



COMMISSION ON DECOLONIZATION
Commission Meeting Minutes
February 8, 2018

Meeting called to order 3:08 pm.

1) Roll Call

- Governor Eddie Baza Calvo, Chairman
- Adrian Cruz, Free Association
- Vice Speaker Therese Terlaje, Vice Chairwoman
- Robert Hoffman, Mayors' Council
- Victoria Leon Guerrero, Independence
- Dr. Lisa Natividad, Member-at-Large
- Dr. Lisa Baza, Member-at-Large
- Sen. Fernando Esteves

2) Approval of minutes: January 23, 2018

- Motion to approve minutes – Mayor Hoffman. No Objections. Motion approved.

3) Executive Director's Report

- Facebook page & Email List
 - o Executive Director - It has been a suggestion to utilize Facebook and social media. We put up the information about our meetings and work sessions. We did share the article for Mr. Ron Teehan, Jr. who passed away, and we are livestreaming now. We attempted to livestream the presentation by former Senator Hope Cristobal. We were unable to because of connection issues, but we will be sharing the recording on the page. We have started a subscription list. If you go to our Facebook page, there is a button that says sign up, and anyone who is interested in getting email on meeting notices and any notices from task forces can sign up there.
- MOU Re: Self-Determination Study
 - o Executive Director - The MOU is currently being reviewed by Governor's and UOG's legal teams. Once it is legally sound, then it will come back to us. They suggested we add that it was approved by the Commission.



- o Vice Speaker – thank you for excusing me last meeting. I’ve asked that they keep us free for these meetings because there are three members of the legislature. I’m hoping if the MOU comes back we can have a little discussion. Before we send it, I’m asking that we could have a little more discussion. There are some questions I have.
- o Chairman – Yes, I believe it is still in draft form. If there are any issues, bring it up.
- o Executive Director – Nothing has been signed yet. It is not final. We do have a work session set for February 20. If there are any concerns, we will be meeting then as well. There was a concern about changes being made as we move forward. We did include a part which says that changes could be made as long as it is in written form.
- o Adrian Cruz – The Commission has to approve scholars participating in it. There is also the appendix we will be adding which will be under the discretion of the Commission.
- o Executive Director – Yes, that is number 8 on the draft MOU. I don’t have any updates besides that it is being reviewed by legal and the one change that has been made.
- o Victoria Leon Guerrero – So all writers and researchers will be approved by the Commission?
- o Executive Director – Yes, that was one thing that was pointed out last meeting. We wanted to retain control.
- o Vice Chair – Is it required that this has to be done in one big lump as opposed to splitting it up because some of these things could be made available easily. I’m thinking this might be the biggest thing this Commission will accomplish. I wonder if it will be easier to split it up. I’ll be at that meeting.
- o Adrian Cruz – When we were looking at splitting it up, it wasn’t working. When we were looking at private firms, it wasn’t worth their while if it was just one or two pieces. When Ed was here, we were trying to get a company to do it. They basically said if they don’t get all of it, it’s not worth their time.
- o Chairman – I think it’s something to ask as we work with the University about milestones and timetables. It is fairly voluminous. Maybe they can give us an idea on how they are going to move forward and what the timetables are as we address this governance study.
- o Executive Director – We can bring that up as a deliverable. It could happen as early as April.



- o Victoria Leon Guerrero – I wouldn't want that. In New York, Tahiti was testifying and had all these statistics. We need that economic data and those kinds of figures with a careful experienced study. I would not want a rushed study. I think at least a year. Some of the easier things they could release early. For the economic part, I don't want it to be a repeat of what was done in 2000 which was a 5-year study. We need real research and comparative studies with other places.
- o Vice Chairwoman – My concern is that some of these are things we could get from the other agencies which are in cooperation with this commission. We could get some of this data and take that 2000 economic study and say exactly what we want to be different. That way we can be very specific about what we want. It can be one of the few things we can produce here. I feel like we have to be very particular what we're get out of it and not waste our time on things we can't use. The agencies are already doing this. They've had to produce it for different purposes. On those compilation type things, we see what they don't have and search from there.
- o Chairman – Some areas of the government are very good compiling and disseminating information. What I can tell you is that every one our agencies are overwhelmed with providing services. They can compile the information, but in terms of the added work to try and analyze it to the specifics of what we want, that is why you would have the University to handle it. They have a single focus and can get that information from the different groups. They have the information, but getting them together and something to look at them, I think that is something someone from the University could do.
- o Victoria Leon Guerrero – Maybe they could contract someone who has done it for other countries. I would hope that they would cooperate for this and get the data from the different agencies to analyze.
- o Vice Chairwoman – We are paying for someone to get something from the Government of Guam. That's something we don't need to pay for. When you get the data, it doesn't say they're going to analyze it. Part B is very different, which is the creation of 3 status models.
- o Chairman – This governance study is so important. It would look and do comparatives. I think for the governance study, that is where the agencies can provide information. Going back to the Tax Reform Act. You have the income tax credit which is 100% funded by the people of Guam. If it was the state of Guam, we would be receiving funds but also putting money back to the federal



government. Those kinds of questions when we get information – we can disseminate it. We can get information regarding Medicaid. I'm hoping that when they do the study we can look at GPA, GWA, and the Clean Air Act. I assume that with a governance study, we look at the current state we're at and disseminate the information of our current territorial status.

- o Sen. Esteves – I think it wouldn't do any justice on the economic part. I think that would have to be an entirely different study. We could touch into it, but to see what kind of market and negotiations, such as flights in and out, would be like in the different status options.
- o Chairman – That's why I need Rivera and these guys to focus on this. There are certain things that are nonnegotiable given the current status of Guam, that would even be nonnegotiable as a state. Those are the things the governance study has to show.
- o Sen. Esteves – to go into more detail and show dollar figures would probably be more extensive than what the governance study in its entirety is able to accomplish. I think there should be a specialized group of people to look at the economic aspect.
- o Executive Director – there is the ability for sub-contracting in the MOU. For the work session on the 20th, we have invited RCPP, so if anyone has any questions, they can be answered then as well.
- o Dr. Natividad – I had worked with John on another project. I spoke with him about this. He seemed very flexible and open about it. I explained why we were very particular about who would be sub-contracted. I think the biggest part is going to have access to the data. I asked him about the two economists at UOG and whether they would be available. Going back to what you had recommended, you'd probably want to research who has done it for other countries. Even with the MOU and the way it's scripted, we have to be a lot more specific to get the result that we want.
- o Vice Speaker – There's no way that anybody up there is going to tell me more than people at GVB, etc. that's their expertise. They're experts in certain areas. I'm just trying to streamline it so we don't have to pay for things we don't need that we can get from the Government of Guam.
- o Dr. Natividad – My guess is when we have this meeting where they come, we could sculpt out piece by piece what we want. It seemed like they were flexible enough to work with us and what we want.



- o Sen. Esteves – There’s something there where we could make changes on the fly. They would provide us with updates on the study, and I think that would prevent us from having a finished product that we are unhappy with.
- o Dr. Baza - I think even if the data is available, it needs someone to analyze it and put it together in the form of a governance study. There needs to be a central person (UOG) who will be collecting all that data from whatever agencies they need the information from. I don’t think we’d be able to get people from everywhere we need, gvb and gEDA at one table to give us their information. We need someone to gather and analyze and put it all together for our review. You still need a primary researcher.
- o Sen. Esteves – I know a lot of individuals that a lot of individuals have ties to UOG. I think that if any commission members have work with this, if there’s the perception that one member is actively working on it as their work at UOG whereas other members do not have that opportunity. I think that if there are any conflicts, they will be brought up and the Commission would vote on any issue. We want to be very transparent.
- o Dr. Baza – You cannot serve on a board of commission and procure yourself or subcontract yourself. I’m an adjunct, and I could not get paid for participating or subcontracted on this self-governance study if I am voting to give the contract to the University. That would be illegal.
- o Sen. Esteves – I think if someone were to be doing any work, just disclose it. I think we’ll be upfront about any involvement in it.
- o Dr. Baza – You could not get paid for it. We could not benefit from it. For example, I’m assuming Independence would be sharing their research and information, but they would not receive compensation.
- o Dr. Natividad – I think that’s why also we put that line where we would be choosing the subcontractors.
- o Sen. Esteves –This procurement process it is important we consider those things. From a Commission standpoint we have to be prepared for the criticism that may come. I think we need to be very upfront about why it is important to the process.
- o Chairman – it’s in draft form. Please bring up any issues you may have and any recommendations to the director.
- o Executive Director – We could do it again where we put it on a google doc, and everyone can edit. That way we all can see in real time what everyone is suggesting.



- o Vice Chair – Can we just have a little more discussion on A and B. The Governor is going to represent us in the UN. Part A can be something he can use and any of us can use to determine status. To be honest, I feel bad. This is something that has been done by the Commission on Self-Determination. If we can get their records and pick up where they left off. I believe there are people in the community with much more expertise in this than the people you'll be giving this contract to at this point. This is something even our director could do for us. This is compiling research and putting it together. Part B is totally a hypothetical. Under these situations, what can you foresee to be the impacts on healthcare, etc. For me, the Commission really has to determine every step of the way what we're trying to say with this information and what we're going to use it for so that it's catered to that.
- o Dr. Natividad – you have the Google docs uploaded? Please share that.
- o Vice Chair – Can we reschedule that meeting. We are in session that week. Could we make it the next week?
- o Chair – We will switch the dates. Self-Determination Study Work Session February 15 and Education February 20.

4) Chairman's Report

- MIF Agenda
 - o I had a good meeting with Gov. Torres. There has been an approval tentatively for decolonization being on the agenda in May in Saipan. Hopefully my travel ban will be released and I can go. I want to reiterate – I am so thankful for our FAS Nations. They backed us in our time of need at the UN. I feel good about working with all of them, and I look forward to working with you folks about what kind of report I can put out.
 - o Dr. Natividad – Did you get the chance to ask if they established the political status commission. It was passed by law, I'm sure. If we are able to align that, we can start doing some kind of resolution about decolonization that can come out of that meeting that will be useful for us.
 - o Executive Director – We are in touch. We can keep you up to date about when they create an office as well.
 - o Vice Speaker – Amanda, do you have the list of who voted for or against the Resolution on the issue of Guam?
 - o Executive Director – It hasn't been up yet, but I have emailed our UN contacts. Once I get it, I will send it out.



- o Victoria Leon Guerrero – We want to talk about doing prep before the drafting of the resolution occurs. We want to start a working group to review the existing resolution and that preps and helps to make recommendations as well as a follow-up on the visiting mission. I know that there’s going to be a new Chair, so we could find out who that is and write a letter emphasizing the need for a visiting mission.
- o Dr. Natividad – when you prepare to go to the seminar, that’s when you need to begin that.
- o Victoria Leon Guerrero – Even if it is sharing the google doc of the resolution that we can edit, that might be more efficient. We could do that as a Commission
- o Vice Chair – Did we formally thank those countries?
- o Executive Director – We did. The day prior, we sent letters to their leaders and UN Ambassadors asking for their support.
- o Victoria Leon Guerrero – Could we add the visiting mission to the agenda? So we can consistently follow-up with them.
- o Executive Director – I recommend making a full section for UN updates just so that anything regarding the UN we could bring up during that time.

5) Financial report

- The Commission experienced a reduction 125,253. A majority of our fund goes to the task forces and the education campaign. As soon as we got that memo, we spoke to every task force chairperson about how this would impact their budgets. Each task force fund was reduced by \$41,751 to accommodate for the reduction. We are working on their procurement needs and how this affects it. As a reminder, the FY18 funds do not rollover like the previous years. The language that allows for rollover was not included, so we are using the FY18 funds first. The financial report is available to you.
- Vice Chairwoman – It is only the task forces that were cut?
- Executive Director – Yes, because the only operating funds are for our phone and for my and mariana’s salaries. The 15% reserve that BBMR requires we put, we put on our salaries.
- Vice Chairwoman – You haven’t adjusted salaries.
- Chairman – the problem right now, is that if we don’t have political enactment, we’re going to be seeing some payless paydays in March. It’s good for the people and businesses, but it is not good for us.



- Executive Director – Mariana did include updates on the task force accounts including PO's and spending.

6) Task Force Updates

- Independence –
 - o Victoria Leon Guerrero - We had 30-40 people at our teach-in last night. One of our members was invited to Okinawa to do a tour of the military resistance. We had our general assembly a couple of weeks ago. The focus particularly honored Gloria Nelson and focused on education and how we need to decolonize and reform our education. Incorporating our values leads to success. We have a few events coming up. We are starting a series called Haleta Hikes. We are going to build our own signs reminding people of our cultural protocols in these areas as a way to broaden and expand our education efforts and engage more people. We had a very successful War Claims event. We had 160 people come. We are going to do another one on March 23. We had a lot of volunteers, including a notary. It's been incredible. We are going to do another concert, on the one year anniversary of the big one we did – April 7. Our next general assembly we will focus on looking at water as an economic resource and will be honoring Pedro Martinez of the ice plant. We are looking at the last Thursday of the month. Business as usual, lots of educational events
- Free Association
 - o Adrian Cruz – we've had a few events at UOG with professors asking us to sleep. We had a small round table panel and will have another one at GCC. We're going to have to look somewhere else to have our regular general assembly meetings. We are looking there or the cathedral in the upstairs museum space. Other than that, we're waiting on our website. Other than that, it is pretty status quo. We have our meeting next week with potential members.
- Statehood
 - o Executive Director – Statehood is not here today. Senator Duenas is in the hospital right now. We are in contact with him, and we have new members coming in to help as well. We will be having that meeting next week too. We have also helped them make their facebook page.

7) Open Discussion

- Vice Chair – I have a resolution. These are copies of all the announcements of trainings taking place on or around Guam. I wanted to circulate this today. These



are the recent ones. They send out no less than one a month. For me, this might be something the commission might want to think about it for discussion next month. I think that the continued training that has potential impacts to our resources has very real impact to our ability to change our status. I want to as a Commission start taking a position on it.

- Victoria Leon Guerrero – Isn't there an order – before an administering power does something that affects the resources of a non-self-governing territory, they must first seek consent? But they've never sought our consent.
- Chairman – The most recent one they did seek my consent, and it used a lot of outside the gate properties. There wasn't enough information and assurances give. Because what I believe in talking homeland security, I felt things weren't what they should've been. I did consent but without live fire that are not within the confines of the gate. Usually agencies are involved. Whatever COD has in mind about taking a position, I'd like to bring in my regulatory agencies. I lean a lot on Historical Preservation, EPA, Department of Agriculture, Parks and Recreation on their opinion. I want to get more information. I want them to give their input as we discuss any kind of position for the COD. There are now waters that are now under the control of the Federal government, and that is probably why I haven't been asked.
- Victoria Leon Guerrero – international law not only protects these as natural resources but also our ability to economically benefit from them in the future. I know there was a study about how much fish they could catch over a period of time around the different islands. There were far less fish in our waters than all of our neighboring islands. They drew a correlation between that and all this military activity.
- Chairman – let's get some of the folks from the regulatory agencies and have a discussion about this issue. Governor Torres and I are trying to wrench control back from interior. The president has been trying to take federal control out of certain properties, such as big terrestrial lands in the states and some of the Blue Water areas. It may serve to our advantage as we try to get our economic exclusivity zone. This is something I will bring up with him as well.
- Vice Chairwoman – We brought this up at the UN. They've always talked about the resources, and I think our duty is to educate. When these come up, we should just start putting these out.
- Chairman - I'm going to talk to my key staff and get with whoever might be involved and start out with a working group to discuss this more.



- Victoria Leon Guerrero – How is it that China has placed a monitoring system in the Marianas Trench? The challenger deep was given to FSM at the 2014 Pacific Islands Forum. That puts Guam again in another line of fire. It is a resource that has always been seen as ours. We don't know what this kind of technology being introduced could do to our environment, health or safety. We really have no control of our natural resources. That could be another thing we can explore. They have to have negotiated with the FSM for this.
- Chairman – I'll get my people. Most of the ones who have issues with the feds are EPA, Historical, Parks and Rec. I can sit with them and have a more deep discussion.
- Vice Chairwoman – I think this from last meeting: the poll by UOG. I think it is premature at this point. It is to be an indication on how our education campaign should proceed. I think we know how it should proceed – that we need to convince the people of Guam that we need a plebiscite. This poll is very oriented around the three. I think if we are going to poll, the task forces should be able to come up with better questions. That is a very important thing. Whatever comes from the Commission, it is going to show for history that we requested a straw poll, which we do not want. We are not ready for that.
- Chairman – we have to find out where we're at. I talked about secondary questions. Why do they want statehood? Free association? Independence? I don't agree. I think it's good to get an idea. My agenda is finding out what people are thinking about.
- Dr. Natividad – I think the use of the word poll is problematic. We should ask “do you know what self-determination is? That's different from a poll of three status options. The poll of three status options has always been problematic because depending on how the US decides to interpret that act, it can be construed as an act of self-determination, and they could go to the UN and say take them off the list because they had a vote.
- Victoria Leon Guerrero – He did say an informal poll open to everyone would be something Congress would acknowledge. The difference between the plebiscite and an informal straw poll is that the informal is open to everyone.
- Chairman – this is not government sanctioned. This is a UOG poll. I've been wanting to have an election since I came in. We seem to be afraid of asking people. Let's just ask. I think it's a great idea. I have total confidence in UOG. I think they can take the politics and get a good understanding of where people stand and why.



That could help us on this governance study and our education campaign, that maybe when we finally have the plebiscite we could have given enough education.

- Victoria Leon Guerrero – I think what’s important is a survey asking things like: what do you know about Guam’s colonial status, do you think status quo is an option? You can still ask what you would choose today. We should see firsts though is what they’ve learned from Guam’s status currently. If we’re going to really try to figure out where the community is at, we need to add those prior questions. We need to determine what needs to be done up here so that they are ready to answer the question down here about which status.
- Chairman – that’s what we’ve been talking about. I’m sorry there is no compromise. As Governor of Guam, I’m doing this. I’m thankful for your opinion. I respectfully disagree.
- Sen. Esteves – Maybe we can have just two questions: how much do you know? If you were to choose tomorrow, what would you choose? It’s going to be used against us. I’m not disagreeing with you.
- Chairman – I would like to see some progress. I disagree on this compromise. I’m not going to change the question. We are going to go into more details. As I sit down with Dr. Santos, I do want to ensure that in the end with the questions that are asked, we will know the why. I thank you for your opinions. As we have discussions, I invite you to give your opinions and talk to them and find out what the secondary questions are. As we all twiddle our fingers, there’s more people dying everyday. I wish they had accepted the deal years ago on war claims. There’s a bunch of dead people now that didn’t get it. I’m leaving soon. I understand that you are so deep in it, but as Governor of Guam, I don’t think this is going to change the universe as far as the US saying “gotcha!” That is my opinion. I’m here for the simple agenda of finding what people are talking about to help the task forces figure out what needs to be done.
- Vice Chairwoman – I agree with you with your frustration. The problem is that we are the only Commission tasked to focus on it. It was brought up at the meeting. We have to be cautious about what is condoned by the Commission. These people at UOG are not involved with us or the United Nations. This is going to hurt your case and with your negotiations at the UN. There are potential risks to things like this coming from this Commission and from the Governor of Guam. I just think we are in the middle of a court battle because of things some people may have done loosely somewhere. We need to be cautious.



- Chairman – I’m going to be putting a big red stamp saying this is unofficial, only a popular opinion poll. It was done by the University of Guam non-sanctioned by the Governor of Guam for educational purposes only.
- Victoria Leon Guerrero – we sat through the Davis case and he used so much against us.
- Chairman – in my seven years as Governor, I’ve dealt with all of your combined activities with the federal government tenfold. I’ve had to deal with their bs every meeting. I beg to differ. They say and do whatever they want. It’s not going to be the governor asking the University of Guam do a survey that is going to be the one. That is a weak case.
- Dr. Natividad – can we just call it survey research.
- Chairman – we can change the name.
- Vice Chairwoman – I think let it be something we could use.
- Chairman – to me it’s all about why do you want this?
- Victoria Leon Guerrero – you express extreme frustration with the feds but publically support statehood. I just am curious why.
- Chairman – I’ve always prefaced my desire for statehood. As far away as it is from happening, anything is better than where we are. There is nothing as bad as where we are. Freely Associated State of Guam would take us to much greater heights than the unincorporated territory of Guam. The state of Guam would get us better than the territory of Guam. And independence would take us much farther than the territory of Guam, my dear people of Guam. I’ll figure a way to make the language to make everyone better.

8) Next meeting: March 6, 2018.

9) Adjournment

- **Motion to adjourn** – Dr. Natividad. No objections.

Meeting adjourned at 4:25.