

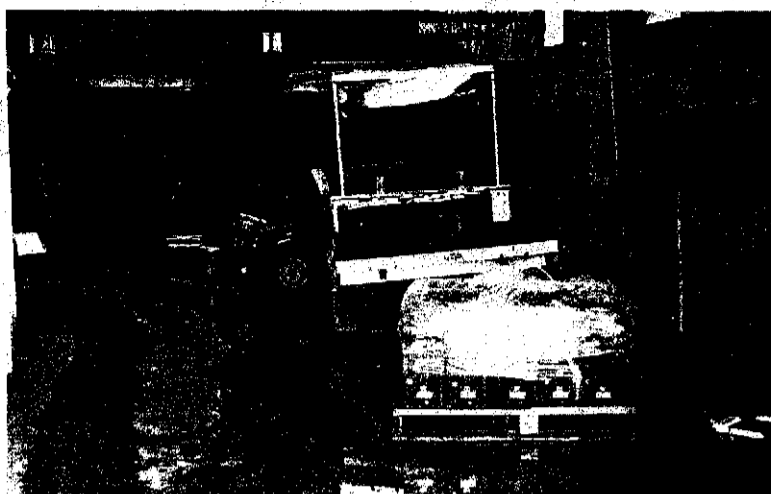
GICC faces nearly \$33K in fines for workplace hazards

By Geraldine Castillo
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Variety News Staff

THE Guam International Country Club (GICC) was cited recently by the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) for 17 alleged workplace safety violations, creating proposed fines totaling \$32,900.

According to a press release from U.S. DOL's Office of Public Affairs, the violations were found during an inspection at the club's maintenance shop in Dededo.

Among the serious safety violations are failing to: provide training for employees working with hazardous materials; provide appropriate personal protective equipment for eyes and face; provide required fork-lift training and ensure the fork-lift had a functioning seatbelt; in addition to multiple electrical



The Guam International Country Club in Dededo was cited yesterday by the Occupational Safety and Health Administration for a number of safety violations in their maintenance shop. David Castro / For Variety

hazards, including the workers' exposure to live electrical parts. "A serious violation occurs when there is substantial probability that death or serious physical harm could result from a hazard about which the employer knew or should have known," the press release stated. "Employees must be protected against safety

hazards in the workplace, not just because it is the right thing to do, but because it is the law," stated Ken Nishiyama Atha, OSHA's regional administrator in San Francisco. "Workplace safety is critical. OSHA will remain focused on being proactive, especially when workers' safety and health are at stake."

The press release also stated the employer has 15 business days from receipt of its citations and proposed penalties to comply, meet with OSHA's area director, or contest the findings with the independent Occupational Safety and Health Review Commission.

To obtain compliance assistance, file a complaint or report workplace hospitalizations, fatalities or situations posing imminent danger to workers, call OSHA's toll-free hotline at 800-321-OSHA (6742) or the agency's Honolulu Area Office in Hawaii at 808-541-2680.

Plebiscite

has lived on Guam since 1977 and voted in many of the island's general elections, applied to register for the plebiscite but was not allowed to sign up because he didn't meet the definition of "native inhabitant of Guam."

Davis informed the U.S. Department of Justice in 2009 that "Guam's discriminatory voting laws facially violate the Voting Rights Act of 1965 (among other statutes)."

Although a news release from the Center for Individual Rights stated the Department of Justice declined to investigate and did not explain its refusal to enforce federal law in Guam, thus forcing Davis to file the lawsuit in order to protect his right to vote.

"There's nothing subtle or indirect or even at all ambiguous about the plebiscite law. It seeks to empower fewer than 40 percent of our population to make a profoundly important political decision on a public matter that's properly and Constitutionally a right of all the people," Davis said.

Simple issue

He added the matter is a

pretty simple issue. "We're talking about the right to vote for every individual with regard to race [and] sexual preference, unless it's because of certain situations. Every U.S. citizen is entitled to vote under U.S. law," Davis said, citing the Organic Act and the U.S. Voting Rights Act. "All of these are ... very clear. That's not the way things are here," he said.

The lawsuit generally requests the court to ask the Guam Election Commission to cease and desist from denying voter registration to non-native inhabitants, which Davis said comprises more than 100,000 people on Guam.

"This is a class action lawsuit. All of those people are automatically parties to this lawsuit," Davis said, adding he's very confident about the case.

"I'm very confident; the law is clear," Davis stressed.

Meanwhile, the Variety caught up with Park yesterday morning after he filed the complaint in District Court. Park said the Guam law on the plebiscite is discriminatory against some Guam voters based on race and color.

"We believe the many

voters on Guam and many residents who call Guam home are excluded from the plebiscite concerning future relations with the U.S.; and only the native inhabitants of Guam can vote," he said.

Off-island firms

The off-island law firms handling the case said they simply want to ensure the laws of the U.S. are followed.

"We believe the Guam government and the officials who are part of the Guam government are obligated to follow the laws of the United States, which clearly prohibit treating residents differently solely on their race," said Terry Pell, president for the Center for Individual Rights.

"We're not trying to stop the plebiscite, but it should be open to all registered voters regardless of race. It's important that everyone should have an opportunity to vote," he added. "We are hoping the court will open it up regardless of race."

When asked why the governor, the lieutenant governor or the Legislature were not named in the lawsuit, Pell explained they are just asking for the courts to prohibit the enforcement of the law, they are not asking to change the law.

"We're asking the court to

declare the law unconstitutional and enjoin the officials from enforcing it," he said.

And while he understands that the Chamorro people consider themselves native inhabitants, he stressed this is not the basis of the lawsuit.

"The issue in the lawsuit is if the Guam government is allowed to restrict an election by race; and the answer to that question is clearly no," he said.

Pro bono

Pell also emphasized they are handling the case pro bono, because issues like this is the mission of the firm.

"We raise money from individual contributors. We organize lawsuits that we think have raised important Constitutional principles. Our clients don't pay anything. We represent them free of charge," he said.

Park is the only attorney who is being paid.

Pell further said they've been working on the case for at least six to 12 months, and that cases such as this could last from one to 10 years.

He added that Adams is their lead counsel and will be coming to Guam to assist Attorney Park when the case is scheduled for a hearing in District Court.

USDA

complaint is a class action suit, Pangelinan said this still has to be conferred upon by the court.

"The court has to agree to it and there are certain parameters that need to be followed," Pangelinan pointed out.

The complaint names the Guam Election Commission, members of the GEC board and AG Rapadas as the defendants. Not named are Gov. Eddie Baza Calvo, Lt. Gov. Ray Tenorio and the Guam Legislature, the latter of which Pangelinan said he's not sure why.

"I hope the AG defends this in cooperation with the U.S. Attorney to protect Guam's right to self-determination," he said.

Pangelinan also said Arnold "Dave" Davis, who filed the complaint, was not speaking for the majority of people on Guam.

"I just want to say Mr. Davis is one person. I know of many Koreans, Japanese and Chinese, and they tell me they support self-determination just as they support what is going on in their countries. I don't think Mr. Davis is speaking for the entire class if there is such one," Pangelinan said.

Meanwhile, Maria Pangelinan, Guam Election Commission executive director, expressed surprise with the lawsuit.

"We were not notified and I found out it was filed in District Court from the media," she said.

The matter is now being handled by the Guam Election Commission's new legal counsel Jeff Cook, of Cunliffe & Cook, who said he couldn't comment pending further review of the complaint and consultation with his client.

Rapadas also did not have any comment regarding the case.

Letters to the Editor

Letters to the editor must carry the full name of the writer, village, and telephone number for verification. Letters addressed to other publications or to third parties and those endorsing particular political candidates are discouraged. All letters are subject to editing. Variety reserves the right to reject any letter. Name withheld and unsigned letters will not see print.

Thoughts on rhetoric and the political status plebiscite

A GOVERNMENT official recently described the legal challenge to the forthcoming plebiscite as "divisive." But with all due respect, it's not. And we should all thank God we have the Constitutional right to challenge in the courts any statute that may be unlawful. In any event, the court's decision in this case will be helpful. It will serve to clarify the extent to which, in an unincorporated territory, the U.S. Constitution follows the flag.

Various Chamorro activists argue that in 1950, because Chamorros were not given the opportunity to vote regarding U.S. citizenship and civil government, only they have the exclusive right in 2011 to vote in the plebiscite. As one blogger put it, "Our great grandparents were cheated, but the cheating is as fresh as it ever was."

The previous assertion seems a bit overstated, especially when one reviews the requests and petitions of the Chamorro people as they sought citizenship and civil government. Looking at the actual history, one can see the U.S. wasn't quite the malefactor, as it has often been portrayed locally. Consider the following chronology:

In 1925, members of the Guam Congress met with 11 visiting congressmen to request U.S. citizenship. In 1933, 1935 Chamorro leaders signed "A Petition for American Citizenship" and sent it to President Franklin Roosevelt. In November 1935, the Guam Congress presented to the visiting Secretary of War another petition supporting U.S. citizenship. In 1936, a two-man delegation from Guam consisting of Francisco Leon Guerrero and Balthazar Bordallo were sent to Washington to lobby for citizenship and civil government. On January 15, 1949, World War II intervened and the Guam Congress sent another petition for citizenship and self-government to the U.S. Congress.

In November 1949, a special committee from Congress' Public Lands Committee held three days of hearings in Hagåtña, Guam. These hearings were in regard to a proposed Guam Organic Act. During this period, 23 changes were made to the draft, and of the estimated 100 witnesses who testified, none were opposed to the proposed bill.

In April 1950, the Senate Committee on Interior and Insular Affairs held hearings on the Organic Act. Speaking to the Committee were six prominent Guamanians, including Antonio B. Won Pat, speaker of the Guam House of Assembly; and Francisco B. Leon Guerrero, member of the Guam House of Council.

Speaker Won Pat said, "The desire and aspiration of our people to have a legally constituted government and to become citizens of the only country to which we owe our unwavering allegiance have been manifested. Time and again we have asked, petitioned, and supplicated with ever increasing fervency, [for] our just cause."

Notice the date of the Organic Act — 1950. Pedro Sanchez's "History of Guam" was first published in 1964. Not one mention of self-determination or decolonization. The seminal tomes on decolonization by Albert Memmi and Frantz Fanon were not published until 1957 and 1960. UN Resolution 1514, which mandated self-determination for non-self-governing territories, was passed in 1960. Then there is UN Resolution 1541, which detailed the three political status options meeting UN requirements for decolonization. It too was passed in 1960.

The question is why do our local activist groups demonize the U.S. government for not having a self-determination election in 1950? Especially when the concept of self-determination had not yet been fully explicated and the UN had not yet passed its two important resolutions? And since by all accounts the people of Guam were jubilant over these political changes, why in 2011 is there the constant barrage of anti-U.S. rhetoric? Given the dates, I don't think "our great grandparents were cheated." And given their long struggle for citizenship, I don't think these great grandparents felt that way either.

Phillip Dauterman,
Barrigada

A step forward, three backward

WHEN someone pays a government obligation using a credit card, the government must take a portion of that payment and pay a service fee to the company handling the transaction. For example, if the payment is for \$100, the government takes approximately \$2 of that \$100 to pay the service fee. This means the government has \$2 less to use for government functions.

This fee the government pays for a customer using a credit card means all those paying with cash or check are subsidizing those using credit cards for their convenience. The total amount that check and cash payers subsidize credit card payers has grown to more than \$4.5 million per year — a significant amount recently noted by the public auditor.

The Fiscal Year 2011 Budget Act required the Department of Administration (DOA) director to contract with a third party provider, effective Jan. 1, 2011, for the processing of credit card payments. This provider was to have the ability to accept credit card payments, but charge the fee to the payer. When it failed to meet this deadline, DOA was granted a three-month extension to put the system in place.

This type of system has been utilized by the Internal Revenue Service and other states and local governments in a similar effort to assist those governments in collecting all the taxes and fees owed to the government, while avoiding any related costs.

Starting Dec. 1, at the call of the governor, the point of service system of accounting for receipt of government payments was discontinued. The payments received are electronically transmitted and posted to the main accounting database at DOA.

Why the contract for this important financial management system tool was cancelled is beyond comprehension. Millions of dollars in revenue now collected must be manually posted in the DOA accounting system. A clerk or accountant now must enter thousands of transactions previously posted automatically in the accounting

ledger. This is a major step backward as it requires either employees to work overtime to keep the posting current, or the reporting of revenue will, in effect, be delayed. Now the government financial management faces difficult control measures and potential audit issues.

I wonder if this is a deliberate strategy on the part of the administration to delay the reporting of revenue collections and shield critical financial information from the Legislature and the people of Guam.

Whatever the reason, it is clear this administration is taking many steps backwards in the efficiency of this government by now having government employees spend endless hours manually entering revenue collections instead of having these transactions processed automatically by a computer. This is not good and efficient use of government resources, and it needs to be fixed right away — especially with the state of government finances as bad as the DOA director and the governor say it is.

In taking the accounting system back to obsolete methods, the governor has done a poor job of implementing the credit card convenience fee processing. For the last two weeks, people have been unable to pay money owed to the government of Guam with credit cards. The ability to use credit cards was halted on Dec. 1, because the government of Guam is transitioning to a new credit card processing vendor.

The establishment of this third-party provider would have saved the government of Guam about \$4.5 million a year and would have potentially prevented the discontinuation of processing credit card payments DOA had onerously executed on Dec. 1. Taking a step backwards in a time when the efficient use of government funds and resources are needed shows a lack of progress with this administration. We must continue to take the necessary steps forward in order to responsibly align the government's revenues with expenditures. Only then will the government be able to cope with future issues that may arise.



Re: Guam needs to
redefine itself
12.2.2011

Dependent commented:

I like what you have to say. There was some literature on Hawaii that it has been trying to diversify away from military and tourism as part of its economic base, but those who are industry insiders have come to the conclusion, maybe prematurely, that it is still the military and tourism that pays its bills, even if it has some new cottage industries driven by new technologies in this regard.

I think small island entities are pretty much stuck on these two main drivers of their economies, for better or for worse. Those who see Guam as being independent of relying on defense-related federal expenditures have a predetermined mindset that anything other than the DOD footprint must be better than living under the thumb of the "oppressors" and those who see Guam as totally relying on tourism are delusional, at best. Maybe their vision for Guam is one that has Guam at pre-contact population levels with a puritan society to boot.

Sharksteeth commented:

This is indeed interesting. One thing I do note, with great regret, is the complete lack of imagination put forth by Guam to create an interesting market. You can only sell so many bags of cookies made in China with Guam written on the bags and call that an industry. We are way too complacent in letting corporate interests dictate where tourists go, what tourists buy, what optional tours are offered and where the tourists stay. As long as the airlines sell blocks of seats at wholesale rates to agents who direct tourists away from smaller local enterprises, our true local tourist industry will always be moribund. We have to figure out a way to change this. Locals know that working for corporate tour businesses often means frequent layoffs, lousy working schedules, constant downward pressure on wages, no health care, little job security, often being asked to work "under the table" or forego overtime payments. Until this fact is realized, there just isn't that much support for the industry here, despite all the advertising to the contrary. It is our GovGuamies that have the 'Zenkoji shobai' attitude, an attitude wherein they do little, expect a lot with little effort, and do not support any type of initiative that would make the tourism business more lucrative for local workers despite the fact that their government wages are paid for by workers in the tourism industry. This might change if by some odd chance in the future the

.com//ments

mv guam

actual biggest employer of Chamorros was not GovGuam and these folks actually had to face what families who depend on our tourism business have to face.

Re: Thousands pick up
long-awaited tax refunds
12.5.2011

Trebtor 2009 commented:

It does not look like the event turned into a "Black Friday" for retailers as the media proclaimed. The parking lots were filled to overflowing all day, preventing any shoppers from parking and shopping. Even food stamp sales were way off at the Pay More Markets at the two shopping centers, because folks had no place to park. The parking lots just cannot handle 3000-plus cars.

Folks in Dededo started to line up at 2 a.m. on Friday and many stood in line for hours. There was heat exhaustion — one lady went into labor and most folks were hot, sweaty, thirsty and furious.

Logic and common sense would dictate there was not enough money on the entire island to cash \$180 million in tax refund checks, yet some media proclaimed retailers were looking forward to the check distributing ... Cut that figure in half twice, and you have \$45 million.

Not sure any store has \$45 million on-hand, not sure all the banks lumped together would have that much cash on hand.

The whole event was a political failure by any standards. Pepsi should have just mailed out the checks and in 3 to 6 days, we all would have our checks. ... We waited half a decade, can we not wait six days?

Can you imagine the trash left behind after the crowd began to leave at 5 or 7 p.m.? The smart shopping center manager would have had 100 to 200 trash cans in place and 100 ashtrays.

A good idea would have been to invest in folding chairs, umbrellas and a roller cooler full of ice water and cold drinks ... sell for 300 percent mark up and then go shopping after most folks had left. Enjoy your own cash windfall!

The next steps

IN 2007, the Legislature — with then-Senators Eddie Calvo and Ray Tenorio voting no — passed a law that provided \$112 million for the payment of past-due tax refunds. The law was signed, the money transferred and the checks mailed out to residents without having to get in line.

The past couple of weeks, 2- and 3-year-old past-due income tax refunds were a political opportunity not left wanting of exploitation by the current administration. And they gladly used your money once more to advance their political campaign event like no other. At the direction of the governor, government-paid employees shoved political campaign-like messages into the envelopes that wrapped the people of Guam's income tax refunds — as if they were gifts from the governor and lieutenant governor themselves. These actions funded by taxpayer dollars and guided by false mindsets place the integrity of the entire refund distribution in question as the people of Guam were subjected to not only waiting years for refunds, but also waiting hours in line to receive what was justly due to them in the first place.

Easily, more than half a million dollars in taxpayer money was spent promoting the event — from flying out consultants to Guam for the signing of documents, to the distributing of income tax refund checks at non-government-related buildings with government-paid workers attaching political messages promoting the governor and the lieutenant governor. This cost the taxpayer about \$24 per check distributed.

Although early in the fiscal year, revenues are 7 percent below the governor's Fiscal Year 2012 projections, our manamko' are made to live with a decrease in services, and our school children are suffering from excessively hot classrooms — yet the Executive branch finds it feasible to expend money in excess of what would have been necessary if they had simply mailed the

checks out last Thursday.

This income tax refund distribution event places clarity as to the priority of the Executive branch when it comes to government funds. Political and self-promotion are apparently above assistance, service, and nurturing of our youth and our manamko'. Now that income tax refunds from tax year 2010 have been paid, the funds that were set aside in the FY2012 budget now must be the focus and priority of the Executive branch. They must not ignore the budget and the mandates set forth by Guam law which direct the Executive branch to pay income tax refunds as budgeted every single month.

The full-color messages printed specifically for political gain stated, "This is part of the first steps to righting this wrong." This "wrong" mentioned is the underpayment of income tax refunds similar to last fiscal year, wherein the amount of \$50 million in income tax refunds was not paid by the Executive branch. Although I have, and continue to keep, a keen eye on the payment of income tax refunds, it is the governor and his Executive branch that controls the actual payment and following of the mandates set in law.

As the governor and lieutenant governor mentioned in the messages they distributed at their political campaign-like event at Guam shopping centers, this was their first step in correcting the injustice they have imposed on the people. Rest assured, I will continue to keep a close eye on the next steps wherein the payment of income tax refunds shall be the main priority of your government — both the Legislature and the Executive branch.

Following the law and sharpening the mandates set forth in the law will enable the Executive branch to keep up with the payment of income tax refunds well beyond any governor's term in office.



TechNet 2014



Kian Chamran, of Motorola Solutions Inc., displays one of his company's products during AFCEA Marianas Chapter's TechNet 2014 held at the Hyatt Regency Guam. Access to essential training was the main focus of this year's conference and topics discussed include innovative and green technology, information management, cloud computing, cyber security, and test and measurement. *Matt Weiss / Variety*

Pangelinan urges caution with rising debt payments

By Louella Loaino
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Variety News Staff

SEN. Ben Pangelinan, the appropriations committee chairman, reacted to last week's issuance of the Office of Public Accountability's Government of Guam Public Debt Performance Audit, saying the report illustrates the growing public indebtedness the government of Guam has experienced over the past six fiscal years.

According to the OPA report, the government of Guam's debt stood at \$1.57 billion in 2013, posting a 54 percent jump from \$1.02 billion in 2008, indicating that each Guam resident's share of public liabilities is approximately \$9,800, account-

ing for a more than 11 percent increase from \$8,810 in 2012 — the highest debt-per-capita among the insular governments.

The OPA audit also explained that the payments necessary to service the government's increased public debt has increased significantly.

"There has been a lot of discussion over the past few years about the government's ability to borrow money as a result of our debt ceiling limitations," Pangelinan said. "In all the discussion, I stated that we focus on the government's ability to repay the money we are able to borrow given the large increases in government operations."

As chairman of the appropriations committee, Pangelinan said he has made it a point to ensure that before any debt service and government operations are funded, that income tax refunds are set aside in the annual government of Guam budget.

"With the tax refund permanent injunction requiring that tax refunds be paid within six months of filing and knowing that debt service payments are increasing, it is imperative that our government move toward a direction that ensures that we can afford tax refunds, debt service payments and government operations," Pangelinan said.

"I appreciate the public auditor's work in announcing to the public, the facts and data that truly illustrate the government's increasing debt levels and debt service needs. Public discussion should involve the understanding that it is not how our government can continue to borrow through subverting the debt ceiling, rather, it is what our government can afford," the senator said.

Minimum wage hike supported

By Frank Whitman
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Variety News Staff

A SURVEY of 200 Guam voters indicates overwhelming support for Sen. Benjamin Cruz's proposal to raise the island's minimum wage to \$10.10 over the next three years. Asked "Do you support raising the minimum wage to \$10.10 over the next three years?" 73 percent of the voters responded yes; 21 percent said no and 6 percent said they didn't know.

The survey was conducted Saturday and Sunday by University of Guam public administration students of Ron McNinch. The survey sample was evenly divided between men and women and had an adjusted rate of plus or minus 3.5 percent. "There appears to be wide support for this idea," McNinch said.

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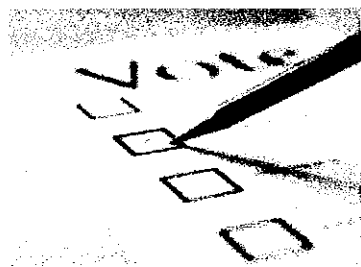
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Davis v. Guam

NOVEMBER 02, 2015

MOTION FOR SUMMARY JUDGMENT FILED IN VOTING RIGHTS CASE



CIR plaintiff Arnold Davis is back in the U.S. District Court for the District of Guam to continue his challenge to Guam's race-exclusive plebiscite. In 2013, this same District Court dismissed Davis' lawsuit by saying he had no standing to sue the government of Guam. However, with CIR's help, Davis appealed his case to the Ninth Circuit Court of Appeals. The Ninth Circuit reinstated Davis' case and instructed the District Court that Davis does in fact have standing to have his case considered.

Now Davis is back in the District Court and CIR has renewed the proceedings on his behalf. This week, CIR filed a motion for summary judgment that argues the Constitution unequivocally prohibits Guam from denying Davis – or anyone – the right to vote because of their race.

The Attorney General of Guam filed a motion for summary judgment as well, denying that the race-exclusive provision in this law is unconstitutional. In fact, the Attorney General's brief goes so far as to argue that the Constitution does not control the actions of Guam's government.

Here are some of the core arguments about voting rights from our motion:

1. The Fifteenth Amendment to the Constitution is absolute when it says "The right of citizens of the United States to vote shall not be denied or abridged... on account of race." As the Supreme Court has explained, "race cannot qualify some and disqualify others from full participation in our democracy."
2. Racial voting restrictions violate the Fourteenth Amendment's equal protection clause. The Constitution's promise that all citizens will be treated equally under the law has led the Supreme Court to say that "a citizen has a constitutionally protected right to participate in elections on an equal basis with other citizens in the jurisdiction."

[Read the full motion here.](#)

CIR challenges Guam plebiscite

CIR is representing Guam resident Arnold Davis in a class action lawsuit challenging a race-exclusive plebiscite on the question of whether Guam should seek independence from the United States, statehood, or some other relationship.

Although a territory of the United States and subject to the Constitution's guarantees of non-discrimination, Guam law permits only those who meet the definition of "Native Inhabitants of Guam" to vote in the plebiscite. CIR's complaint alleges that the definition of this term was designed to limit the vote to "Chamorros," a racial designation referring to the original inhabitants of Guam and their descendants. This group comprises about thirty-six percent of the population of Guam. The law pointedly excludes most Caucasian, black, Korean, Chinese, and Filipino citizens of the United States living on Guam and otherwise registered to vote in Guam elections.



Plaintiff Arnold
"Dave" Davis

Having been a territory of the United States since 1898, Guam apparently has decided to hold a referendum on its future relation with the United States without allowing nearly two-thirds of its lawfully registered voters to vote — all of them citizens of the United States.

DOJ refuses to act

As troubling as this overtly discriminatory law is, even more difficult to comprehend is the Justice Department's failure to take action against it. Despite its clear authority to enforce federal laws prohibiting race discrimination in voting, the Justice Department declined to intervene when presented with a complaint by Guam resident Arnold Davis, the plaintiff in CIR's suit. Davis, a retired officer in the U.S. Air Force, was told he couldn't register because he was not descended from a native inhabitant; Davis communicated all this to Department officials, but the Department declined to pursue the matter. According to sources, this decision came from political appointees in the Civil Rights Division.



Co-counsel J.
Christian Adams

The Guam plebiscite bears a strong similarity to Hawaiian laws that formerly limited certain elections to Native Hawaiians. The Supreme Court declared such laws unconstitutional in *Rice v. Cayetano* in 2000. Presumably to get around this problem, Guam claims its plebiscite is not limited by race, but only to native "inhabitants." But this turns out to be a pretext — the law defining "native inhabitant" excludes virtually everyone but "Chamorros." And even if "native inhabitant" didn't exclude other racial groups, it would still violate the Constitution. Voting cannot be conditioned on the accident of one's descent. It must be available to all residents on the same terms.

Racial politics

Guam's status as a U.S. territory has enabled the island to attract individuals from many other countries, notably Korea and the Philippines, who now call Guam their home. In addition, U.S. citizens, including retired members of the U.S. military, have become permanent residents of the island. Yet now, almost two-thirds of the island's residents face disenfranchisement at the hands of the controlling racial group.

The plebiscite is part of a political campaign being waged by a group of Chamorros intent on preserving their power over island affairs. Their tactic is the odious one of building a racial identity for a favored "native" race in opposition to "other" races. Understanding the irrationality of this kind of racial politics, the Constitution does not permit legal classifications built on race.

Though it would be theoretically possible for Guam to secede from the United States in order to pursue its campaign of racial identity, it is not acceptable for it to claim the authority and protection of the United States Constitution and its laws all the while flouting their fundamental principles. And no principle is more fundamental to American democracy than the idea that all citizens have the right to vote regardless of race.

Case Status: Pending



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Chamorro Land Trust bypassed applicants

Pacific Daily News

As a public service, the Pacific Daily News every Wednesday will publish a list of 100 names of those who were skipped in the processing of Chamorro Land Trust applications for agricultural or residential land leases.

About 3,000 applicants were skipped since 1995.

The following applicants were bypassed by the Chamorro Land Trust Commission and should have been processed.

A weekly list of 100 bypassed applicants will be published on Page 3 on Wednesday and will continue until the bypassed applications are brought current. The names are published in alphabetical order.

WHAT YOU SHOULD DO

▲ If your name or your relative's name is printed in the weekly 100, please visit the Chamorro Land Trust Commission office in Anigua on Saturday.

▲ The Commission will be open from 8 a.m. to noon every Saturday. Only those 100 bypassed applicants will be processed on Saturdays.

▲ If you were born after April 11, 1899, and before August 1, 1950, please bring your birth certificate. If you were born after August 1, 1950, please bring your birth certificate and your Chamorro parent's birth certificate.

AT A GLANCE

Explanation of columns and layout: (From left to right)

1. Column: Last Name – The last name of the applicant.

2. Column: Full Name – The complete name of the applicant(s) as it appears on the application.

3. Column: Application Received At – Where the application was turned in or mailed in.

4. Column: Sequence No. – The number given to your application in the sequence it was received by the Commission according to date and time.

Ethics co considers

By Brett Kelman
Pacific Daily News
bmkelman@guampdn

A legislative committee will decide whether Sen. Rector has conflicting interests as a lawmaker and leader recessed until Friday concerns were raised their legal guidance.

The Committee on Ethics and Standards met briefly yesterday to review a set of procedural rules that will guide them to their decision about Rector. Minority legal counsel Thomas Fisher drafted the rules because legislative legal counsel Therese Terlaje has previously said she conflict of interest since represents all senators including Rector.

Although several were frustrated by Terlaje's absence, Sen. Rory Rector said he agreed that Terlaje might have a conflict of interest.

Fisher might, too, Rector said.

Respcio said a meeting of the public might come of bias if the committee rules were formed without advice of an attorney represents senators.

Sen. Adolpho Palacio Terlaje should not be allowed to exclude herself without senators' approval. Terlaje said.

Tropical storm north of F

By Brett Kelman
Pacific Daily News
bmkelman@guampdn

A small tropical storm was forecast to pass just north of Guam instead passed north of Rota yesterday morning, said National Weather Service meteorologist Clint Simpson yesterday.

Parts of northern Guam may have felt 30 mph gusts and heavy showers, but that is not normal on any day, he said.

Rota, Saipan and Tinian felt stronger winds, he said. "This is another situation where, here on Guam,"

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LAST NAME	FULL NAME	APPLICATION RECEIVED AT	SEQUENCE NO.	LAST NAME	FULL NAME	APPLICATION RECEIVED AT	SEQUENCE NO.
Aguon	Elma Camacho Aguon	Dededo	1645	Mafnas	Rhonda Lyn Mafnas	Astumbo	1689
Aguon	Felix Castro Aguon	Dededo	1669	Mangiona	Gwendolyn Villagomez Mangiona	Yona	1523
Aguon-Hernandez	Bernadita Marie Aguon-Hernandez	Dededo	1670	Manibusan	Jose A.E. Manibusan Jr.	Dededo	1649
Aguon-Hernandez	Bernadita Marie Aguon-Hernandez	Dededo	1671	Manibusan	Robert Kenneth Chaco Manibusan	Dededo	1648
Almoguera	Joey Rivera Almoguera	Astumbo	1725	Mendiola	Pedro San Agustin Mendiola	Astumbo	1715
Baluran	Galo Eric Nededog Baluran	Piti	1889	Mendiola	Teresita Cruz Mendiola	Astumbo	1721
Banks	Janice Marie Quintanilla Banks	Dededo	1662	Meno	Igracio Borja Meno	Astumbo	1708
Benavente	Paul Leon Guerrero Benavente	Dededo	1639	Meno	Joseph Anthony Meno	Piti	1877
Blas	Edward Benavente Blas	Dededo	1673	Napoleon	Kasio T. Napoleon	Dededo	1643
Blas	Gina L. Blas	Dededo	1641	Naputi	Antonette Cruz Naputi	Yona	1540
Borja	Jennifer Bonnie Borja	Astumbo	1710	Navarro	Warren Peter Navarro	Piti	1908
Borja	Pedro Flores Borja Jr.	Astumbo	1690	Ninete	Christopher Anthony Ninete	Dededo	1672
Borja	Tasi Lynn Borja	Tiyan	1711	Pablo	Lourdes Balajadia Pablo	Dededo	1653
Camacho	Anthony John Siguenza Camacho	Dededo	1629	Pangelinan	Gerald Nauta Pangelinan	Yona	1512
Camacho	Iwalani Rose Quitugua Camacho	Astumbo	1700	Pangindian	Jason Fejaran Pangindian	Astumbo	1730
Camacho	Veronica Blas Camacho	Astumbo	1688	Pereira	Michael Acosta Pereira	Merizo	773
Castro	Barbara Dolores Mesa Castro	Dededo	1632	Perez	Ricky H. Perez	Yona	1508
Castro	Jose Bernardo Castro	Yona	1530	Quinata	John Aguon Quinata	Piti	1897
Chan	Edward Andrew Roberto Chan	Astumbo	1698	Quinata	Nancy A. Quinata	Piti	1690
Chargualaf	Jose D. Chargualaf	Yona	1521	Quinene	Leif Eric Quinene	Yona	1538
Chargualaf	Lenora Q. Chargualaf	Piti	1906	Rios	Franklin Duenas Rios	Astumbo	1686
Corpuz	Damell Madarang Corpuz	Dededo	1668	Rojas	Peter John Rojas	Piti	1874
Cruz	Gaylene Bello Cruz	Astumbo	1687	Rosario	Joseph B. Rosario	Piti	1904
Cruz	Joseph Roland Cruz Jr.	Piti	1902	Sablan	Magdalena C. Sablan	Dededo	1651
Cruz	Joseph Roland Cruz Sr.	Piti	1905	Sablan	Martha DePlata Sablan	Yona	1534
Cruz	Kenneth Jerry Cruz	Yona	1514	Salas	Francisco Cruz Salas	Piti	1910
Cruz	Michelangelo Paul Aguon Cruz	Yona	1509	Salas	Joseph N. Salas	Piti	1881
Cruz	Vincent Gregory Cruz	Astumbo	1719	Salas	Joseph Nededog Salas	Piti	1886
De Leon Guerrero	Artemio SN De Leon Guerrero	Dededo	1636	San Agustin	Albert Taitano San Agustin	Astumbo	1718
DePlata	Fermin Afaisen DePlata	Yona	1533	San Agustin	Jennifer June San Agustin	Astumbo	1731
DePlata	John Afaisen DePlata	Yona	1532	Santos	Tomas Sahagon Santos	Astumbo	1717
Diaz	Antonina Cruz Diaz	Dededo	1652	Santos	Vanessa Taitingfong Santos	Piti	1912
Diaz	Claire Marie Cruz Diaz	Dededo	1650	Siguenza	Eduardo Cruz Siguenza	Astumbo	1702
Dudkiewicz	Ronald David Dudkiewicz	Merizo	783	Sta.Romana	Vincent Leon Perez Sta.Romana	Piti	1903
Duenas	Kathleen Manibusan Duenas	Dededo	1644	Superales	Patrick Earl Superales	Dededo	1667
Fejarang	Anthony James Sablan Fejarang	Piti	1880	Susuico	Keith Frank Taitague Susuico	Piti	1915
Fejarang	Estella Untalan Fejarang	Yona	1543	Susuico	Kenneth Jesse Taitague Susuico	Piti	1914
Ferrer	Maria Mendiola Ferrer	Astumbo	1716	Tainatongo	Doris M. Tainatongo	Yona	1528
Gumataotao	Juan S. Gumataotao	Astumbo	1722	Tainatongo	Tara Marie Tainatongo	Yona	1546
Guzman	Juan Quintanilla Guzman	Piti	1879	Tass	Charlie Ogo Tass	Astumbo	1724
Isezaki	Rose Muna Isezaki	Yona	1529	Tass	Charles Anthony Tass	Astumbo	1723
Jesus	Richard Taitano Jesus	Astumbo	1709	Torre	Anthony James Torre	Dededo	1666
Kendrick	Vivian Fejarang Kendrick	Piti	1883	Toves	Calvin Iriarte Toves	Yona	1517
Kintol	Cynthia Meno Barcinas Kintol	Piti	1896	Toves	Jesus Quichocho Toves	Piti	1878
Layco	Anthony P. Layco	Dededo	1659	Toves	Rosario Balajadia Toves	Dededo	1654
Leon Guerrero	Gabriel Castro Leon Guerrero	Yona	1544	Waits	Tana Matagolai Waits	Yona	1539
Maanao	Leanadie Dean Maanao	Piti	1898	Walters	Nadia Anne Artero Calvo Walters	Astumbo	1728
Mafnas	James Santos Mafnas	Yona	1507	Willsey	John Arthur Willsey	Dededo	1630
Mafnas	Joseph Anthony Mafnas	Astumbo	1691	Ybarra	Peter F. Ybarra	Yona	1536
Mafnas	Michael Santos Mafnas	Yona	1506	Ybarra	Roxanne L. Ybarra	Yona	1537

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Chamorro Land Trust bypassed applicants

Pacific Daily News

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About 3,000 applicants were skipped since 1995.

The following applicants were bypassed by the Chamorro Land Trust Commission and should have been processed.

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Cruz pi insuran

By Laura Matthew
Pacific Daily News
llmatthews@guampdn.com

A move to help make home ownership more affordable on Guam by waiving the catastrophic typhoon insurance requirement for concrete and properly sheltered homes has generated some support.

Vice Speaker Benjamin Cruz has asked Chairman Barney Frank of the U.S. House Committee on Financial Services to support Cruz's effort to have mortgage lending giant Freddie Mac waive the catastrophic typhoon insurance requirement for typhoon-sturdy homes on Guam.

Many Guam home loans are resold to Freddie Mac, America's biggest home mortgage buyer.

Philip Flores, president and chief executive officer of BankPacifi, said he met with a risk manager from Freddie Mac last week in Washington, D.C., on the issue.

He was accompanied by a representative from Guam Delegate Madeleine Bordallo's office. Flores said efforts have the typhoon insurance waived is dependent on a proposal that the risk manager can take to his superiors.

"We need to make sure we put together a proper argument he can bring to his manager," Flores said. "It is a great effort what Cruz is doing, and we are going to help him as much as we can."

Flores said with Guam's strict building codes, typhoons don't cause much damage to a house made of concrete that's equipped with shutters. He said the on damage such a home could sustain is to its paint and water seeping into the home.

The cost of a typhoon insurance for a home could keep some Guam residents from owning a home.

For example, Flores said

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LAST NAME	FULL NAME	APPLICATION RECEIVED AT	SEQUENCE NO.	LAST NAME	FULL NAME	APPLICATION RECEIVED AT	SEQUENCE NO.
Aguon	Charles Fred Aguon	Piti	1829	Lukas	Raean Jean Borja Lukas	Astumbo	1647
Cruz	Jose Rapolla Cruz Jr.	Yona	1469	Richards	Richard Marion Richards	Astumbo	1648
Cruz	Pete Fernando Cruz	Dededo	1591	Rios	Francisco Guerrero Rios	Astumbo	1646
Cruz	Vicente Rivera Cruz	Yona	1471	Taitano	Ramon Quitugua Taitano	Astumbo	1645

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LAST NAME	FULL NAME	APPLICATION RECEIVED AT	SEQUENCE NO.	LAST NAME	FULL NAME	APPLICATION RECEIVED AT	SEQUENCE NO.
Acfalle	Jose Quichocho Acfalle	Dededo	1855	Joaquin	Evangeline Mafnas Joaquin	Piti	1843
Aguon	Frances Rivera Aguon	Dededo	1598	LaBampa	Jessabelle Casil LaBampa	Yona	1497
Aguon	Peter Cambado Aguon Sr.	Dededo	1616	LaBampa	Pacita Casil LaBampa	Yona	1496
Aquino	Joseph B. Aquino	Piti	1854	Leon Guerrero	John D. Leon Guerrero	Merizo	763
Arriola	Anthony Toves Arriola	Yona	1485	Leon Guerrero	Ronald Jesse Leon Guerrero	Yona	1473
Baranda	Anita P. Baranda	Merizo	758	Lujan	Francisco Cruz Lujan	Piti	1867
Blas	Raymond Materne Blas	Astumbo	1665	Mabayag	John A.B. Mabayag	Yona	1505
Borja	Danny L.G. Borja	Yona	1477	Mafnas	Daniel Santos Mafnas	Yona	1501
Borja	Melan Chaco Borja	Dededo	1604	Malonson	Diana M. Cruz Malonson	Dededo	1611
Brown	Andrew Gale Brown	Piti	1860	Mendiola	Fe Leon Guerrero Mendiola	Astumbo	1651
Camacho	Christopher Lujan Camacho	Dededo	1492	Mendiola	John Timothy Mendiola	Dededo	1622
Camacho	Consolacion Rivera Camacho	Yona	1486	Muth	Tarsila Tayama Muth	Astumbo	1664
Camacho	Felixberto Mendiola Camacho Jr.	Piti	2066	Naldas	Sharlene Gogue Naldas	Piti	1846
Castro	Joseph Kumiyama Castro	Astumbo	1684	Navarro	Joseph Finona Navarro	Piti	1839
Castro	Linda A. Castro	Yona	1500	Obamos	Frances Mantanona Obamos	Dededo	1628
Celis	John Manibusan Celis	Piti	1844	Palacios	Patricia Untalan Palacios	Dededo	1619
Chinel	Joseph Anthony Chinel	Yona	1504	Pangelinan	Pedro Perez Pangelinan Jr.	Astumbo	1669
Coey	Dorothea Cruz Coey	Dededo	1824	Pangindian	James Fejeran Pangindian	Astumbo	1679
Concepcion	Arthur Neil Concepcion	Astumbo	1655	Parr	Frances Hope Salas Parr	Piti	1831
Concepcion	Grace Marie Salas Concepcion	Astumbo	1663	Perez	May Q. Perez	Astumbo	1674
Concepcion	John Salas Concepcion	Astumbo	1650	Quenga	Albert John Quenga	Dededo	1600
Cordero	Pearla Pablo Cordero	Piti	1863	Quintanilla	Ignacio Perez Quintanilla	Dededo	1597
Crisostomo	Roque Acfalle Crisostomo	Dededo	1595	Raphael	Margaret Jean Raphael	Dededo	1620
Cruz	Frank Salas Cruz	Astumbo	1662	Rivera	Lourdes Jubilado Rivera	Yona	1480
Cruz	Kimberly Jo Samiento Cruz	Piti	1866	Sablan	Arlinda Ann Sablan	Dededo	1605
Cruz	Leticia Borro Cruz	Dededo	1625	Sablan	Jesse Lizama Sablan	Dededo	1601
Cruz	Paul Anthony Cruz	Piti	1833	Sablan	Larry Rosa Sablan	Astumbo	1658
Cruz	Peter Vincent Gogue Cruz	Piti	1834	Salas	Joaquin Pablo Salas	Piti	1858
Cruz	Prinsilla Marie Gogue Cruz	Piti	1835	San Nicolas	Francisco Guerrero San Nicolas	Yona	1499
Damian	Jesus Anderson Damian	Astumbo	1654	San Nicolas	Tisha Lynn San Nicolas	Dededo	1623
Delfin	Elaine B. Delfin	Astumbo	1678	Santiago	MaryAnn Cruz Santiago	Merizo	762
Delgado	Eric Anthony Ninete Delgado	Astumbo	1657	Santos	Eugene A. Santos	Piti	1851
Delgado	Stephenie N. Delgado	Astumbo	1656	Santos	Stanley James Santos	Piti	1849
Diaz	Florence Untalan Diaz	Astumbo	1675	Santos	Vincent E. Santos	Piti	1853
Duenas	Robert James Duenas	Astumbo	1685	Siongco	Jessie Joseph Siongco	Dededo	1615
Elm	Andy Rodney Sablan Elm	Yona	1472	Solivar	Arleen Toves Solivar	Astumbo	1652
Fejarang	Joseph R. Fejarang	Piti	1847	Tajeran	Norma Therese Tajeron	Yona	1503
Flauta	Erwin Flores Flauta	Astumbo	1661	Taitague	Rodney Crisostomo Taitague	Piti	1850
Flores	Raymond Joseph Flores	Piti	1845	Toledo	Rose Marie Meno Toledo	Yona	1490
Garrido	Richard Perez Garrido	Piti	1856	Tolentino	Rosalie Borja Tolentino	Merizo	760
Gogue	Joey Anthony Gogue	Piti	1842	Toves	Alvin C. Toves	Yona	1484
Gumabon	Cheryl Lynn Gumabon	Astumbo	1670	Ulloa	Manuel R. Ulloa Jr.	Merizo	759
Gumataotao	Joseph Jr. Terfaje Gumataotao	Piti	1859	Untalan	Jesse Iriarte Untalan	Astumbo	1676
Guzman	David Lanner Guzman	Piti	1868	Untalan	Marie Darlene Q. Untalan	Dededo	1626
Harris	Joaquina Tenorio Harris	Astumbo	1663	Untalan	Pauline Iriarte Untalan	Dededo	1618
Hocog	Teddy S. Hocog	Astumbo	1682	Ybarra	Daniel J. Ybarra	Yona	1489

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Arciga	Delfina Feja Arciga	Dededo	1502
Ashby	Carmelita Salas Ashby	Piti	1640
Cabrera	Concepcion Mendiola Cabrera	Piti	1626
Camacho	Randolph Nauta Camacho	Astumbo	1502
Camacho	Vincent Cristobal Camacho	Mail-In	152
Castro	Rick L. Castro	Mail-In	162
Chargualaf	Fred M. Chargualaf		
	and Noma L.G. Chargualaf	Mail-In	157
Chargualaf	Norma L.G. Chargualaf	Mail-In	161
Crisostomo	Herman Aguon Jr. Crisostomo	Mail-In	204
Cruz	Frank James Cruz	Mail-In	210
Cruz	Franklin Sablan Cruz	Mail-In	213
Cruz	Jesus Malinas Cruz	Mail-In	160
Cruz	Mary Ann C. Cruz	Mail-In	196
Cruz	Paul Yaguada Cruz	Mail-In	171
Cruz	Sandra E. Cruz	Mail-In	185
Damian	Betsy Ann Damian	Piti	1650
DeGracia	Freddy Villagomez DeGracia	Yona	1376
Diego	Joseph Mendiola Diego	Mail-In	183
Duenas	Vincent Joseph Sablan Duenas	Dededo	1506
Eustaquio	Connie Santos Eustaquio	Dededo	1510
Everitt	Candelaria Aguin Everitt	Piti	165
Fejerman	Rosita Meno Fejerman	Piti	1643
Flores	Laurie Jean Flores	Yona	1374
Flores	Ramon Salas Flores	Yona	1375
Garrido	Michael Castro Garrido	Piti	1647
Garrido	Raymond C. Garrido	Piti	1642
Gay	Benjamin King Gay	Piti	1630
Gogue	Alvin San Nicolas Gogue	Mail-In	202
Guerrero	Erica Perez Guerrero	Mail-In	216
Guerrero	Pedro S. N. Guerrero	Merizo	728
Guerrero	Valerie T. Guerrero	Piti	1631
Guevara	Isabel U. Guevara	Mail-In	172
Gutierrez	Frederick G. Gutierrez	Tiyon	108
Gutierrez	Louise Gogo Gutierrez	Mail-In	159
Gutierrez	Paul D. Gutierrez	Mail-In	225
Gutierrez	Sheryl A. Gutierrez	Mail-In	178
Guzman	Juan Blas Guzman	Mail-In	163
Hagen	Carl Duenas Hagen	Mail-In	170
Hagen	Scott Duenas Hagen	Mail-In	180
Holbrook	Richard J. Santos Holbrook	Mail-In	191
Holbrook	Rosemary C. Santos Holbrook	Mail-In	188
Hong-Yee	Dana Rosanne Tydingco Hong-Yee	Mail-In	220
Ibanez	James William Ibanez	Mail-In	229
Iglesias	Eugene Duenas Iglesias	Mail-In	1644
Iglesias	Johnny Shibuya Iglesias	Piti	1645
Jackson	Ronald Eugene Jackson	Piti	1649
Johnston	Jennifer Marlene Johnston	Yona	1380
Leon Guerrero	Frank Joseph Leon Guerrero	Mail-In	197
Leon Guerrero	Matthew Anthony Leon Guerrero	Astumbo	1510
Leon Guerrero	Myma Jean Leon Guerrero	Mail-In	187

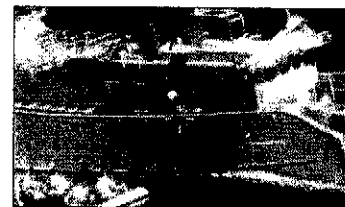
Limtiaco	Alicia Anne Limtiaco	Mail-In	153
Machie	Glenn Edwin Duenas Machie	Astumbo	1508
Malinas	Elmer C. Malinas	Yona	1377
Malinas	Tommy Cepeda Malinas	Mail-In	203
Mendiola	Joseph Michael Mendiola Jr.	Mail-In	209
Mendiola	Vincent Cruz Mendiola	Mail-In	224
Mondia	Gilbert Joseph Mondia	Mail-In	215
Pacheco	Lisa Ann Ollano Pacheco	Mail-In	169
Palma	Patrick C. Palma	Mail-In	168
Paulino	Elizabeth Lujan Paulino	Mail-In	212
Peredo	Diana Louise Peredo	Yona	1371
Perez	Joaquin Fenona Perez	Mail-In	230
Perez	Joelle Beth Perez	Mail-In	236
Perez	Linda R. Perez	Mail-In	240
Perez	Ramon Pangellinan Perez	Mail-In	239
Perez	Steven Paul Perez	Mail-In	179
Purugganan	Herilla Mendiola Purugganan	Mail-In	189
Quichocho	Joey James Quichocho	Yona	1372
Quidachay	John Phillip Guerrero		
	and Barbara Quidachay	Piti	1634
Quinata	Ben Quinata	Mail-In	227
Quinata	Krista Lynn Perez Quinata	Mail-In	182
Quinata	Lisa Marie Perez Quinata	Mail-In	184
Quinata	Margaret Nguyen Quinata	Mail-In	175
Quitigua	Josephine M. Quitigua	Mail-In	223
Ramos	Barbara Ann Estelle Ramos	Piti	1633
Ravello	Geraldyn Cruz Ravello	Astumbo	1507
Reyes	Bridget Camacho Reyes	Mail-In	250
Reyes	John Quidachay Reyes	Piti	1639
Reyes	Theresa S.N. Reyes	Mail-In	249
Rivera	John Paul Rivera	Mail-In	246
Roncal	Stephanie Benavente Roncal	Mail-In	245
Sablan	David San Nicolas Sablan	Mail-In	211
Sablan	Edith Marie Santos Sablan	Mail-In	214
Sablan	Frank Anthony Sablan	Mail-In	234
Sablan	Jerry Guevara Sablan	Mail-In	222
Salas	Rosina Mesa Salas	Mail-In	241
Sanchez	Francisco R. Sanchez	Dededo	1501
San Nicolas	Francisco P. San Nicolas Jr.	Mail-In	247
San Nicolas	Jose Saluonnam San Nicolas	Mail-In	193
San Nicolas	Patricia Ann Seblan San Nicolas	Mail-In	243
San Nicolas	Roland A. S. San Nicolas	Mail-In	177
Santos	Annie L.G. Santos	Piti	1652
Santos	Eugene Hemero Santos	Mail-In	155
Santos	Francisco D. Santos	Mail-In	195
Santos	Frank Martin Santos	Mail-In	201
Santos	Herbert S. Santos	Mail-In	167
Taimanglo	Luanne Marie Flores Taimanglo	Yona	1373
Taitano	Marie Elizabeth Taitano	Astumbo	1503
Tenorio	Judith Frances Tudela Tenorio	Astumbo	1509
Wright	Julia S. Wright	Dededo	1511



Photos courtesy U.S. Coast Guard

Above: An aerial shot shows U.S. Coast Guard Cutter Washington intercepting the Taiwanese ship Te Hung Fa, which the Coast Guard alleges was illegally fishing for sharks, tuna and other types of fish with its longline gear deployed well within the U.S. Exclusive Economic Zone.

Right: The U.S. Coast Guard intercepts the Te Hung Fa, a Taiwan-flagged vessel, which allegedly has been illegally fishing for sharks, tuna and other types of fish with its longline gear deployed within the U.S. Exclusive Economic Zone off Saipan.



Coast Guard seizes Taiwan fishing vessel

By Gaynor Daleno
Pacific Daily News
gdumatol@guampdn.com

The U.S. Coast Guard seized a Taiwanese-flagged fishing vessel and escorted it into the port in Saipan over the weekend for suspected fisheries violations within the boundaries of the U.S. Exclusive Economic Zone, the Coast Guard announced.

The crew of the 22-meter, 56-ton Te Hung Fa is alleged to have been illegally fishing for sharks, tuna and other types of fish with its long line gear deployed well within the U.S. EEZ, according to the Coast Guard.

The fishing vessel was intercepted in waters surrounding the Commonwealth of the Northern Mariana Islands, approximately 400 miles north-northwest of Guam. The Te Hung Fa was met by officers of the National Oceanic and Atmospheric Administration's Office of Law Enforcement for investigation into alleged violations

of the Magnuson-Stevens Fisheries Conservation and Management Act.

The crew of a C-130 aircraft from the Coast Guard Air Station in Honolulu documented the alleged violations.

The crew of the Guam-based Coast Guard Cutter Washington intercepted the fishing vessel 17 nautical miles within the U.S. EEZ on Aug. 27. "Es-

entially, the fishing vessel is alleged to have stayed within

the U.S. EEZ for some time — long enough for us to document from the air and to have a surface boarding team on scene in time to make the seizure," said Lt. Cmdr. Jay Caputo, fisheries enforcement officer with the 14th Coast Guard District in Honolulu.

Federal authorities plan to pursue a case against the owners of the Te Hung Fa. The Magnuson-Stevens Fishery Conservation and Management Act authorizes the imposition of civil penalties up to \$140,000 per violation and full forfeiture of the vessel and its catch.

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Pacific Daily News

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For classified ads, to start or stop home delivery or if you missed your paper,

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