

Guam's fallen soldiers remembered in special ceremony

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"TODAY we honor and recognize the families of our island's fallen soldiers," Speaker Judi Won Pat said at a special ceremony during yesterday's legislative session.

Family members of 30 of Guam's fallen soldiers received the Medal of Ultimate Sacrifice (I Milayan I Más Takhilo' na Sakrifisu) to commemorate and honor their sacrifice.

The ceremony was the first of several. A total of 150 soldiers will be honored. All the names have been placed on a plaque that will be on display at the legislative hall.

Fallen service members for all branches were presented with the medal, including soldiers of World War II, the Korean War, the Vietnam War, Operation Desert Storm, Operation Iraqi Freedom, and Operation Enduring Freedom. A Guam flag and a legislative resolution were also presented to the family members.

The design of the Medal of Ultimate Sacrifice is unique in that it features the artwork of a local student. An islandwide art contest



John and Francis Munoz accept a medal from Speaker Judi Won Pat and Gov. Eddie Calvo on behalf of their uncle CPL Francisco Garrido Javier, who died in the Korean War.



Speaker Judi Won Pat and Gov. Eddie Calvo unveil the Roll of Honor, a listing of the names of Guam soldiers who have sacrificed their lives. Photos by David Castro / For Variety

had been held for the centerpiece of the medal. Angelica Gomez, a 3rd-grader from Santa Barbara Catholic School, won the contest.

Dorothy Lukeala received the medal to honor her son, Joshua Lukeala, of the U.S. Army.

"I'm very grateful. This lets me know that the people of Guam and the senators haven't forgotten," she said. Mrs. Lukeala described the pride she feels for her son. "It's bittersweet. As a mother, as parents, we still want our son. At least the people still remember the fallen."

"It was an honor to be included, to recognize the service members and their families who made that sacrifice in defense of our country," said Rear Adm. Tilgham Payne, Joint Region Marianas commander. Payne, who helped present the medal to the families, said: "Their sacrifice is appreciated. Service members have given their lives in order for the rest of us to enjoy our freedom. They will not be forgotten."

The creation and presentation of the plaque and the medals are in fulfillment of Public Law 30-193, authored by Speaker Won Pat and Sen. Ben Pangelinan.

Probe...

continued from page 1

agricultural purposes," he said.

"Many of these people and their ancestors didn't have mastery of the English language. Some of them couldn't even read, but a lot of their properties were deeded to the federal government and used for military purposes. They were very patriotic people and we are very patriotic people," the governor added.

The governor believes DOJ officials should focus on other areas of more concern to the island and the United States instead of a program beneficial to the community.

The DOJ has asked Attorney General Lenny Rapadas to investigate Guam's land use policies after a complaint was filed by Arnold "Dave" Davis, who claims he went to apply for CLT land but was turned away because he is not a "native Chamorro."

Mafnas

Also questioning the

investigation is Department of Land Management Director Monte Mafnas, who said the Chamorro Land Trust Act is "constitutional and organic."

Mafnas said the law is patterned after Hawaii's program.

"In addition to that, CLTA considers a native Chamorro to be everyone living on Guam prior to August 1950 which was the signing of the Organic Act," he said.

He adds that for now, the issue is in the hands of the legal system.

Davis...

continued from page 1

General's Office wants a delay until that matter is resolved.

Court documents were filed yesterday in the District Court of Guam by an attorney for Arnold "Dave" Davis in response to the AGO's motion to stay discovery, which requests the court to suspend the trial setting and other dates ordered by the court until the issue of Davis' objection to a recommendation of a dismissal of his case is determined by the chief judge.

Just last week, the AGO filed the motion to stay discovery, reminding the court of the magistrate judge's recommendation that the case is due to be dismissed, "because the plaintiff has failed to articulate a proper basis for the court's exercise of jurisdiction."

The motion, filed by Assistant Attorney General Robert M. Weinberg, further stated the issues presented by the government's motion to dismiss and Davis' objections to the report and recommendations "easily satisfy both prongs of the analysis suggested by the district court for the Eastern District of California when determining whether discovery should be stayed pending resolution of a motion potentially dispositive of the entire case."

Opposition

In opposition, Davis' attorney, J. Christian Adams, pointed out the government's motion was filed merely two days after Davis had provided the court with extensive supplemental disclosures.

In other words, Adams wrote, "after plaintiff diligently prepared for trial by

collecting evidence and providing such evidence to the defendants, defendants now seek to freeze the process, blocking plaintiffs from further diligently pursuing this case and providing defendants a respite from diligently preparing a defense." Adams then argued it would be unfair if the court granted the government's motion because Davis has been complying with deadlines while the government seeks an excuse.

"Granting the motion would produce the severely prejudicial result of seeing the plaintiff comply with expert deadlines and exchange a completed expert report, while the defendants bask in the luxury of frozen time, blissfully unburdened by the need to diligently exchange an expert report which should have been completed on Aug. 31, 2012," Adams stated. "It is manifestly unfair for the plaintiff to comply with the deadlines in the scheduling order and then the defendants enjoy peace and contemplation while time stands still." Adams went on to say that Davis has been preparing for a trial in April 2013, "and to stay discovery in this matter will result in an unjust and severe prejudice to the defendants."

Davis filed a class action suit in November of last year, claiming he was denied from registering in the Decolonization Registry which was to be used for a plebiscite on Guam's political status. He filed his complaint against the government of Guam and the Guam Election Commission alleging racial discrimination because he did not have the ancestral ties of a "native inhabitant" required to register. Months later, Magistrate Judge Joaquin Manibuan issued a report and recommendation of a dismissal of the case because the matter was not ripe for judicial review.

Child Support Awareness



Chief Deputy Attorney General Phil Tydingco reads the Child Support Awareness Month Proclamation before Gov. Eddie Calvo signs it. Calvo signed two proclamations Monday morning in the Cabinet Conference Room of the Ricardo J. Bordallo Governor's Complex at Adelup. David Castro / For Variety



Re: Calvo appoints new members of his Cabinet
6.4.2013

JRSabian commented:

Manny Duenas a staunch advocate for sustainable fishing? More like a staunch advocate for resource exploitation through any means possible. Although it won't happen, Mr. Duenas should remove himself from the coop while in this position, as there is a clear conflict of interest with his ongoing advocacy against marine preserves, while tasked with managing the agency that implements them. Another questionable move from the governor's office. Ag has suffered through inept leadership for long enough under this administration, and this move already stinks.

joshuakid commented:

Fantastic news for Agriculture! Finally...the Governor hires an extremely qualified person like Manny Duenas! The nay-sayers, especially TNC, Vange Lujan and some federal NOAA folks DO NOT want to give up their FEDERAL TAKEOVER of our Guam oceans! Manny, you need to kick butt! No matter what! Last two Governors failed our local fishermen! We will support you! Don't give in to stupidity and kick the Director's butt to get to working!!! She is incompetent and should be replaced!!!! Governor Calvo.....you got Manny Duenas, Lorilee Crisostomo and Joe Cameron.....these people are all helping to restore oceans back to local hands... CONGRATS TO GOVERNOR CALVO!

Re: Governor backs Rodriguez bill to borrow for hospital
6.4.2013

Mathew commented:

This should not be controversial or have any opposition: borrow and raise fees for GMH's benefit. Apparently, it is only raising taxes on something or somebody that will have folks up in arms.

Re: Tiyon Parkway bill dissected
6.4.2013

JosephAGuthrie commented:

Land purchases will be for naught, as the GARVEE bonds necessary to fund the construction of the Tiyon Parkway will not sell. They will not sell because their sale would violate the borrowing limit of Section 11 of the Organic Act, insofar as GARVEE bonds are not revenue bonds. The Tiyon Parkway will never be built, and gridlocked traffic in Central Guam will be Pepsi's enduring legacy.

Re: Bill will fine businesses employing illegal aliens
6.4.2013

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mv guam

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Mathew commented:

Apparently, it is not just Gov. Calvo who has started the campaign for 2014 with his retroactive increment plan, but also Sen. Ada with these sorts of legislation. Sen. Ada is no friend of labor, legal or otherwise. I remember him yelling at then Sen. Rector at one hearing, "I know what you are trying to do." Well, I know what you are trying to do when the rest of the nation is moving away from this strain of legislation. You are trying to carve out some votes on the fringe, votes that will not go your way, anyway.

Businesses that do these things will move their 'abuse chain' from illegal labor to legal labor. Look at the abuses directed at the FAS community, for instance, who have publicly stated in the media that they have filed complaints at the DOL, and to no avail.

Here is my testimony ahead of time since not very many will be an advocate for folks affected by this legislation: Let them work. It is better to work than to sit in prison or on the couch, collecting welfare. Plus, those jobs that Sen. Ada mentioned are jobs that local folks do not want or cannot do. Remember that the illegal immigrant population is small here, not large like in some border states, because of the heavy Fed presence. If it is large, there are political consequences for targeting them. (Hence immigration reform on the national scale.) If it is small, there are probably none, except to burnish your law-and-order credentials for higher office.

Re: Nothing comes easy
5.31.2013

RAPCON commented:

You can't swing a dead cat without hitting a controversy in Guam procurement process and law. Add to that the less than obvious lean towards a 'choice' company. Whichever way you move in this tiny closet of inner circle movers and shakers you're bound to find some sort of connection, either directly or indirectly (or inadvertent). This backdrop will always present chum for competitors to feed on. Let's face it, when it comes to procurement and acquisition, here on Guam there's always a back story. ALWAYS!

Michael Lujan Bevacqua

When the moon waxes



'Decolonization Stagnation'

CHAMORROS and representatives of Guam have been traveling to the United Nations to testify in support of Guam's decolonization for more than 30 years now. I became one of them in 2007 when I traveled to the UN in New York to testify before the 4th Committee. It can be both an inspiring and frustrating experience.

For those who come from colonies or Non-Self-Governing Territories like Guam, we don't get regular representation at the UN as sovereign nations do, but we do get several chances a year to have our cases heard. The 4th Committee is also known as the Special Political Committee and it oversees the decolonization mandate of the UN. It is the most auspicious of the limited number of occasions that people from the colonies can speak to the world community. You sit before a microphone in a large room surrounded by delegates from the entire world.

But the potential for the moment means little in terms of its actual effect. The day I testified it was like moving through an assembly line. Names were called. Testimonies given. Thanks were given for the testimony. Move on, next name. It went on like that for hours. No questions asked while I was there. No comments, no dialogue. Nothing. I worked hard on my testimony, crafting it as best as I could to say as much as I could within the short seven-minute time frame they had given me. After I was done, I felt strangely cheated. Why did I work so hard on this statement when the only purpose it served was to be recorded? This wasn't a forum where reality was actually effected. I felt I could have gone up there and simply described Dick Cheney and George W. Bush in different Kama Sutra-inspired positions, and no comments would have been offered and I would have received a "thank you" for my intervention.

The United Nations has done a very good job overall in terms of helping move colonies toward decolonization, but in the past 30 years they have stalled significantly. One reason for this is due to the fact that most of the remaining colonies are small islands. As I have written about before in this column, islands function differently in relation to the rest of the world. They are seen as being fundamentally different because of the way they are "isolated," "cut off" or "distant."

Islands are ideal places for testing missiles, for hiding bases, and simply escaping from the world and enjoying potent tourist fantasies. Because of their alleged disconnect they are in general treated differently, and if they are small, they are naturally treated as less important and even invisible.

Most people understand themselves as land-

continent-based, they see islands as being a lesser form of existence. The water is seen as something that does not connect, but something that blocks and inhibits; it makes them in their very nature less sustainable. This is why even though we can all agree that colonization is wrong, people can still calmly and rationally argue that it should still exist or can still exist since the remaining colonies in the world cannot survive on their own. Because of the nature of their geography and reality, they can never make it on their own, so colonialism may be necessary to take care of the world's remaining "dependencies."

Dependency is a dangerous euphemism for colony. It has the ability to define a place not through its subordinate, immoral status, but rather a naturalized need to be dominated or controlled. The true difficulty for islands is that even prior to someone knowing anything about you, they most likely have already made several assumptions about what you must be like because you are an island. As an island, people already imagine that you have to be dependent because of your status as an island. If you refer to an island as a dependency, it makes perfect sense since islands are cut off from the world and need those who live on solid and dependable continents to help them out.

Another reason why decolonization is so stagnant at the UN level is because the colonies that are left in the world primarily "belong" to large countries that don't want anyone else telling them what to do. The United States holds Guam, American Samoa and the U.S. Virgin Islands. The United States however doesn't even try to make the usual dependency arguments at the UN, it just doesn't participate and claims the UN has no right to interfere in what it does to its possessions.

It is already tough enough to decolonize small places that everyone assumes have no vitality and no ability except to suck social programs from the teat of their colonizer. But to mix in recalcitrant colonizers makes it impossible for anything to take place. The UN has always played a dual role of being an arbiter meant to protect the sovereignty of nations, but also an interloper who can sometimes infringe on the right of nations in the name of something universal and just. But with decolonization the UN has shown little willingness to interfere with colonies if their colonizer is not engaged with the UN process. This is a recipe for oblivion for Guam since it could remain in this status forever, since the United States hasn't given any indication that it wants to change Guam's political status.

