additional funds were needed the Governor would help in that respect. Aside from the budget itself they jumped right into the management audit of 2005 by the Public Auditor which covered the years of 1999 to 2004. In that audit of course the public auditor tied this board and myself to the existing conditions that were listed in the report. About 95% of everything listed in that report occurred prior to

2005. Nonetheless, I was pretty much hammered on several issues particularly with respect to the accounting process such as how the revenues were accounted for, the expenses and how they were reported and as in this case it was not reported. The reports are supposed to be submitted to the Legislature on a monthly basis. However, we have not been doing that at this point. They came out with a question regarding a landfill license and unless there is another purpose or an associated purpose with this particular license which I have not looked into at this point, I found that to be surprising. I am not aware that we have a landfill unless it was a pit that may have been used as a landfill prior to this license being executed.

Commissioner Calvo inquired on where is that landfill.

Administrative Director commented he does not know.

Commissioner Matanane requested that the Administrative Director conduct a search of the Commission's records to find out.

Commissioner Matanane commented that going back to the monthly report that the Legislature is requesting for, I know that we are supposed to be reporting yearly. All we need to do is check off every month on the commercial licenses or leases if they came in to make payment and if not then we know that we have receivables. In any event it is not that hard to trace the monthly payments that have been made and compare it with our listing of people who are licensing or leasing the properties. We can generate a standard report for every month when we receive a payment. Who ever is going to be doing it will submit it to the Director for approval and submit the report not only to the Legislature but we would also like to see a report at every meeting. In that way we can find out how much are the receivables for the lessees or licenses or whatever revenue that we are supposed to be generating every month and if they didn't pay for that particular month then we have accounts receivables and we are going to have to make effort to try and collect that. It is not that hard if we just list the people that are supposed to be paying monthly.

Commissioner Perez inquired if the Commission staff is using Quicken.

The Administrative Director commented that we are using QuickBooks. Later in the meeting package there is a financial report and perhaps the Board can suggest if that it would be sufficient as a reporting device to the Legislature.

Commissioner Perez inquired if we are up to date with the reporting of property and the number of lessees as far as posting.

The Administrative Director commented that the discussion at the budget hearing covered commercial licenses.

Commissioner Perez inquired if the lessees are also paying on an annual basis.

The Administrative Director commented that it depends and they can pay annually or monthly and they pay that amount to Dept. of Administration.

Commissioner Perez commented that so what we are saying is that we need to have both whether it's residential or commercial. If we have already up to date posting of who is awarded what property with that you could do a spreadsheet right away because you know exactly how many tenants you have, how many are commercial and residential. When you do your report it will be very easy to do your report that way. You need to make sure that your tenants are up to date as far as are they all recorded because even if you say that you have 3,000 tenants, if they're not all recorded into your system then you would not have an accurate count.

Commissioner Calvo inquired on what do they pay at the Dept. of Administration.

The Administrative Director commented they pay the residential and agricultural leases to the Dept. of Administration. Apparently there is an account number that is separate for Chamorro Land Trust leases.

Commissioner Calvo commented that technically we don't have the control of the payments. If the lessees go to make their payment at Dept. of Administration then that record itself is there and we somehow have to get that record from them every month.

Commissioner Matanane inquired that when a land agent issues out properties and this particular lease, is it paid here or at DOA.

The Administrative Director commented that it is paid at DOA and they provide the client with a receipt and then the client brings a copy of it to us.

Commissioner Matanane inquired if you go through our records with all the people who were given land and see if they have paid the $99 and you have to issue this out with DOA to make our books straight that they have already paid the $99 for that lease and of course DOA would have to get the money and put it in our Trust account.

The Administrative Director commented yes we do have a category of payments.

Commissioner Matanane commented that you have to list all the people who were given property, agricultural, residential and commercial and account for each lot number and then find out whether it has been paid. In that way you can also check your total inventory of property.

Commissioner Perez commented that if they haven't paid for over 5 years since they had it, I think that we need to have the Legislature do a legislative form that states that if they are behind in payment for so many years that they are subject to be terminated from the property. Those need to be in line with the amount of money that we are collecting verses the amount that we receive. If we say that we have 3,000 tenants and of the 3,000 only 50 are faithful in their payments then what kind of income are we making here?

Commissioner Perez inquired if there is any case where a person is awarded property and the initial payment was never paid and still have the property.

The Administrative Director commented that he thinks that there are some cases like that. They only paid the application fee of $50 but have yet to make the $1 for their first year payment.

Commissioner Matanane commented that we need to act on that and try to contact them or issue out a letter informing them that they are behind. We need to account for that particular dollar.

Chairman Damian commented that we are going to be working on updating any arrears and then those that are really tardy on their payments then we would need to send out letters.

Commissioner Calvo commented that it is courtesy enough for us to give them a letter. They would need to show us receipts now if they lose their receipts then that is not within our responsibilities.

Chairman Damian commented that we will be asking for updates and sending letters of concern based on how delinquent they are and this is not just for the residential or agricultural applicants but for commercial licenses as well.

Chairman Damian commented that this is in line with what we as a Commission has decided upon, as you know we are going to be looking at changing some of our clean up efforts and redirecting some of our efforts to some of the other areas especially those in speeding up the Notices of Intent to our new people who are qualified for the Land Trust.

Chairman Damian wanted to make note officially that the Legislature's main concern from the audit report is from the time period of 1999 to 2004. I also want to make clear on record that this Commission did not participate on those years and with the question of the Raceway Park getting on 4 cents per square meter, operating a landfill, allowing a license to operate a telecommunication, not establishing a system to monitor commercial revenues, a lack of a system to monitor a $6.5 loans, the $72,000 default for SBA, not publishing the auditing financial statements, these are the areas of concerns from the audit that the Finance Committee brought up. I want to go on record letting the public know that this Commission, it's members and the Administrative Director were not in tenure during these times of concerns by the Legislature however, we are in session now and we have begun the process of correcting those issues. We've looked into the recommendation of the Public Auditor and we have put in established software, we are making a review, the Board has changed some of its efforts to redirect its attention to expediting and also to balancing the books. I also want to let the public know that we will be meeting with the Legislature's Committee on Finance to address some of these issues even though we were not on board when all of these issues came out. Some of the issues were a generator, a bush cutter and some off-island travel that took place again this all happened prior to us stepping in. I don't know if the Legislature knows that fact or if they did not know that fact and thought that those things happened during our tenure or despite those facts that we did not make any

corrective measures. We go on record and the minutes will show that we have initiated corrective measures to address those issues. We will be working with the Legislature and the Front Office via BBMR to be able to sit down with the two other entities and work out some of these issues to the satisfaction of the Trust, the Legislature, the Executive Branch and more importantly the public's perception on the Trust. I apologize for some comments made about this Commission with respect to things that have happened prior to us stepping in. There are very major stumbling blocks in the eyes of the Legislature. I think that they are aware that these things happened between 1999 and 2004 but maybe they are still continuing to try and get some answers and trying to get corrective measures on those issues. Whatever negative comments have been brought to your attention, you know the truth and this Commission has never operated behind closed doors unless it had to under law for instance on Executive Session regarding personnel. Other than that we have always made it public record so there are no hidden agendas here. I will be meeting with the Director and the Legislature and I will keep you informed. We hope that many if not all the Commission members would be able to take part in those discussions to be able to iron out some of the issues that were raised concerning the budget.

Commissioner Calvo commented that he is glad that the Chairman brought the issue up and he wants to make it known to the public that since we got in here there is no such thing as under the table. I want to clarify that to the public because I hear rumors out there that we are doing these things. What happened in the past, that's in the past, I'm not worried about that but unfortunately we are bombarded with those issues because we are the sitting Board right now. We are the sitting ducks and the clean up committee. I am glad that is being clarified. I numerously hear that all these that we are going left to right and fly by nights and all these things and I personally take that very personal. I don't think it is really fair on all of us that we are not given that opportunity and that chance to speak our language. It is the other side that we always have to hear their language and I think it's a burden on us. We are trying to do our best and we are doing it the right way. They may not agree with these things but these are the proper procedures that we are doing. Yes it is a little longer process but at the end result it will be in better ways. Who ever is going to take over next time will benefit. We don't do things in the back door.

Chairman Damian commented that he is sure that the sentiments are being echoed by the other Commission members. We continue to move forward with what is the task at hand for this Commission particularly with what is spelled out in the law.

Chairman Damian commented that we will need to meet with the Legislature on other issues beside the audit report. Specifically, as you know now they are requesting that we monitor the financial issues of the Trust more closely and we will definitely be looking at them to provide the funding resources to hire personnel to address those issues.

Commissioner Matanane commented that he believes that it is right timing for us to request for whatever position that is required at the Commission.

Chairman Damian commented that we will send communication to the committee on that.

IV. OLD BUSINESS

A. Draft RFP for Legal Services/Legal Counsel

The Administrative Director commented that this draft RFP was reviewed by the Commission and essentially there have been no additional amendments to the draft RFP. The Administrative Director called the Commission's attention to an insert that lists down the different dates and issues that the Land Trust Commission requested legal guidance on starting June 2, 2005 to as early as April 3, 2006.

Commissioner Matanane requested that the Administrative Director read the list so that the public will know what we are encountering.

- On June 2, 2005 the Administrative Director commented that a memo was sent to the Attorney General's office requesting for legal review of the Ypao Point RFP, no response was submitted.
- On September 21, 2005 the Director notified the AG's office regarding a meeting that would discuss legal services, no response was required by that meeting.
- On October 13, 2005 a memo was sent requesting for guidance regarding Lots 5001/5002 in Harmon which this Commission had approved to be licensed to one of our applicants, no response.
- On October 17, 2005 a memo was sent regarding clarification of licenses to non-lessees, no response.
- A follow up memo was sent on November 17, 2005 regarding licenses to non-lessees, no response.
- On November 25, 2005 a memo was sent regarding a follow up on prior requests and a request for proper procedure regarding eviction of squatters, a response was submitted on the licenses to non-lessees and he did get some verbal advice on the eviction procedures.
- On December 22, 2005 a memo was sent regarding the case of Marilyn Borja (a displaced, unqualified widow), no response. It was only at another point in time in January or February of this year where legal counsel did respond to this case saying that it was a probate issue not a Land Trust issue.
- On January 17, 2006 a memo was sent requesting guidance on the proper procedure of the transfer of 2,000 square meters in Tamuning to Dept. of Mental Health, no response.
- On January 17, 2006 a memo was sent requesting for a legal opinion on the status of public lands reserved by GTA under P.L. 22-18, no response.
- On April 3, 2006, a memo was sent by the Acting Administrative Director requesting for a legal opinion on the legality of some documents relative to Lot 10120-13 in Dededo, no response.

Chairman Damian inquired if we have legal counsel present today.

There was no response from the public.

Commissioner Calvo made a motion to approve the draft RFP for legal counsel services. Commissioner Matanane seconded the motion. There were no objections, MOTION PASSED.

Chairman Damian commented that we will review the draft RFP again should there be any last minute inclusions or deletions and then the Administrative Director can send out the RFP.

The Administrative Director commented that there will be further corrections to the draft RFP and will review it one more time with staff before sending it out.

Commissioner Calvo inquired on the timeframe.

The Administrative Director commented that he will get it out as soon as possible.

B. Geographic Information Systems (GIS) Assessment

1. Presentation of preliminary model

The Administrative Director commented that after several meetings with Butch Bernabe and the individuals as F.F. Cruz Company in Quezon City, they were able to identify a preliminary model for a land information system or a GIS system that will help the Commission expedite the mapping and surveying of the land inventory and also consequently expedite the leasing of these lands. As you well know this is probably the loudest complaint that we are getting from our constituents. We are not moving fast enough because we do not have lands that are readily surveyed yet alone lands that have the infrastructure and access. I carried some maps with me and a list of some clientele just to see if there was someway to manipulate the information to suit our needs and to that of our clients.

(Director presented slide show)

1. The project summary and scope would require some data conversion this is essentially the steps that we will be taking as we identify and as we go through and try to convert some of our data which is mostly on paper at this point both on maps and files. After the data conversion we would go to the land lease/licensing system, the land inventory/mapping system, data query and layering, IT services and the implementation plan. What this does is it sets out what information we have and what we would like to do with that information. The implementation plan would be the actual implementation of the system.

2. Project summary – Mandate: "CLTC is responsible for the disposition of Chamorro Homelands (public lands).."
Inventory: 2,000 acres of unregistered lands and 4,000 acres of registered lands. The Administrative Director commented that this is a rough estimate. We do not have an accurate inventory of these lands. It is difficult to have an accurate inventory particularly when we have un-surveyed lands. It's very important as we go along that the Chamorro Land Trust Commission should consider having its own survey section so that we can do our own surveys rather than having to rely on expensive survey fees from the private sector

and for the lack of staffing at Dept. of Land Management which we were relying on in the past for support.
Services: The services that we provide are the agricultural and residential leases, commercial licenses and as far as the grazing leases, I believe it has been a matter of policy that we pull back from the grazing leases particularly because of the amount of land those types of leases consume. The grazing lease deprives the other smaller requirements of agricultural and residential uses. If we were to hand out 50 acres for a grazing lease that would deprive up to as many as 100 applicants for an agricultural lease for a half acre.

Relative to the grazing leases, Commissioner Calvo commented that he does agree with that. It is not going to be fair to give one guy 50 acres where he's only got 5 cows out there in the field where the Commission can give 58 people more a piece of property. They have to really show that they do need it for grazing.

The Administrative Director commented that this is part of the information requirement. We would have to provide this requirement to the GIS staff to have this information electronically inputted into the computer. This is going to be labor intensive but it can be done and according to the principles at F.F. Cruz it's quite durable. They foresee that based on the number of lessees that we have they are quite confident that it could be done if we have the right training and the right staff in a matter of 6 to 8 weeks. Another point that I would like to make regarding the services, the agricultural and residential leases and the commercial licenses, those also have to be encoded digitally into this program. What all this would do is start to organize everything for us granted that it would still have to be physically manned by people. There will definitely be some security mechanisms that would prevent manipulation by outsiders or by staff.

3. Project summary – The objectives are essentially the basics which are to have an accurate inventory of land holdings, facilitate the transactions which are the leases and licenses. We want to be able to query the data which means that if we need information we can just go directly to the computer rather than to the files, we want to validate the ground and digital survey data, we want to be able to match both what's on the ground and what's in our computer system. The proposed solutions and the target vision is to improve service. We would have fast access to documents and maps. This system would be GIS enable, it would be self contained, a model that will be specifically designed for Land Trust purposes. We will have validated transactions and we will be able to identify duplicate placements, overlaps of boundaries, gaps between boundaries and things of that nature. Our target vision also includes expeditious processing of these transactions. Our target vision is not just convenience but being able to generate revenues and to keep track of them accurately.

4. Systems Objectives & Components- This is the management of land records where we will begin the digital conversion of documents and maps. This requires some specialized equipment and software. We have the application programs to facilitate the transactions. These would be the programs that we would be able to use to begin the process and to expedite the process. We would be able to do the survey plan with GPS (Global Positioning System) where we would be able to track through satellite the corners of the property. We can also tract the existence of sewer facilities, water pumps, water pipes and

electricity. These would prevent duplicates and overlaps. We would have digital updating of maps which is something that we need. We would be able to pre-design an area, subdivide the map and be able to move forward quickly with the placement of lessees. An option to the application programs is the transaction workflow which can be implemented at some time after the basic model is implemented. The GIS based system consists of thematic mapping and querying of data layers. Thematic mapping means that each layer of maps will show a different feature that will be important for us to identify what areas are good areas to be given out. We have given out areas that are not conducive for farming. The GIS based system will also link the attributes and digital images to maps. Imagine being able to punch in an individual's name and it will bring up not only his map but a satellite photograph of his area showing how far they have progressed on the property and what utilities are available to that area. The last item would be to be able to provide foundation for full ITC applications.

5. Data Conversion of Documents & Maps – Here you would have your paper document which goes through a scanning machine and into a computer. The scanning machine converts the printed document into a digital image and then it goes to an indexing part of the software. In the indexing section it is catalogued and digitized so that this document can be easily found. From here it can both go into storage and archiving. Archiving is long term and the regular storing is short term. The retrieval would be retrieving material for viewing. The physical documents are converted to digital images.

6. Document Conversion – We would have to do an inventory and preparation of our documentation then we would scan it, index it, link to maps and then load it into the land and business database. The land database would hold the maps, leases and licenses and the business database would be linked to the land database and would allow us to track the revenue for the agricultural and residential leases as well as the commercial licenses.

7. Examples of data conversion of documents and maps would be the plotting of parcels, snapping of parcels (photographing) and the GIS database. The dialogue boxes showing in the examples are all preliminary at this point.

8. Computer applications – samples shown such as the lot data computation, what items would be required for the survey plan information and the lot information which will be linked together. The applications documents entry would contain information provided by the applicants.

9. I.T. Services – The scope, activities and deliverables would be the process to be considered to implement the GIS system. The scope consists of the business process review, the hardware, the software and the netware.

10. Land Information System – This is where we would have layers of maps identifying the ortho-photography, topography, survey control, survey fabric, parcel fabric, interests & encumbrances, regulatory zones, administrative boundaries, assessment fabric and street addresses.

11. Implementation Plan – The initial phase would be the business process review, the data conversion, mapping of parcels, applications development, integration and training and implementation. F.F. Cruz estimates a six months timetable for system implementation without full conversion and mapping.

Commissioner Matanane inquired on what would consist with the 6 month timeframe.

The Administrative Director commented that it would be the basic system without the full conversion and mapping.

Commissioner Calvo commented that we should have all the implementation and everything done at one time than to have partial implemented.

Both Commissioner Matanane and Chairman Damian agreed.

The Administrative Director commented that he is in regular communication with Mr. Bernabe and they are working together to provide the F.F. Cruz company as much information that they need to be able to refine this.

Commissioner Matanane commented that our main objective is to get this particular system so that we can achieve the objective of the Commission.

The Administrative Director commented that the other information items that Mr. Bernabe was looking for was the volume, sizes and condition of documents for conversion, types and volumes of transactions handled on a daily basis, business rules that covers the transaction, number of parcels or surveyed plans for conversion and mass of data layers that are available to be incorporated into the GIS.

Chairman Damian commented that we do have lines of communication with Dept. of Land Management and Mr. Borja has indicated his approval and his time to integrate or release what information we would need.

Commissioner Calvo commented that it would also help the Dept. of Land Management if we are both working side by side which would speed up their part of the work too.

The Administrative Director commented that it is a point well taken but he would like it to be known that this Commission should move forward and move forward quickly and not wait around for Dept. of Land Management or any other agency. Let's take the lead on this and let's set the standard.

Commissioner Perez inquired that if we do commit our self to GIS, all these pre-planning work that these gentlemen are doing for the Commission, are we subjected to putting in a proposal and then doing a bid on the proposal. I don't want these people to have high hopes that they would be the one to be selected and when it comes down to the process of procurement that it does not go through. I am more of a global person who looks far ahead

on more of the implementation and how are we going to process this plan before we even decide to do the implementation?

Chairman Damian commented because there are other entities that work with GIS and of course these are some of the recommendations made to us from GIS and the Dept. of Lands and Natural Resources in Palau, there are consultants and support personnel on GIS. There are support groups out there and we will as a matter of this policy go through RFPS and the scope of work and of course there are other issues that we can look at. As we had mentioned during our working session of looking at financing with Dept. of Interior, looking at GovGuam and the Legislature with full implementation with regards to networking with other agencies. We will go through the process as described by law. We are not locked in to this company. This company is interested in providing services and is really showing what they can provide for us. We have no contractual obligations with them.

Commissioner Perez clarified that we are not obligated to the pre-planning.

Chairman Damian commented no.

Commissioner Perez commented she would like to see this Commission start something like this on the island of Guam. I would also like to make sure that when we start we start correctly.

V. ADVISORY

A. Incident Response Report by GEPA

The Administrative Director informed the Commissioners that on April 19, 2006 at 4:30pm there was a fire up in the Astumbo area in Dededo. The fire was reported to GEPA and they had found solid waste violations of illegal dumping. At this point we have preliminarily identified one of our Land Trust clients as the alleged violator. There were also some vehicles that caught fire in the surrounding area which the vehicles were placed with mixed metallic debris. The fire was fairly hard to extinguish. The recommendations by GEPA was that the site be cleaned, disposal receipts be provided to GEPA and to conduct a re-inspection after the clean up.

The Administrative Director commented that he will be looking into this further and will be working with GEPA.

Chairman Damian informed the Administrative Director to give a status report on the matter at the next Board meeting.

B. Financial Report – March 2006

The Administrative Director informed the Commission that as of March 31, 2006 the total asset of the Commission is $1,212,187.51. The reconciliation sheet reconciles the deposits and credits for March 2006. The total for the accounts receivables aging detail is approximately $39,373.07. If you would notice there are two individuals who consistently show up. The periodic amounts that they are responsible for are so small however their arrears have been allowed to accumulate.

Commissioner Calvo commented that the Commission should give them a letter of notice.

Also provided to the Commission was the appropriated funds sheet which is the Department of Administration special fund revenue or otherwise known as the Chamorro Land Trust Operation Fund. The Administrative Director commented that the Legislature was concerned that we had this Chamorro Land Trust operations fund which required that all amounts be transferred into this fund however we have not done so at this point.

Chairman Damian commented that we've requested and that we are on official notice, we requested from Dept. of Administration for a matter of three months and three meetings, one per month of a visit and a reconciliation of Dept. of Administration accounts with this Trust. To date the Dept. of Administration has not responded to our satisfaction. We will continue to request for a meeting so that we can sit down and actually find out what all of these special accounts are that we are being charged for. We have no recollection or records at our disposal to reconcile that. It is very difficult to respond to the legislature when we do not have the information that they are requesting from the Dept. of Administration. This Commission goes on public record of requesting for that, not just once or twice but at least three times. When we do meet with the legislature's finance committee we will let them know that we are unable to provide them some of the specific details of their request due to a lack of feedback from the Dept. of Administration.

The Administrative Director informed the Commission that the appropriations sheet shows the allotments and outstanding encumbrances and expenditures for the month of March.

Chairman Damian commented that there is an initial response to Commissioner Matanane's inquiries regarding receivables and he believes that what he is asking for is a different way and a more detailed report on the receivables.

Commissioner Matanane commented that is correct and that he would also like to be put on record that he is still requesting as to what the billings are for and what does Chamorro Land Trust owe DOA.

Chairman Damian commented that from the budget hearing, the Commission owes Dept. of Administration more than what we have in our account according to the Legislature. We go on record and we have the documents to support that we don't owe them all the way back to 1999 as per the auditor's report and the financial committee of the legislature. We have made payments and we have not gotten a billing because they can not answer our questions regarding the invoice that they have been sending us. We can not pay them if they can't provide us with proper documented invoices. Just a matter of record we as the Trust have to reimburse the general fund for personnel. Many of the so-called invoices that was sent to the Trust prior to the Commissioners coming on board have been forgiven as a matter of record. The legislature does not have that on their record so they are still showing that we owe them all the way back even though the Dept. of Administration has documents showing otherwise. The Chairman stated that he is going to be writing a letter to Dept. of Administration and to the finance chair regarding the next roundtable discussion to make

sure that a member of Dept. of Administration is there to clarify some of the issues on the accounting.

VI. PUBLIC COMMENTS

Merlissa Camacho Aguon – speaking on behalf of her mother Rosita Vitug, Her mother's question is to find out if there is any assistance or programs to help senior citizens who don't have so much income or funding in order to have a surveyor survey her land. Is there any way or areas where she can be directed to get assistance where maybe she can have an installment plan on a month to month basis?

Chairman Damian commented that the legislature last year signed into law an appropriation to the funding of surveying properties for Land Trust recipients. We are awaiting the funding part of that law. To date no money has been deposited to the Trust for that very program but it does allow the recipient to pay on a monthly basis up to a year so that the property can be surveyed and they would be able to complete and fulfill the requirements and be able to move onto the property. It is called a revolving fund. What happens with that fund is after a year has gone and your mom has satisfied the surveying fees that money goes to the next person in line. Anybody who is a recipient for Land Trust qualifies for that, those who especially can not be able to pay up front the full amount of the survey. There is a revolving fund that the legislature did pass however we are still awaiting the funding source to be able to implement that part of the program. In the meantime what we would be able to do is to communicate with the legislature and find out the status whether in fact for instance that is a special fund that they are going to be putting in money for this new fiscal year that starts October 1, 2006. We will let you know whether it is a letter or an official press release from us should that happen.

Merlissa Camacho Aguon - When you mentioned about we are responsible to pay our fee for 99 years is that date of signing the application or given the property after surveying or even if it is not surveyed yet?

Administrative Director - Payments are due upon execution of a lease agreement.

Vicente Garrido – First respect to all of you from me and the members of the Chamorro Nation. I had received an email today, a statement from the Government of Guam stating that there is a lot of land to use for the military, especially for the Marines who are going to be coming to Guam. Has the Governor looked for you or did you guys meet anywhere or did he give you an order to see what land they can use for the Marines?

Chairman Damian – No one has come here from the governor.

Vicente Garrido – Okay because if anything we from the Chamorro Nation are going to defend and protect the lands of the Chamorro Land Trust. For this reason if Governor Camacho is trying to do something then we too are ready to challenge what he is going to do. The land of the Chamorro Land Trust is for Chamorros and not for any other, not even for the military that are coming. We will challenge this always, that's why we are standing

up. There is another item also for respect to the Director Tom, we also came to the public hearing either last week or this week, this is important too and I will just take one of Josephine's questions, the benefits of your trips to Palau and the Philippines, is there any benefits to the Chamorro Land Trust or is it just a visit and was it Land Trust money that was used? Tom this is respect to you, nobody is getting mad I'm just going to ask you on the direction side.

Administrative Director - Yes this is beneficial to the Land Trust because we are looking for ways to move the process faster in giving the land to our people. More importantly we are looking at the GIS. The beginning of this is when we met to plan all of this land conference in Palau that is what made us interested in the GIS because that is the one that will help us the most. Because of that is why we traveled to Palau, we planned, we helped the land conference other than that they asked if I can go to the Philippines to ask individuals at F.F. Cruz Company if they could come and present information on GIS. The other, we have already established that we are going to help one another from the land conference and to help one another after the land conference so these people offered to assist us at the Land Trust to plan an effective and good system for our people here. The work here has become too hard because we don't have a surveying section. That is why we are asking our people to pay for their surveys. If we bring this GIS system and move forward then our people can stop paying for the survey fee. If we have that then it would get better and it can all of it.

Vicente Garrido – How much is this going to cost and how long is it going to take? Is there any particular land that you have identified for this project or are we just looking for investors here and there to come and use the land?

Administrative Director - No, they are just going to help us with the GIS.

Commissioner Calvo – We went to Palau and saw what this machine can do. It is going to move our work forward. We don't have a survey division and there are a lot of people waiting for land. This is going to make the process a lot faster. Anything you do in life is going to have an expense. Going back to your question, no one is going to win here but the Chamorros. That is what we are trying to do to move forward easy. Because if we are going to keep tying up one another and doing harm to one another then we would never understand one another. This is the right way. We went over there and we saw the system in Palau. It is unfortunate that it is being done in Palau. Normally the technology usually starts here. Sure it's going to cost but there are other financial areas that we can go through such as the Dept. of Interior to help us finance it. We are not paying anything here under the table or anything.

Vicente Garrido – That's good.

Josephine Jackson – What is GIS?

Administrative Director – Geographical Information System.

Josephine Jackson – So there is none here on Guam?

Chairman Damian - The Department of Land Management and Bureau of Planning are using it but the system that they are using is old and it doesn't have the advanced capabilities. The system that Department of Land Management is using is limited. The system that we are looking at is more advanced and we can get more information from it.

Josephine Jackson – Are you guys going to finance Palau's needs also?

Chairman Damain - No there are no needs that Palau is asking from us. We did not give them any money or personnel help. The help that we gave Palau was help for the entire pacific, FSM, CNMI, Guam and Palau. All the four nations that were present all gave in for the benefit of all to receive the best from all their knowledge and to receive what they decide on the part of questions on land issues. There is no money that came out of the Land Trust to give Palau but we went over there just like all the rest. We went over there to help one another because we are in the same area and especially here in the Pacific. So no money went directly to Palau or any kind of labor that we sent over to do anything. It was part of what all of the entire pacific said it would do to make this conference a success.

Josephine Jackson – So with the speakers at Palau, did you have to pay for their way?

Chairman Damian – No.

Josephine Jackson – Tom did you recruit those people?

Administrative Director – I went to recruit two speakers. I was assigned to recruit two presenters for the conference. The fund that funded their trip or was supposed to fund their trip to Palau was part of the Department of Interior grant. That's where the funding came from. The funding did not come from the Land Trust.

Josephine Jackson – So who funded your trip to these conferences?

Administrative Director - It was funded through BBMR.

Debbie Quinata – So it wasn't money that was supposed to be personnel cost? That was reported in the news.

Administrative Director – I believe that was a mistake because the appropriation for Chamorro Land Trust is a general appropriation. It is not specified as personnel cost, that's one issue. The other issue is that BBMR identified lapsed funds from a prior year that was able to be used for the funding of this trip.

Debbie Quinata – So Tom it doesn't have to be reimbursed to the budget for the Chamorro Land Trust by the Governor?

Administrative Director - I believe that remains to be seen.

Debbie Quinata – Because the only person who made these statements were you. You made these statements when you were interviewed and asked about this.

Administrative Director – What statements did I make?

Debbie Quinata – The statement was that it was taken from the budget for personnel use and that it will be reimbursed by the Governor because he is such a wonderful person. That' not what you said but it's pretty much what you were leading to. You spoke about going to the Philippines so that you could recruit speakers for the Palau conference. How many times does it take, going to Palau to get this all solidified and tied up?

Administrative Director – It was all planning.

Debbie Quinata – So it took 5 different times to go over there?

Chairman Damian – It was one planning in January or December maybe before the conference. There was one final planning conference before the trip. The other issue here is it's a general appropriation again and that we are not funded. If you look at our budget there is no section there because we have to follow procedures on all of these travel plans. There are specific guidelines and criteria that have to be met before we can even think about traveling.

Debbie Quinata – We understand but according to a news release and information that was given to the media and to the people was that Tom has traveled in the last six months over a dozen times and if that's not correct then maybe someone needs to make a correction. And that the funding came for this from the personnel cost and that it was going to be reimbursed by the government so that there will be no payless paydays. I am kind of wondering if you guys ever heard of internet connections or long distance.

Chairman Damian – The issue of a dozen times that's a little bit too exaggerated.

Debbie Quinata – Was it eleven?

Chairman Damian – Five times.

Debbie Quinata – Well, you're already wrong by two because according to the trips that Tom has made, he's made five trips to Palau and two to the PI. Prior to this conference Tom was in Palau for what two or three weeks to help set up? Does that make any sense to any of you guys? Were you being paid while you were over there Tom?

Administrative Director – Yes.

Debbie Quinata – You know our people are dying out here. They need land and you're flying all over the creation. You know we trusted you, we trusted you, I just wondered if you know that. You're a disappointment.

Josephine Jackson – This Department of Interior, is that under the federal government?

Chairman Damian – Yes.

Josephine Jackson – Why do you have to listen to the federal government, I thought this is Chamorro Land Trust? Why does the federal government have to get involved with you people again?

Chairman Damian – We are only involved with the federal government because of number one the funding source to make GIS a possible. Number two, all of the GIS in the entire Pacific region became a reality through a funding from the Dept. of Interior. The Dept. of Interior did not take any lands back. All we did was comply with the exit requirements. The funding source is what we are looking at with respect to Dept. of Interior. They are not here to take anything back from us or ask anything back from us. It's a grant. All they are asking from us is to be able to report back to make sure that we have complied with all the requirements of that grant. We have and we have the evidence of the land conference right in front of us. We have not made any commitments or signed any documents saying that we are going through the Dept. of Interior. These are issues that we are looking at as possible sources of funding.

Josephine Jackson - Tom there at the budget hearing I remember you saying and quote that people who surveyed their land and had been reimbursed? Were they really reimbursed and are there any receipts saying that they were reimbursed for the survey?

Administrative Director – You know Josephine that was long budget hearing. I'm not sure what my comments were in response to.

Chairman Damian – This is the issue of the mistakes that had been made by the Land Trust and had to be reimbursed. Tom, do you remember?

Administrative Director – I don't recall the cases specifically or the names involving those individuals. Yes I do recall that there were a couple of cases because of the nature of what had happened I think the Land Trust had to or was compelled to return the survey fee.

Josephine Jackson – Can the Chamorro Land Trust Commission give authorization to the Chamorro Nation to go in and give eviction notices to non-Chamorros on Chamorro Land Trust land? Can you?

Commissioner Calvo – That's one of the reasons why we need legal counsel. There are things we need to consider because there are laws. Things can happen out there. Once we get legal counsel and they say that yes you can do that then okay. I myself don't want squatters too. I know that there are a lot of them out there.

Chairman Damian – We can't give authorization to do that because there are laws and we don't have anything in the law that gives us authority to what you are requesting. The law is already in place and we just have to follow it. There is nothing we can do but to keep giving

the information to the Attorney General for them to find ways to talk to these people that are on the land. We do not have the ability to give you that authority. The Attorney General and the Marshalls are by law the ones to be serving papers.

Vicente Garrido – How many non-Chamorros are staying on Chamorro Land Trust lands and how many acres are they occupying? Do you have any records of that?

Administrative Director – No.

Vicente Garrido – So you are saying Mr. Calvo, respectfully, so you are saying there's nothing you can do about the non-Chamorros staying on Land Trust land and you said because legal matters, yes? So if that's the way we are going to do it so it is illegal also that we are staying there and we are not supposed to be there because the land is Chamorro Land Trust land.

Commissioner Calvo – Let me make it clear, I'm not saying that they can't because the people who stay there we don't know their history, they could be married to a Chamorro. You can't just say that they are not Chamorro.

Vicente Garrido – I'm talking about the non-Chamorros, the people of Micronesia, Filipinos, etc. If the land is truly Chamorro Land Trust land and they apply for water and power they apply then the Land Trust can stop them. On another matter on the land for the school and they are going to evict the people who are there you look for land for them right away. With the people on the property where they are going to build a school, a place had to be found to relocate them, what is the difference between them and the people who have applied and are still waiting for the last ten years?

Commissioner Perez – Those people who are already occupying Land Trust they are being removed so a school can be built. We can not also just throw them out and there is no place to put them. They should find another place for them if they are going to use the place that they are on right now. The same as if it were you if you were the person who is in that situation or problem then you would not be happy if they are just going to evict you out on the road and you would have to look on your own where to live. That is not humane. Those individuals are eligible to be given land. For the ones that we did not give yet there is no land to give and according to days on when they applied, we are only on day two.

Vicente Garrido – That is good, I already understand what you are saying. What I am trying to say is the people who have been waiting for a long time. I understand that is not what I want to just kick them out to build a school, that is never what I wanted. I am just trying to say here, that as soon as land has been found maybe these people who have been waiting for along time can have a chance.

Commissioner Perez – If you notice earlier what Tom was saying about how many lands are not registered and how many are registered. We have a lot of people who applied and no land is registered and there is a lot of lands that are not registered and we cannot issue it out.

Vicente Garrido – Who's responsible to register the lands and what is the delay?

Administrative Director – Department of Land Management.

Vicente Garrido – Okay we will speak to Joe.

Trini Torres – I know all of you. I was reading this and I did not go to the hearing but someone told me that the work is incomplete or the response was un-liked or something was asked and no response given. And again the question that was asked from Debbie was the trip, is there a way we can see your receipts? Could we see the receipts because that is public record? So I will come and check and we just have to make sure. Anyway there is nothing we are hiding like what you said. This is our land and we are sad if we are to give a big chunk of land for a school to be built. In other words this land is being lost by us. It is a big loss for us. No we're not loosing it because it is still there but not in our hands.

Commissioner Calvo – We're not going to lose the land because the reason for the school to be built is for a thousand or five thousand kids to make them go to school to have an education. Where are we going to put these kids? We're looking at our kids.

Trini Torres – I understand what you're saying, our population, we're only 33% at the most 34% Chamorro. There are a lot of outside people. We are building it for the outsiders and we are supporting them. Our people are losing out. We're losing the land, because if it's just for our children, we have enough schools, it's not necessary to build a new school. If the federal wants, they brought the immigration in they can build it with their own money. That is why our people are hurting because we are losing it. Not only that you need to establish rules and regulations for the commercial land leasing because you have those that falls through the cracks. There are some things that you can be consistent in and you may have a special situation but for the most part you need to follow the rules and regulations. If there is nothing and you keep doing what you are doing now because you know that you are on top of it. There are times when it is not the same when you compare and then they would just blame us again. Why are we doing it and there is no rules and regulations in place? That's a safety net for us also because our people are watching. Because there is nothing here and when I see all of this, the budget, there are some things not clear, the municipal golf course lease payments and the landfill. There wasn't anything substantial. There is some $70,000 payments owed and you can't even settle that thing. I know that it was transferred from the prior administration but by now you should have looked into it and fix it, it's your obligation. We're being kicked around if we just allow these people to do their bad things. You cannot hold them accountable and it's difficult without the rules and regulations so that if they sign it and they don't want to pay then you can kick them off the land. The land is the most important. Many of our people cannot even build anything. Please you need to have rules and regulations on how to lease commercial lands. Looking at this landfill in Santa Rita, that's a very big land 352,872 square meters of property in Santa Rita for a private operated landfill for a period not to exceed 21 years. It says here that the Administrative Director approved the license without the Board's

approval and it was signed by the former Attorney General. Can you check on this? It says that they were supposed to pay $30,000 non-refundable. You're looking at me like I'm not sure, this is indicated on your paper. It's showing that $70,000 has not been paid, that's a lot of money. And you know what you're making me worried because it is a land fill. There are some environmental procedures and rules that you need to follow. What if GEPA turns around and sues. What safety measure have we done to make sure that it was properly lined underneath and all these thing and was a study done? Contamination, they could tell you that you're violating environmental laws. Please we are going to be in trouble.

Commissioner Calvo – Those were the issues that the environmental were talking about where the land fill is. They've been doing a lot of research on that. It's not a done deal for that matter from what I understand from the Mayor of Santa Rita.

Trini Torres – Where is it located at?

Commissioner Calvo – There by Polaris Point.

Trini Torres – Are they already dumping trash or chemicals? We don't know. They are depositing $4,000 a month so they must have been using it. It says so here in your accounts, $4,400 a month.

Chairman Damian – Give us moment because I myself want to know where the land is at, Polaris is not Santa Rita.

Trini Torres – If they already paid since the previous administration when this start and how many years they are using it and if it is stated that they paid $4,400 a month which is stated here like a monthly payment rental. So what this is saying is that we are receiving the money so they must be using the land and we don't know what kind of chemicals they are dumping there. It's hazardous to our water table. I myself will check and what if we get in trouble? This is a serious matter.

Commssioner Calvo – That was an issue that was brought up, there were 4 sites that they were contemplating where to put the land fill and that was one of the places. Right now it is up at Dandan. That piece of property that you're talking about that was one of the 4 sites that the government was studying on where to put the landfill. I pass that way everyday and I don't see no road or no junk.

Trini Torres - There's no dumping, how do we know? It's right here, it looks like you're receiving $4,400 a month because that's what it says. If they're using that for how many years then they must be dumping something. They keep paying you money for doing nothing? No I don't think so.

Administrative Director – Do you remember the case about 2 years ago on Guatalie?

Trini Torres – Yes I know about all about those sites.

Administrative Director – I think that's what this it.

Trini Torres – So are they paying the rent, who's paying for it?

Administrative Director – Apparently they are still paying that amount to us.

Trini Torres – Who's the private company? It doesn't say here, can you check on this because this could be an environmental problem. What if they sue us?

Administrative Director – This was the incinerator issue, apparently they were supposed to build an incinerator in this area. That is why the word land fill threw me off because I remember the incinerator not the land fill.

Trini Torres - It doesn't say where. It's just a privately owned landfill for a period not to exceed 21 years. It was approved not by the Board itself so if someone is dumping they are going to get in trouble. Look the federal government is suing, the US Environmental Protection Agency is going to be suing the Government of Guam for the landfill in Ordot. Everyday after a while it's going to be how many thousands of dollars until they build a new landfill and close that thing. That's a major problem.

Chairman Damian - So that is what it is then the incinerator.

Commissioner Calvo – Mr. Chairman that never materialized, I don't see no junk.

Trini Torres – Are you sure, it's right here in your report and it's in your collection of rental. That's money right there.

Administrative Director – I will have the staff check it.

Trini Torres - This legally means that they have the right to operate a landfill. They are paying and you're collecting. It says so here and it's repeated how many times. Please look into this because this is for us. If you get in trouble then our people are in trouble. It is important to have rules and regulations for the commercial leasing because I don't like that the outsiders are the ones leasing and the priority should be given to our people. You should have that in your rules and regulations. That's why the Governor went to the Philippines inviting people to come here for business because land is going to be very cheap and they can have business later on when there is a boom. It worries me because we are losing our land. Our people are waiting for the land and yet you are not going to give them those commercial land right? And why not? You'd rather lease it. Is this going to be a perpetual company? I'm seeing it's profit making. There are a lot of commercial land for leases. If there is so many of them then why don't you have a lottery and give to our people who are waiting in line? Give them commercial property they have been waiting for so why not? I thought the Chamorro Land Trust is for our people? Land is for our people don't be stingy to our people. If you have to do lottery then let it be or something. Don't hold it just for business that's why we need rules and regulations. Our people are dying and they have nothing. I have high education and qualification and yet it's hard to get

a good job here because most of our institutions are being controlled by outsiders. Please, our people do not have a home, they don't have land. You know that landfill is 352, 872 square meters that's why I'm really concerned. It's a large piece of property. The Raceway park, that is over 1 million square meters and you're only collecting $3,300. Look at this again. This golf course is 820,124 square meters and see you're collecting $18,000 and yet the racetrack is much bigger.

Administrative Director – Trini, the race track was a public law.

Trini Torres – Okay, what about the golf course?

Administrative Director – That was also a public law.

Trini Torres – We're loosing the land and we're not giving land to our people. The whole purpose is defeated.

Commissioner Calvo – When they did those documents back then they already studied how much they are going to be paying. For us to go back we would have to go to the legislature.

Chairman Damian – We cannot go back and negotiate the golf course. There is no clause for re-negotiation on the golf course.

Trini Torres – So how long is the lease supposed to be? Do you know what I am saying, our people are suffering out there, they have no land.

Chairman Damian – These individuals are not the ones who did that and we can't turn around and fix it.

Trini Torres – Can I ask you then when does the lease stop? Is this perpetual? How come we can't take back the land when the lease ends and give it to our people?

Chairman Damian – We can give you the information on when the lease ends.

Trini Torres – Yes I want to know and if you keep renewing it then it defeats the purpose again.

Chairman Damian – Don't say renewal because there is no renewal clause until the original contract ends. We can call you or you can call us when the office is open to see when the does the golf course lease ends.

Trini Torres – All I am saying is to look for solutions on how to give land to our people, please. You need to make an inventory and see what lands you need to stop leasing so you can give it to our people. Believe what I am saying, our belief is not the same.

Chairman Damian – It's very clear what you are saying.

Trini Torres – Another one here, this appraisal value and telecommunications. I know that they are holding a lot of land. Check this one that says no appraisal value, unable to determine. Can you check those things? It is important because money is talking here as long as you are making money. Find a way also to take back the land and give it to our people because that is why we are doing this for the land. I know that you are feeling something because it's our people. It is there that we can help them. But let us not go backwards, let us not go back and check what and why because it has already been done. No it's your obligation and responsibility to look at these. You have to re-visit it, do it please. Okay looking at this, I'm trying to calculate it says here the beginning balance and ending balance and the receipts. What are these receipts? Is this income? And the disbursements are these expenses? It doesn't explain what the expenses are. There's one here for a party. That's really disturbing because it's $3,539 for a party. What kind of party? Is this to contribute to a political party?

Chairman Damian – That has happened before this Commission came in.

Trini Torres – So write down that these are things that you are not supposed to do. You know, I know bookkeeping and this party and travel just attracts my attention.

Chairman Damian – That was since 1999 to 2004 when that happen, it wasn't with us. This Commission had requested for the audit.

Commissioner Calvo – We requested for that audit and that's why all of those things are coming out. That was the past. What we are trying to do now is to fix it.

Trini Torres – Keep receipts of everything. It says here also unreported deposit, that's $30,000, that's a lot of money unaccounted for. And this where it says others, $12,418, that is an even higher figure. At least itemize it a little bit whatever you bought. No it is not you that spent it but avoid the pitfalls. Our people are hurting out there. How can we make it better for them and better for you to have an answer to our people who are suffering and waiting out there and are crying. You know that don't you. And again this last one like what Debbie asked to see the receipts for all this travel that went on and also justify.

Chairman Damian – Debbie said that Tom went 12 times. I went 5 times and Tom went 7 times. I don't know how the number 12 came about in the beginning. Going back to the documentation as per our travel it's 7 times. Even Debbie recognizes that, I don't know how it came up to 12 then it came down to 7. To make it clear on the information just say 7 do not make it a lot worse and say 12 when it is 7 really.

Trini Torres – Please excuse me what is better is if you can write down the purpose and how much is spent, that is all.

Chairman Damian – It is clear already. We will do our part on the information. Thank you very much that you are looking at any area that you can help us. We give you a heartfelt thank you because we are all together as one and there is one reason why we are all here.

But excuse us if we did not obtain authorization from you guys to do our work. If you want to look at anything everything we do is a matter of public record.

Trini Torres - Again with this about we cannot release information. Why not? That brings about too many mysterious things.

Commissioner Perez – Every department such as the Chamorro Nation, Guam Public School System, AG's Office they have a spokesman. That paper was to make sure that the information given out is correct because there are times when the information given is incorrect.

Trini Torres – Let me tell you something, you are on top management level. You're supposed to know what to do. It's good to have someone as spokesperson. You need to write something down and inform that person that's going to take over and be there at all times. Whenever there is a lacking of information or no information at all, that's the worst thing you can produce in the public's view.

Chairman Damian – All you have to do is ask Tom or the Commission members.

Trini Torres – That's not what I was told, Tom is gone, how can Tom answer?

Chairman Damian – So wait until he's here.

Trini Torres – No you have to have somebody, you have to delegate. Top management always delegate whenever they are absent.

Commissioner Calvo – There was a memo that went out and I was telling Debbie that it wasn't meant to gag. What the memo stated there was that whatever information is to be given out it would have to go to the Chairman or to Tom or to anyone of the Board members. It was spelled out in that memo. I've never gone in to the Chamorro Land Trust Commission or even bothered anyone of the employees and I even told them that it was never any intention for a gag. The impression of the people out there is the wrong idea and I take it very offensively. The rumor out is there is that we gagged these guys. No, I did not put a tape on their mouths.

Trini Torres – Your responsibility is to delegate a person and you didn't do that. Next time do the right thing now.

Chairman Damian – Excuse us if we were wrong.

Robert Benavente (Spokesman for Chamorro Nation) - I think you've already heard from our other brothers and sisters and they have touched on all these questions about Chamorro Land Trust. The big question I have here is when your group came in here in the beginning did you accept all that was wrong or unaccountability since the past before you came in, yes or no?

Chairman Damian – We did not know what was going on.

Robert Benavente – The question here, Mr. Chairman, did you do your own audit before you came in? Accountability before you got in? Do you have an inventory of lands that were occupied by outsiders and businesses? Do you have an inventory of lands that are not being occupied yet? Do you have those answers?

Chairman Damian - I think those records are already in place.

Robert Benavente - Brother, no need to lie to one another. I will face you right now. There is only one reason why we are here we are not going to entertain any commercial or any other outsider's business here. The goal is to give the people, the Chamorro people, land so that they can rest. And I still see what these other people are saying when Trini talks about the commercial, there are some that are being paid under commercial lease or license. This is what we are questioning if there was one in 1998 till now there is still no rules and regulations for the commercial. Since when did you know about this? Where are you leaning on? Is it back since 1995 because I heard Tom at the legislature since 1995. Quote me if I'm wrong, 1995, they have researched the problem and you guys are picking up the problem. For me my brother if you received a car or bought something make sure it's complete, make sure there's tires, gas, an engine and everything. That's an example I'm going to give you. Stop accepting, especially Government of Guam, you are accepting one agency for changes in the administration. No, and if you want accountability so be it. List who is occupying the land. I want them to sign, let them be the responsibilities for the past, you take the future, the present and the future. That is what I want to hear from you guys. I don't want to hear since 1997 or 1999, that is already gone. I want to hear what is the progress now for our people. It would be beautiful to hear on the radio that A to C, in two months you will be called to receive land. The Commission, from one Commission to another still has done nothing to complete that mission. How many vacant lands are there in the Chamorro Land Trust inventory? Right of the back, how many?

Administrative Director – We don't know.

Robert Benavente – You don't know right. Probably a 100,000 or what? Then give me a fighting number.

Administrative Director – Maybe around 1,000 to 15,000 acres.

Robert Benavente – When you look at this telecommunication, how many acres is that?

Administrative Director – I'm not sure.

Robert Benavente - This is what, my brothers and sister, make sure that we give our people. Stop this every time I read or hear it makes me sick for this kind of action. You have to think about the movement of the Chamorro people. We already know that they are going to take away from the Chamorro the land from the federal. That we already know they are going to take away all that we have. That is why the Chamorro Nation took this

cause and we sacrificed ourselves to create the Chamorro Land Trust and passed the law. That's our goal for the Commission to put people in there, the people of Guam who are Chamorro. I don't care if they are half Chamorro. Put them in there. Let them have a fighting chance to fight for their land. I don't want to hear no lame excuse, "well", I don't want to hear the well, that is not acceptable to me man. As a spokesman, I want answers. I want accountabilities, I want the whole nine yards. Honesty is the most nice policy for the agency. That is where we are coming from. Every time I come here I think I am about to go crazy. It is not your fault and if it is not your fault then don't worry but you are here and you are responsible for this Chamorro Land Trust Commission. You guys are responsible for this, now head it. Don't go to Palau or any other country to listen to whether it is right for Chamorro Land Trust. No, don't even attempt to go over there. Us here when we go to the U.S. or whatever island has homestead programs we are not the same as them. We are under the U.S. Territory, they are not, so we can't be compatible page by page. For us here in the Commission formulize the rules and regulations and throw it to be accepted by the legislature and everyone, so be it. If it is wrong, we have time to correct that in Guam not through Palau, not through the Philippines and so forth. This is what I am trying to say, I feel very deeply for this cause and also for your kids. You are not thinking. Think about my heart that has suffered for this because there is no more land to give. The lord can not make any more. Make your career effective here. Make peace within your heart. Me I am the kind that I would never let go of the Chamorro Land Trust. Without land there is no identity for our people. For sure, that is why I am raising my voice for the reason that it is from my heart. I am not reading it from the paper anymore. I feel sorry for our people. We are seeing them in the road, they have ranch houses and the sort. I want to help them but I'm not God. Let's try to give them hope at least no matter how little or how small so we can help them. There are some non-profit organizations that can help our brothers. You need to give the Chamorros now. If you are campaigning, set aside the campaign. If it's political, set it aside. This is where the gold mine is for our people. This is where we are going to grow because the future generation, the unborn will see the daylight, it is true. This Mr. Chairman and committee, I am sincere on that part and the Chamorro Nation. Even the artists on our island they are taking this kind of knowledge that they are still Chamorros. I want them to feel that they still have a culture. We have the Chamorro Land Trust that will protect our children that are coming in the future. This is not for us, this Chamorro Land Trust, it is for the future so be it. Give them now so they can establish themselves. Stamp that document now and maybe we can see our children get the land. Write down the rules and regulations and that you can't do this, you can't do that. Write down what they can't do and the rest already knows what they can do. And if you write down all that you can do and they do it something will go bad. But if you write down the bad and you will see that they will not do it again. This again I will make it short they have already said what I wanted to say but for me I am always speaking from the heart. It hurts me that we are all talking to one another and lying to one another about certain things. That is not our game here. Our game and our mission is to give land to our people. That's the game so let's play game. Throw the first ball, we'll try to hit it, homerun. Thank you.

Abu Rose – When we were protesting at Adelup were any of you guys there?

Chairman Damian – No.

Abu Rose – Thank you.

Danny Jackson – Tom this is for you, I just want correct information. When you went on the trip we received information from the KUAM show of Debbie that the Chamorro Land Trust Director has taken a trip to the Philippines and Palau. When Debbie called the Chamorro Land Trust and this was over the radio a lady answered. The lady was asked, where was Tom Elliott and she said off-island. The lady was asked where off-island and the lady said that they have a paper that says that they can't give out information. Debbie asked who is next in line that she can speak to. The lady said "Lujan", I don't know who is this Lujan. This person said on the phone over the radio that why is it that when the Director is here you don't check and now that he is gone you guys keep bothering us where's he's at. The other thing that I want to say is that when you came back from the last trip you were on the air. I don't know if you knew that you were on the air. When they asked you the question of who paid for the trip and you said that it was from personnel expense. Now when we asked you here you said that it was the federal bureau who paid for the trip. Correct me if I'm wrong because that is what I heard earlier. You don't need to respond, I just wanted to let what I'm feeling out. At the legislature, you and Mr. Damian were there and when they asked you the same question of who paid for the trip you said that it was from the personnel expense. But now what we are hearing is that it wasn't from personnel expense but the federal expense that paid for the trip. I'm not interested Tom on how many trips you took and to where. I'm only interested on letting you know buddy that it was a gag notice that they have ordered the people from the Chamorro Land Trust not to give out any information.

Administrative Director – I was wrong when I said personnel, I was told by BBMR that it was from lapse funds from the past fiscal year and that is what was used for the trip. I was the one who said that it was from personnel but I was wrong. I was wrong.

Danny Jackson – That is why we are asking you to make it clear. You need to prepare yourself in case there is another public hearing at the legislature.

Administrative Director – It was through a grant from the Department of Interior that paid for the presenters to go to the land conference. It was not us, we did not give any money for that.

Danny Jackson – Regardless of where you get the budget or how you pay the trip, the information came out on the air from your mouth that it was personnel expense. That's it, I just wanted to make sure.

VII. ADJOURNMENT

Meeting was adjourned at 8pm.

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