

***Briefing Papers on Various
Issues***

***Prepared by: Bureau of Planning
Date: February 1992***

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OFFSHORE GOVERNORS' MEETING
February 2, 1992

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8) Status of Implementation of OGF Resolutions	*	

* No information available, not addressed in Briefing Books.

**Commonwealth of the Northern Mariana Islands****Office of the Governor**

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U. S.

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1/28/92

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TO: Leland Bettis, Guam Governor's Office**FAX NO.:** (671) 472-5733

477-4826

477-1812

FROM: Tim Bruce, Special Legal Counsel to Governor Lorenzo L. De Leon Guerrero**FAX NO.:** (670) 322-5096**OPERATOR:** Donna J. Cruz

Attached are copies of documents we discussed today.

TOTAL PAGES INCLUDING THIS COVER PAGE: 10

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TELECOPIER INFORMATION PAGE

PLEASE DELIVER TO:

Peter Leon Guerrero

TELECOPIER NO.

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SENT BY:

DATE:

11/8/92

TIME:

SUBJECT:

Guam/CNMI EEZ Boundary

COMMENTS/MESSAGE:

more and more; it seems logical
for Guam and the CNMI to assert
sovereignty and establish the EEZ
boundary. I send along some
maritime Boundary materials.

United States Maritime Boundary Issues

The delimitation, or delimitation, of boundaries in the ocean has, in recent years, become increasingly important as coastal states realize the significance of their offshore resources including fisheries, oil, and gas. There are nearly 500 situations around the world where coastal countries are either adjacent to or opposite one another. Of these potential boundary delimitations, less than one-quarter have been agreed upon, that is, a treaty has been accepted and ratified by the two (and sometimes three) parties or states.

The continental United States has adjacent and/or opposite maritime boundaries with five countries: Canada, Mexico, the Bahamas, Cuba, and the Soviet Union. All told, the United States is concerned with 26 maritime boundaries involving other countries. We have four boundaries with Canada, namely in the Gulf of Maine/Georges Bank, the Strait of Juan de Fuca between Washington and British Columbia, Dixon Entrance between British Columbia and southeastern Alaska, and in the Arctic between Alaska and Yukon Territory.

Lewis Alexander, Professor
Emeritus of Marine Affairs

ry. The United States has two maritime boundaries with Mexico—one in the Gulf of Mexico and the other in the Pacific Ocean off southern California. There is only one maritime boundary each between the United States and the Bahamas, Cuba, and the Soviet Union.

In addition to the continental United States, maritime boundary delimitations may also involve the State of Hawaii, the Commonwealths of Puerto Rico and the Northern Marianas, and the U.S. territories of the American Virgin Islands in the Caribbean, and of American Samoa, Guam, Wake, and Midway in the Pacific.

Three types of offshore jurisdictional zones may, in time, require boundary delimitations. If two countries' coastlines are adjacent to one another (as in the case of the United States and Canada), there may be internal waters, that is the waters of bays and estuaries between the two states, through which a boundary must be set.

Seaward of the coast, or of closing lines across the entrance to bays and estuaries, is the territorial sea, extending out to a distance of 12 nautical miles. Except in the case of narrow water passages, such as the Strait of

Gibraltar, territorial sea boundaries involve only adjacent states. The United States has agreed on the delimitation of two of its territorial sea boundaries with Canada—the Gulf of Maine area and the Strait of Juan de Fuca—but disagrees with respect to Dixon Entrance and along the Arctic Coast. In the case of Dixon Entrance, the disagreement concerns interpretation of the 1867 Treaty with the Soviet Union over the U.S. purchase of Alaska. The U.S. position is that the boundary should be equidistant, every point of which is an equal distance from the basepoints along the coast from which the breadth of the two countries' territorial sea is measured. The Soviet Union's position is that the boundary should follow the 141st meridian as it trends northward toward the Pole, marking the western limits of Canada's claimed "Arctic Sector."

The U.S./Mexican territorial sea boundaries in the Gulf of Mexico and the Pacific have

Figure 1.
US-Canada
Boundary, Gulf
of Maine/
Georges Bank

All told, the United States is concerned with 26 maritime boundaries involving other countries.

been delimited by agreement. Beyond the limits of the 12-mile territorial sea are exclusive economic zones (EEZ), extending to a maximum distance of 200 nautical miles from the coast. An EEZ boundary not only divides the waters and their resources but also the continental shelf and the seabed areas beyond shelf limits.

With Canada, one 200-mile boundary has been settled in the Gulf of Maine/Georges Bank area. Prior to 1979 the United States asserted its ownership over all of Georges Bank as a natural extension of the U.S. continental shelf, terminating at the Northeast Channel between Georges and Browns Banks (see Fig. 1). Georges Bank is a rich fishing area and also a potential source for offshore oil and gas. But Canada claimed that the maritime boundary should be an equidistant line between Cape Cod and Nova Scotia extending across the eastern part of the Bank. Since two countries were unsuccessful in negotiating the location of the maritime boundary in the Georges Bank area, it was decided in 1979 to submit the dispute to a five-member Chamber of the World Court.

At the same time, an East Coast Fisheries Agreement was concluded between the two states that would have allocated, on a percentage basis, scallops, groundfish, and other living marine resources in the Georges Bank/Gulf of Maine area between the United States and Canada, regardless of where the final boundary was drawn. Because of strong opposi-

tion to the agreement on the part of New England fishing interests, the East Coast Fisheries Agreement was eventually withdrawn from consideration by the U.S. Senate, but the boundary agreement remained in force. In 1984, the Chamber selected a boundary close to the Canadian claim, awarding to that country an area rich with fisheries resources.

The United States has moved slowly in most of its other maritime agreements. In 1977 we concluded a provisional fisheries agreement with Cuba, with the proviso that the agreement will be periodically extended for subsequent two-year periods. The agreement is still in force after 14 years.

With Venezuela, the United States concluded a maritime boundary agreement in 1978, dividing the area between Puerto Rico and Venezuela's uninhabited Aves Island to the south. The line is essentially an equidistant one. In the Pacific the United States concluded a maritime boundary agreement separating the waters off American Samoa from those of the Cook Islands. Also in 1980, the United States concluded a boundary agreement delimiting the waters between American Samoa and Tokelau, a very small (four-square mile) dependency of New Zealand.

The United States has one other settled maritime boundary agreement with the Soviet Union in the Bering Strait and the Bering Sea. After years of disagreement, a boundary settlement was concluded in June 1990 which,

in effect, split the difference between the United States and Soviet positions.

Why has the United States moved so slowly in settling its maritime boundary delimitations with other countries? One reason may be the reluctance of U.S. officials to deal with situations where known or potential maritime resources may be traded away, once a final line is drawn. This process is also complicated since any boundary treaty must receive the consent of the U.S. Senate. A 1978 agreement with Mexico delimiting boundaries—both in the Gulf of Mexico and the Pacific—is still languishing in the Senate, with little apparent chance of approval. Maritime boundary agreements in areas such as the mid-Pacific, where few anticipated resources are involved, are not given a high priority by the responsible U.S. government agencies. In still other situations, such as the Caribbean, it might appear prudent to wait until more is known about possibly affected resources in a potential boundary area. Whatever the cause, the pace of the U.S. maritime boundary delimitation process is a difficult one to forecast. ♦

Dr. Alexander, who retired in June 1991 after 31 years in the Department of Marine Affairs, specializes in maritime boundaries and Law of the Sea matters. He served for three years as the geographer for the U.S. Department of State and, at that time, was closely involved in the U.S.-Canada boundary dispute in the Gulf of Maine/Georges Bank area.

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DATE: 17 Jan. '92**TO: Members Governor of Offshore Governor's Forum****FAX NO.:** Guam Governor (671) 477-4826
American Samoa Governor (684) 633-2269
Puerto Rico Governor (809) 721-5072
Virgin Islands Governor (809) 774-4988

FROM: Governor Lorenzo L. De Leon Guerrero**FAX NO.:** (670) 322-5096**OPERATOR: Donna J. Cruz**

MESSAGE: Re: Amendment to meeting date, time, and new revised (1/17/92) draft agenda. Sorry to inconvenience you, but we have a new date and time for our Summit meeting in Washington, D.C. We will meet on Sunday, February 2, from 9:00 a.m to 12:00 noon. Please disregard the the previous date of February 1, 1992. Precise room arrangements for the February 2, 1992 date are being made. I'm sure will end up on the Meeting Room Level of the JW Marriott. The exact location will be available soon. We are also sending along with this FAX a revised (1/17/92) draft agenda. This agenda is the product of hard work put in by our staff people early this month in Washington, D.C. If there are any questions, please feel free to contact us at any time. Thank you for your cooperation and understanding.

The OGF Winter '92 Summit is shaping up to be our most meaningful and productive meeting yet.

TOTAL PAGES INCLUDING THIS COVER PAGE: 3

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**OFFSHORE GOVERNORS' FORUM
SUGGESTED AGENDA
(revised 1/17/92)**

**WASHINGTON, D.C. SUMMIT
FEBRUARY 2, 1992
9:00 TO 12:00 NOON.
J.W. MARRIOTT HOTEL AT NATIONAL PLACE**

1) US-Offshore Areas Relations - Developments in Political Status

- a) CNMI - 902 Consultations
- b) Guam - Inter-agency Task Force discussions
- c) American Samoa - legislation creating American Samoa Study Commission
- d) USVI - Resumption of political education process
- e) Puerto Rico - results of recent referendum on constitutional amendment
- f) Conference "A Time of Change: Relations Between the United States and American Samoa, Guam, the Northern Marianas, Puerto Rico, and the United States Virgin Islands." How is the planning going on this conference? New date now March 28, 1993? How should we structure our governments' participation? Perhaps a report from Mr. Paul M. Leary, Director, Bureau of Public Administration, University of the Virgin Islands? Would Governor Farelly's staff assist in lining up Director Leary for Washington, D.C.?

2) Trade

North American Free Trade Agreement

GATT

Federal Legislation to reauthorize Super Section 301 of the Trade Act

S. 1850, Extension of Super 301 Authority is principal Senate bill

H.R. 787, Fair Trade and Export Expansion Act, is principal House bill

H.R. 3702 Majority leader Gephardt's bill (Market Opportunity and Reciprocal Enforcement Act)

What are the implications for the Forum governments in these trade developments? What strategies might we create to increase our impact on these trade developments?

3) Status of Congressional Legislation

a) Local Control of Marine Resources - Exclusive Economic Zone and the Territorial Sea

1) What happened to Chairman Jones (Merchant Marine and Fisheries Committee) "Territorial Sea and Contiguous Zone Extension Act of 1991?"

2) What happened on Congressman Bennett's H.R. 536 the "Coastal States Extension Act?"

b) Insular Areas Act - H.R. 1688

4) Department of Interior Issues

- a) Inspector General Audits - the CNMI experience - Possible OGP Action
- b) The Operation and Maintenance Improvement Program - Success in your islands?
- c) Proposal for omnibus response to Insular Area Policy Report^{5"Foreign Assistance"}

What is the extent of foreign government "assistance" received by our island governments? The U.S. State Department discourages our islands from receiving direct government assistance from foreign countries. Yet there is some contact between the Forum governments and foreign governments. What is the extent of such official and unofficial contact? Should there be a change in State Department policy? With regard foreign governments, how many of us engage in: cultural exchanges; higher education mutual endeavors; receipt of special disaster relief; technical assistance on agricultural issues; direct infrastructure assistance; foreign bank loans?

6) United Nations Developments

- a) The United Nations - How it operates, how the territories/commonwealths fit into the process.
- b) Update on Alliance of Dependent Territories (ADT) U.N. Conference on Trade and Development, and Alliance of Small Island States (AOSIS)
- c) Current U.N. Activity
 - 1) U.N. Adoption of Omnibus resolution on territories
 - 2) U.N. Adoption of resolution on increasing assistance to territories
 - 3) U.N. Adoption of Plan of Action for the Eradication of Colonialism
 - 4) Possible OGP action

7) Review of NGA Agenda**8) Status of Implementation of OGP Resolutions**

OFFSHORE GOVERNORS' FORUM

The Heads of Government of:
American Samoa
Territory of Guam
Commonwealth of the Northern Mariana Islands
Commonwealth of Puerto Rico
U.S. Virgin Islands

DECLARATION

Relative to the position of the Offshore
Governors' Forum in the matter of the power of
the U.S. Department of the Interior Inspector
General to audit non-federal funds, accounts, and
programs in the Territory of Guam and the
Commonwealth of the Northern Mariana Islands
(CNMI)

RECOGNIZING, that the U.S. Department of the Interior Inspector General plays a
role in reviewing the expenditure of authorized, appropriated, or awarded Federal Funds;
and

FINDING, that federal legislation purports to grant the Inspector General of the U.S.
Department of the Interior the authority to audit not only federal funds but those non-federal
funds, accounts, and programs of the Territory of Guam and the CNMI; and

HOLDING IT TO BE TRUE, that no other Federal Inspector General has authority to
audit revenues in the Territory of Guam and the CNMI, nor does any Federal Inspector
General have authority to audit non-federal funds, accounts, and programs in any State; and

ASSERTING, that the continuation of authority for the Inspector General of the U.S.
Department of the Interior to audit non-federally generated funds, accounts, and programs in
the Territory of Guam and the CNMI is contrary to the often-stated federal intention of
promoting greater self-government and autonomy in the Territory of Guam and the CNMI;
and

CONCLUDING, that the Territory of Guam and the CNMI have achieved sufficient
technical sophistication to conduct internal audits of their own funds and programs; now,
therefore,

BE IT DECLARED, that:

- (1) The governments of the Offshore Governors' Forum believe that the authority of the
Inspector General of the U.S. Department of the Interior should be restricted to the audit of
federal funds in the Territory of Guam and the CNMI;
- (2) The appropriate legislative committees of the U.S. Congress should take action to limit
the Inspector General of the U.S. Department of the Interior's authority to audit in the
Territory of Guam and the CNMI;

(3) This Declaration shall be conveyed to the President of the United States, Speaker of the U.S. House of Representatives, President of the U.S. Senate, the Director of the U.S. Office of Management and Budget, the chairmen of the appropriate Congressional Committees, the Congressional Delegations of the American Flag Islands, the Secretary of the U.S. Department of the Interior, the majority and minority leadership of the Legislatures in the respective offshorereas.

DECLARED AND SIGNED at Washington, District of Columbia this ____ day of February, 1992.

The Honorable Peter Tali Coleman
Governor, American Samoa

The Honorable Joseph F. Ada
Governor, Territory of Guam

The Honorable Lorenzo I. De Leon
Guerrero, Governor, Commonwealth
of the Northern Mariana Islands

The Honorable Rafael Hernandez-Colon
Governor, Commonwealth of Puerto Rico

The Honorable Alexander Farrelly
Governor, U.S. Virgin Islands

DATE: 1/10/92

TO: Eloy Inos
Offshore Governors Forum Liaison

FROM: Bob Schwalbach



Lou Benavente and I met on 1/9/92 with the American Samoa, Guam, and Virgin Islands Governors' Washington representatives to look at a draft agenda for the Offshore Governors Forum meeting on 2/2/92. That agenda is attached.

At 1.B. of the agenda the possible action is a resolution or letter asking for Congress to provide legislative relief on the IG audit authority problem.

At 2.C.(4) possible action is a letter to Secretary of State Baker calling for a process of formal consultations between the federal government and the insular areas to be undertaken when the conduct of international affairs by the US in the United Nations affects the insular areas.

At 4. the proposal contemplated is a reiteration of the OGF agreement to respond collectively to the Insular Policy Report.

At 6.A. the ResRep's office would like to see the OGF notify the Senate Energy and Natural Resources Committee of OGF support for passage of H.R. 1688 (passed House 11/25/91, copy attached). We are circulating the bill among the Offshore Governors' Washington reps and will prepare a draft letter, if it appears that the OGF can support passage.

Our office has been asked to help with logistical support in arranging the OGF meeting along with the Offshore Governors' Washington reps. Representative Babauta would like you to know that his office will continue to assist.

Regards.



Briefing Paper Brown Tree Snake

"For the first time since 1986, a Marianas Crow hatched in a nest protected from the Brown Tree Snake. On January 26, 1992, we saw our first success in bringing back an endangered species, a sign of hope for the years to come."

RUFO LUJAN, Chief DAWR

BACKGROUND

The Brown Tree Snake (hereafter BTS) is a pest that was accidentally introduced to Guam about 40 years ago. The snake has thrived on Guam due to its special traits: it hunts at night, likes to climb, and can store food and reproductive cells for very long periods of time. BTS is believed responsible for several things:

- 1) Extinction/decline of native species esp. birds and lizards
- 2) Over 600 power outages due to climbing lines
- 3) Damage to agriculture and domestic fowl production
- 4) Human injury, over 80 bites recorded FY91, mostly babies

Long range damage that is anticipated due to BTS populations on Guam include:

- 1) Insect abundance (snakes eat lizards and birds that normally control insects)
- 2) Smaller plant distribution (no birds to pollinate plants)
- 3) Spread to other islands (Guam regional cargo hub). Snakes have been cited in: Saipan, Tinian, Rota, Pohnpei, Oahu, Kwajalein, Wake and Diego Garcia.
- 4) Tarnish image of Guam abroad (hurt tourism)

CURRENT EFFORTS

Federal funding of \$190,000 for FY 1991 to address the problem was targeted for several projects aimed at control and eradication of BTS. The \$190,000 was used to fund three positions within DAWR, lease two vehicles, and purchase equipment, supplies and materials needed to research and develop control and containment techniques, and implement these in the field. The projects outlined below are long range. The \$190,000 is merely a start (pilot project) for these programs which continue through this fiscal year. In addition, portions of \$226,000 (FY91) and \$288,000 (FY92) from the federally funded Endangered Species Program were used on BTS projects.

A. Development and Testing of Control Methods for BTS

1. ◇ TRAPPING ◇

Economical Devices / Scent/Bait Attraction -- Trapping tried since 1984. Most effective (and expensive) is special tubular traps/inverted cones baited with live mice. Cheaper alternative: standard rat traps baited with special scents have yet to render success (one snake caught after 120 traps were laid out for 44 nights). Recommend that scents and bait be studied more closely in conjunction with rat trap idea.

2. ◇ REPELLING ◇

Reliability of existing "snake repellent" -- Product "Snake-Away" was tested. It has been determined that this product does not repel the BTS. Should not be endorsed.

3. ◇ PROTECTING ◇

Electrical/Mechanical barriers -- Success has been shown in tests to protect nesting trees of Marianas Crow. 1KV sufficient to deter snakes. Used in conjunction with wire skirts and tubular traps baited with live mice. Continued use supported.

B. Biology of the BTS

1. Analyze lizard populations and effects of BTS -- Certain types of geckos have been wiped out, possibly by BTS. By studying Cocos Island, believed free of BTS, and with a much wider collection of geckos, skinks and assorted lizards, perhaps more can be understood about Guam's ecology before BTS.
2. Compare Mangrove Monitors on Guam and Saipan -- Mangrove Monitors are the "most effective biological control agent currently in place on Guam." In understanding Mangrove Monitors, perhaps we can develop a natural enemy for BTS. If forced to eat BTS, Monitors will do so. Recommend protection of Monitors and further study.
3. Human Health Risks -- Interpret information on BTS bites on humans. Profile of most likely bite victim: BTS most likely to strike during rainy season (Jun-Dec) on a sleeping child under 6 years of age. Multiple bites will occur, most often on hands from snake about 1 meter long. Resulting reaction: pain, bruising, discoloration, swelling and respiratory difficulty. Recommendation: Widely publicized campaign to educate public on how to avoid getting bitten, snake proof house, etc.

C. Other Projects that directly impact BTS

1. Feeding Studies - as Guam's ecology changes, so does diet of snakes. What effect does this have on BTS? Ongoing.
2. Age/Growth Studies - Understanding age/size of BTS helps scientists work on control strategy. Ongoing.
3. Prey Dynamics - BTS food consists mainly of other introduced species (lizards and birds), and contributes to health of BTS colonies. If the prey were controlled, perhaps this would also control BTS. Ongoing.
4. Military Customs Training - Training programs for military customs officers continue. BTS inspection procedure at hi-risk areas.

PROPOSALS FOR FY92 AND FY93

Three target areas will be the concentration of BTS efforts in 92-93:

1. **AIRPORT**
 - train personnel
 - locate hi-risk areas
 - set traps along perimeter/fenceline
 - control BTS prey (mice, rats, lizards (bug zappers reduce attraction for lizards)
 - seal and inspect aircraft, well lighted areas (dogs)

2. **PORT AUTHORITY**
 - train personnel
 - identify hi-risk areas
 - destroy all secondary growth forest around Port, erect fence
 - off load in snake-free zone
 - seal and inspect cargo (dogs)

3. **PRIVATE PACKING/SHIPPING COMPANIES**
 - train personnel
 - locate hi-risk areas
 - set traps / inspections / clear area
 - establish certification program "snake-free" cargo
 - encourage industry awareness

COMPETING PROPOSAL BY APHS/USDA (Animal & Plant Health Service)

Goals same as Guam. Reduce BTS, snake-free zones, prevent export, save Guam's endangered species. FY1992 plan calls for following:

- 1) Cooperative agreement with GovGuam
- 2) Summit with Govguam and 4 Federal Agencies, amend current MOA
- 3) Snakefree zones at 1 or 2 of: Apra Harbor, GIAT, Andersen, NAS, NavSta
- 4) Establish procedures at port/DoD for handling/storage/inspection of cargo
- 5) GAA/DoD wheelwell enforcement/inspection
- 6) Institute Methyl Bromide Fumigant
- 7) Develop selective toxicant/ register with EPA *will take 4 years
- 8) Reduce BTS in Critical Habitat

Plan involves flying 1 staff out, who sets up office and works with GovGuam or FWS. Budget figures below. NOTE: \$69,000 for travel !! **ENTIRE PLAN MIRRORS EXISTING EFFORTS BY DAWR, INVOLVES EXTERNAL COORDINATION OF EXISTING PARTIES (GOVGUAM AND FEDERAL/MILITARY), SPENDS TOO MUCH ON TRAVEL THAT COULD BE USED FOR PROGRAMS, ENTIRE PROGRAM OVERAMBITIOUS**

BUDGETS

CATEGORY	FY 1991 allocated	FY 1992 proposed	FY 1993 proposed "A" ¹	FY 1993 proposed "B"	FY 1992 APHS/USDA proposal
Equipment	\$ 12,000	\$ 28,000	\$ 34,900	\$ 17,600	\$ 36,000
Snake Bait Facility	--	11,440	9,720	9,720	66,000
Personnel	146,600	286,000	154,000	176,000	118,000
Other/Travel	31,400 ²	see note ³	see note	see note	69,000 ⁴
TOTAL	\$ 190,000	\$ 325,440	\$ 198,620	\$ 203,320	\$ 359,000⁴

OTHER NOTES:

1. Kill the idea of the BTS Task Force. It is not viable.
2. DAWR is still working on implementation of the Interagency Agreement between GovGuam and federal agencies.
3. Rufo suggests splitting island into federal/non-federal properties. Letting APHS conduct their program on federal properties, leaving rest to DAWR.
4. APHS was invited to join the interagency agreement, they refused. Their program is over ambitious, and uses all the funds that are needed locally. They should scale down their program and cooperate fully with DAWR.
5. Currently, \$400,000 available for use on BTS efforts here (\$100,000 in Hawaii to prevent BTS from coming IN). Of that, DAWR has only programmed \$325,440 leaving about \$75,000 for use by the Fish and Wildlife Service and APHS.
6. Funding not included in Guam proposal for dogs, dog trainers, etc. in an effort to hold down the cost of the program. If more money was available, they would desire this extra effort. An alternative would be to retrain the dogs now used to sniff drugs, to also sniff out snakes.

¹ Proposal "A" encompasses only AIRPORT. Proposal "B" encompasses PORT AUTHORITY. Idea is that with limited funding, better to concentrate and do a good job in one area rather than spreading yourself thin.

² Contractual - Vehicle Leases and other

³ FY 1992 and 1993 proposals do not include funding for dogs, dog trainers, lighting and bug zappers for airport. see further explanation under "other notes" #6.

⁴ Note figures do not add up. This was taken directly from APHS proposal. Assume they had a typo and meant \$188,000 for personnel.

OPERATIONS AND MAINTANENCE IMPROVEMENT PROGRAM

Attached is a summary of the projects submitted by the agencies in response to our request for comments on whether or not the OMIP grant for \$600,000 should be accepted by the Governor. Generally, all agencies represented concur that the monies should be accepted. However, details on how the money would be spent, cost sharing, and other such issues still need to be addressed. During your trip to DC, I expect that a meeting will be called with the agencies to discuss these issues.

With regards to the grant award and the conditions that accompany it, we will probably recommend that the Governor accept the grant award and in notifying DOI of its acceptance, recommend that DOI revise the conditions based upon our discussion with Les Boggs and Emmerson.

With regard to the question on how successful the OMIP has been, we cannot answer this question at this time since we have not begun to implement the grant. Generally however, the OMIP does provide a source of funds to manage growth, and coordinate and maintain capital improvement projects. Unfortunately, as we have seen with the conditions imposed on Guam's grant, the effectiveness of the OMIP (and even the acceptance of it) will depend upon the nature and extent of control over island development proposed and exercised by DOI.

OTIA

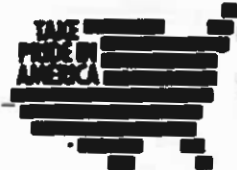
1. **Integration of Systems:** This suggestion is to have several agencies involved in to creation of a distributed management system. Each agency will have a unit that will be connected to DLM's system, thus allowing them to have direct access to Land related data. Due to the amount of data, it would be impractical to have just a terminal at each station. Unlike textual data, graphic data requires hugh amount of memory to process and to transport across any type of line. Each agency will have a mini version of DLM's system. The agency will be able to have direct access to data and to applications developed by DLM. The cost will be approximately \$117,500 - \$305,000 per agency depending of the needs of the agency. Any application DLM has developed is available to the agency. The agency can continue to develop their own application and data capture in their own system. If there is a need to integrate DLM's data with the agency's data, conversion will be easily accomplished. This is a good method of starting to integrate systems through out the government, however, it is quit^e expensive. It is possible to run two systems (DLM as well as AutoCAD for example) using the systems that each agency will receive. I would suggest that GPA, GTA, PUAG, DWP and BOP be among the first to receive stations.
2. To insure that we do not underestimate the problems, we should hire a networking consultant and a system's engineer. The cost for the network consultant is \$30,000. The system engineer is approximately \$70,000 per year. This person will be available to all the agencies to solve any system problems. This can involve training as well as setting up applications.
3. Pilot project for PUAG. The pilot would include studying their design maps to determine the best method to convert their existing data, set up of the system, and conduct a small scale pilot project. The most important aspect is to determine the needs of the agency and to train the staff to use the equipment.
4. **Interagency Infrastructure Committee.** This committee should be set up to do the following:
 1. Establish an open system architecture standards
 2. Establish data standards
 3. Establish communication standards
 4. Establish mapping standards
 5. Provide technical assistance to agencies
 6. Developing application that may be shared among the agenciesHiring a consultant, the network or system engineer, will help us to establish this committee and develop the blue print for establishing an infrastructure committee.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

November 8, 1991



Honorable Joseph F. Ada
Governor of Guam
Agana, Guam 96910

Dear Governor Ada:

Enclosed is an approved grant application for Guam along with a "Notification of Grant Award" under the Department of the Interior Operations and Maintenance Improvement Program (OMIP).

This grant award provides \$600,000 of funding from the Department of the Interior, to be matched with \$700,000 from the Government of Guam, for improvements to the operations and maintenance of public infrastructure. The grant funding will:

--Assist the Bureau of Planning with engineering base maps of island infrastructure for growth management so that the impacts of development on infrastructure and annual recurring maintenance and repairs costs can be evaluated. Consultant services to obtain computer files of infrastructure maps from all the infrastructure agencies on Guam will be developed using aerial photographs to develop the infrastructure overlays and geographic information system data base.

--Assist the Bureau of Planning in establishing an advisory committee to insure the system meets the needs of all the participating agencies.

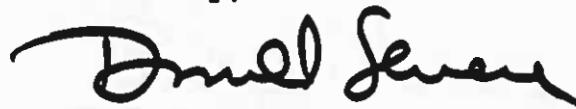
Your acceptance of this grant offer on behalf of the Government of Guam constitutes a certification by you, that the Government of Guam is cognizant of its responsibilities and obligations under the grant, including all matching fund requirements, and that the Government of Guam will abide by and enforce the regulations for the use, management, and control of Federal funds provided under the Fiscal Year 1990 and Fiscal Year 1991 Appropriations Acts for the Department of the Interior and Related Agencies, Public Laws 100-121, and 101-512.

If the Government of Guam does not believe it is in compliance with, or has the necessary means to comply with, any provision or condition of this grant, my office should be notified immediately and we will provide sufficient technical assistance to resolve the problems.

Please sign and return one copy each of the approved "Operations and Maintenance Improvement Program" application, "Notification of Grant Award"; "Certification Regarding Debarment, Suspension, and Other Responsibility Matters"; "Assurances--Construction Programs"; "Certification Regarding Lobbying"; and "Certification Regarding Drug-Free Workplace Requirements".

Thank you for your continued cooperation.

Sincerely,



Stella Guerra
Assistant Secretary
Territorial and International Affairs

Enclosures

cc: Darla Knoblock, Director, OTIA Technical Assistance
Nancy Fanning, Chief, OTIA Territorial Liaison
Tony Palomo, OTIA Field Representative, Guam
John Emmerson, U.S. Army Corps of Engineers-HED
Tommy Perez, OTIA Technical Assistance Advisor, Guam

DEPARTMENT OF THE INTERIOR
OFFICE OF TERRITORIAL AND INTERNATIONAL AFFAIRS
NOTIFICATION OF GRANT AWARD

OMIP Application/Grant # OMIP-GUAM-91-1

Awarded to: Government of Guam

Purpose: To provide funding, on a matching basis, for specific operations and maintenance improvement projects itemized below and explained in the attached OMIP application pursuant to Public Laws 101-121 and 101-512, which included appropriations for the Maintenance Assistance Fund, Office of Territorial and International Affairs, U.S. Department of the Interior.

Amount: \$600,000 (Department of the Interior Share)

<u>Project</u>	<u>DOI Amount</u>	<u>Guam Amount</u>
Geographical Information System	600,000	700,000
GRAND TOTAL	<u>\$ 600,000</u>	<u>\$700,000</u>

Authorization: The Fiscal Year 1990 and 1991 Appropriations Acts, Public Law 101-121 and 101-512.

Subject To: This grant is offered subject to P.L. 101-121 and P.L. 101-512 and accompanying reports; the provisions of OMB Circular A-102, Revised March 3, 1988, and the Common Rule, published March 11, 1988, to the extent that the laws cited therein apply to the Guam Governments; the provisions of OMB Circular A-128 to the extent that the laws cited therein apply to the Guam Governments; special "Terms and Conditions of Grant Award", attached hereto (Attachment 1); and Congressional directives and guidance for the use or reprogramming of appropriated funds (Attachment 2).

Offer and Acceptance: This grant award is made by the undersigned as an authorized official of the Department of the Interior, in accordance with Departmental regulations and guidelines. Acceptance of this award by the undersigned official of the Guam Government signifies agreement and certification to abide by all terms and conditions enumerated herein; applicable Federal laws and regulations related to the use of Federal grant funds; and guidelines and directives provided by Congressional appropriations committees for use or reprogramming of appropriated funds.

For Department of the Interior:

For the Government of Guam:


Assistant Secretary
Territorial and International
Affairs

Governor

Date: 11/8/91

Date: _____

Attachment 1

Department of the Interior
Office of Territorial and International Affairs
Terms and Conditions of Grant Award
Government of Guam

1. Grant funds are not to be used for any purpose other than that for which they are offered without prior written approval from OTIA.
2. The Guam Government is responsible for compliance with the provisions of OMB Circular A-102 (Revised March 3, 1988), sections 1,2,3,4,5,7 and 8; the Common Rule (published in the Federal Register March 11, 1988), Subparts A, C and D; and OMB Circular A-128, (April 12, 1985); and other laws and regulations governing the use of Federal grant funds to the extent they apply to Guam. In those instances in which the Guam Government is not in compliance with applicable laws or regulations and does not believe it can comply, notification should be provided OTIA identifying the problem areas. Technical assistance will be provided to correct the deficient areas.
3. Special Grant Conditions
 - a. The Government of Guam shall establish a new and separate budget account (line-item) entitled "Operations and Maintenance Improvement Program (OMIP)" against which these grant funds shall be obligated along with the matching funds to be provided by Guam Government as indicated in the approved grant application (in-kind contributions excepted).
 - b. Within 12 months of receipt of this grant award, the Governor must establish an Infrastructure Information System User Committee and a copy of the Committee's blueprint for implementation of the Geographic Information System (GIS) that can adequately serve all the potential users must be provided to the OTIA Field Representative and the OMIP Manager.
 - c. The consultant selected by the Government of Guam must work with the Users Committee to develop the blueprint and to oversee any work of any consultant retained to develop the GIS. The consultant must not be involved in the sale of any GIS hardware or software or other related services. The blueprint should determine which department will be responsible for maintaining the GIS as well as the establishment of reasonable service fees to support the future administration of the system.

clarify

my blueprint
copy GIS

- ✓ d. The base maps and GIS must be based on current aerial photographs in order to establish accurate controls and provide detailed information regarding roads and building locations. Aerial mapping should include surrounding territorial waters including the reefs and other special aquatic sites of significance to Guam.
- ✓ e. The maps and data base must be comprehensive and extensive to the extent that all potential users may be served, including, but not limited to the following: land management, communication, population density, agriculture, fishery, natural resources, (water, land, air, minerals) historic preservation, etc. Full coordination and consultation with the U.S. Geological Survey is recommended and encouraged.
- ✓ f. A Government of Guam operations and maintenance impact assessment for new capital improvement projects must be initiated within 12 months of receiving this grant.
- g. The Government of Guam must submit a status report on the imposition of "Impact Fees" on Guam within 12 months of receiving the funding under this grant.
- h. Compliance with these grant conditions is a necessary requirement for any future OMIP funding contributions from the Department of the Interior for the Government of Guam.
- i. Any reference to future funding from the Department of the Interior is subject to future appropriations for the OMIP from the U.S. Congress.

4. Letter of Credit Drawdown Requirements

- a. Drawdowns for reimbursement of actual or accrued expenditures shall be accomplished in accordance with the OTIA drawdown procedures set forth in Attachment 1-A;

-OR-

- b. By submitting a faxed copy of a SF-270 (Request for Advance or Reimbursement) to the OTIA OMIP Manager within ten (10) days of the need for funds, to be followed not later than 30 days by the original SF-270.
- c. Prior to the first drawdown of funds under each project a "Financial Plan and Estimated Period of Performance" form must be completed. The financial plan must include a project budget which shows in detail both the OMIP cost share being provided by Guam, the DOI share, and the total. A set of these forms accompany this grant award document.

5. Financial Reporting Requirements

- a. A SF-269 (Short Form, Revised April 1988), Financial Status Report, or a reasonable facsimile thereof approved by OTIA, shall be prepared quarterly and submitted to OTIA within thirty (30) days after the end of the quarter to which it applies. The report shall include all operations and maintenance improvement projects funded through DOI grant(s). A detailed accounting by project or program, including a brief narrative status of progress for each individual project, must be submitted in conjunction with the report.
 - b. A Federal Cash Transactions Report (SF-272) shall be prepared quarterly and submitted within thirty (30) days after the end of the quarter to which it applies. Actual dates, project identification and amounts of drawdowns for the quarter shall be supplied in the remarks section.
6. Costs associated with the administration of OTIA grant projects and programs by the Guam Government are to be charged against the grant funds only as approved in the Financial Plan. Outside expertise may be procured and charged against the grant if it is included in the Financial Plan and approved by OTIA.
 7. Unless otherwise indicated, all grant monies will remain available until expended.
 8. Failure to comply with program objectives, terms and conditions of the grant award, and reporting requirements may result in the withholding of additional grant payments until the deficient situation is corrected, or the disallowance of all or a portion of the expenditures charged against the grant.

All required reports and requests for drawdown of funds must be submitted to the following address:

Mr. Lester T. Boggs
OMIP Manager
Territorial & International Affairs
U.S Department of the Interior
Mail Stop 4328, Main Interior Building
1849 C Street, N. W.
Washington, D.C. 20240

One copy of each report or drawdown must also be submitted to the OTIA Field Representative for the respective insular area.

MAINTENANCE ASSISTANCE

 * APPLICATION FOR MAINTENANCE ASSISTANCE FUNDS *
 * OFFICE OF TERRITORIAL & INTERNATIONAL AFFAIRS *
 * U.S. DEPARTMENT OF THE INTERIOR *

 PART I - APPLICANT INFORMATION * INSULAR AREA SERVED: Guam

1. Project Title: Growth Management Engineering Base Maps & Data Base		2. Date 8-2-91
3. Applicant Name and Address: Bureau of Planning Government of Guam P.O. Box 2950 Agana, Guam 96910		4. CATEGORY: Planning & Capital Improvements a. OMIP Priority No. 2 Sub-Priority No. 3
		5. Project Contact (name, phone & address): Jerry Crisostomo/Peter Leon Guerrero P.O. Box 2950 Agana, Guam 96910 (671) 472-8931 Ext. 212 or 405

6. Brief Project Description: The Territory of Guam has no engineering base maps and corresponding data base that interrelate the location, capacity, type and demand for all forms of infrastructure. Therefore, the impact of development on existing infrastructure cannot be evaluated in a comprehensive manner. To have effectively manage growth, the Government of Guam has implemented a Geographic Information System that will consist of computerized maps and tabular data bases that interrelate social, physical, economic and environmental aspect of development on Guam.

7. Proposed Funding: a. Maint. Asst. \$ 600,000 b. Local \$ 700,000 c. Other \$ TOTAL \$ 1,300,000	8. Type of Application a. ☒ New b. ☐ Amendment Existing no: _____	9. Project Start Date: 10/01/91 (mo./yr.)
		10. Project Completion Date: 9/30/92 (mo./yr.)

11. Drawdown Schedule: a. ☐ Advance (Include justification) b. ☐ Reimbursement

12. Applicant certifies compliance with all applicable Federal laws, regulations & requirements as they relate to the application, acceptance & use of Federal funds in accordance with Office of Management & Budget Circular A-102, & the Common Rule as published in the Federal Register on March 11, 1988. Applicant will submit to the Operations & Maintenance Improvement Program Manager, OTIA the following: Quarterly and final SF-269, Financial Status Reports; SF-270, Request for Advance or Reimbursement; and quarterly and final narrative performance reports. For grants in excess of \$100,000 applicant will submit a DI-1963, Certification Regarding Lobbying &, if applicable, an SF-LLL, Disclosure of Lobbying Activities.

13. Chief Executive	a. Typed Name & Title JOSEPH F. ADA, Governor	b. Signature <i>Joseph F. Ada</i> AUG 02 1991
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PART II - APPROVALS & ACCEPTANCES

14. AMOUNT APPROVED: \$600,000 DOI		15. MAINTENANCE PROJECT NO. OMIP-GUAM-91-1	
16. Assistant Secretary - OTIA	a. Typed Name & Title Stella Guerra Assistant Secretary-TIA	b. Signature <i>Stella Guerra</i>	c. Date 11/8/91
17. U.S. Corps of Engineers	JAMES T. MURATSUCHI LTC, U.S. ARMY DISTRICT ENGINEER	<i>James T. Muratsuchi</i>	8 Aug 91
18. Chief Executive	a. Typed Name & Title	b. Signature	c. Date

*SUPPLEMENTARY PROJECT DETAIL MUST ACCOMPANY APPLICATION

FINANCIAL PLAN AND ESTIMATED PERIOD OF PERFORMANCE

[illegible]

NAVAL AIR STATION AGANA

Attached is a September 1991 proposal from L. Wayne Arny to continue providing consulting services for the GAA. Although old, this proposal is included in this briefing book because it provides a concise overview of activities that need to be accomplished in order to obtain those NAS lands that are immediately needed and those to be obtained over the longer term. In reviewing the proposal, a rough schedule of the Base Closure Commission should be noted, particularly where it indicates that the military begins its work on the bases to be included in April 1992, three months from now.



GUAM AIRPORT AUTHORITY

(ATURIDAT PUETTON BATKON AIREN GUAHAN)

P.O. BOX 8770/Tamuning, Guam 96911/Telephone: 646-0300, 646-0301, 646-0302
Telex: 6456 GUMARPT GM
FAX: (671) 646-8823



LETTER OF TRANSMITTAL

TO: Mr. Peter Leon Guerrero
Director
Bureau of Planning
P.O. Box 2950
Agana, Guam 96910

DATE: September 11, 1991
RE: Draft Proposal on the
Washington Representation
FY 1992 for GAA

☐ Mailed

☒ Hand Delivered

☐ For Pick-up

THE FOLLOWING IS (ARE) TRANSMITTED HEREWITH:

COPIES

-01-

DATE

September 9, 1991

DESCRIPTION

Draft Proposal on the Washington
Representation, FY 1992 for the
GAA (prepared by Wayne Army)

☒ For your information

☐ For your files

☐ Per your request

☐ For signature & return to our office

☐ Per our conversation

☒ For review & comment

☐ For necessary action

☐ For payment

☐ Please provide us
with copy

☐ See remarks below

☐ For your approval

REMARKS:

By

DUANE M.I. SIGUENZA
Deputy Executive Manager



**L. WAYNE ARMY & COMPANY, INC.**

The Watergate, Suite 1010, 800 New Hampshire Avenue, N.W., Washington, D.C. 20037

(202) 333-2919 Fax: (202) 338-5950 Home: (703) 980-2912

**TELECOPIER TRANSMITTAL FORM****TO: Name: Duane Siguenza****Fax Phone #: 011-671-646-8823****FROM: Wayne Army****Time/Date: 7pm, EDT, September 9, 1991****Number of pages (including cover sheet): 10****Duane,****Attached is the draft proposal I mentioned. See what you think, and I will talk to you later this week.**

A handwritten signature in cursive script, appearing to read 'Wayne'.

Wayne

**L. WAYNE ARMY & COMPANY, INC.**

THE WATERGATE, SUITE 1010
600 NEW HAMPSHIRE AVENUE, N.W.
WASHINGTON, D.C. 20027
(202) 333-5919 FAX (202) 333-5950

LEGISLATIVE GOVERNMENT RELATIONS
NATIONAL SECURITY & INTERNATIONAL AFFAIRS
LONG RANGE STRATEGIC PLANNING

September 9, 1991

PROPOSAL
for
Mr. Duane M.I. Siguenza
Deputy Executive Manager
Guam Airport Authority

Washington Representation, FY 1992
for the
Guam Airport Authority

OVERVIEW

L. Wayne Army & Company, Inc. proposes to extend its representation on behalf of the Guam Airport Authority for Fiscal Year 1992. This representation would continue to cover activities within the purview of the Congress of the United States and the Executive Department. Specifically included among the Executive Department Agencies would be the Department of Defense, the Department of the Air Force, the Department of the Navy, the Department of State, the Department of Commerce, the Department of Transportation, the Department of the Interior, and the Federal Aviation Administration.

Specific projects that would continue during this year would include the following:

- **NAS Land Transfer.** Continued negotiations for the transfer of 125 acres (four parcels) of the Naval Air Station Agana, Guam, from the Department of the Navy to the Government of Guam,
- **Base Closure.** Development and initial pursuit of a new strategy to insure the transfer of the entire Naval Air Station to the Government of Guam through base closure actions and consolidation of Navy and Air Force activities,

Proposal: FY1000 Representation for the Guam Airport Authority

- **North Ramp Lease.** Monitoring the progress of the airport Authority's request to lease a portion of the North Ramp from the Navy for civil aircraft parking, and

- **Military Airports Program.** Developing and executing a political strategy to improve GAA's chances to participate in the Military Airports Program.

PROJECT DETAILS**NAS Land Transfer**

General. The most important and immediate issue is the transfer of the four parcels of about 126 acres of Navy land on the Naval Air Station Agana (Brewer Field) to the Government of Guam and the Guam International Airport. The negotiations began two months ago after months of deliberations within the Government of Guam and the Department of the Navy. We defined our objectives clearly at the beginning and sought and received approval from the Governor for the strategy. He modified it somewhat to fit his goals, gave his approval, and signed out a letter to the Secretary of the Navy formally seeking the transfer. After some delays, the Secretary responded, designating the Commander, Naval Forces Marianas, as his representative to meet with the representatives of the Governor. This designation was further redefined such that the Naval Air Station Commander is himself leading the ongoing negotiations.

While there is some feeling that the negotiations to date have produced no more than earlier efforts, in fact the differences are large. It is an important point for the future that the negotiations are now "sanctioned" by the office of the Secretary of the Navy, where before they were not. Moreover, the Base Commander is negotiating in good faith with the authority of the Secretary. This is not to say that he will be able to make decisions on controversial items, but he will be able to make them on non-controversial ones. He also knows that if the negotiations bog down at all, the Government of Guam can seek redress from higher authorities.

Next Steps. Currently, the Airport Authority and the Navy have some minor disagreements over the transfer of the North Ramp. More importantly, there is a serious disagreement over the transfer of the Maintenance parcel south of the runway. Consequently, I anticipate it will take a considerable effort to insure that these negotiations do not bog down and drag on forever.

- **Negotiations.** The negotiations should continue unabated, and the GAA negotiating team must keep the pressure on the Navy to explain and justify every position that the team can not admit is credible. As we did in the last negotiating session, we must continue to try to leave the Navy with the "next action" as often as possible.

Proposal: FY1992 Representation for the Guam Airport Authority

• Analyzing and Rebutting the Navy's Position on the South Parcel. The Navy's position on the GAA proposal will probably follow the line of reasoning put forward early in the negotiations. They need the land for "roll back, security & sanctity." If this is their response, we will need to prepare position papers rebutting that position, and then we will need to begin presenting them to our opponents within the Navy and our allies in the Administration and on the Hill. We need to remember that since the negotiations began, the only voice anyone in the Navy chain of command has heard to date has been that of the Base Commander and COMNAVMAR. If the Navy persists in their original position, we will need to insure that everyone else hears our position. And if they are insistent as well as persistent, it will need to be an effort on the part of the Governor and the Lieutenant Governor as well as the GAA and GovGuam staffs and our consultants.

• Briefing the Appropriate Offices. When our position is ready, we will need to begin to take our arguments to the staffs that "sit" between us and the Secretary of the Navy and the Chief of Naval Operations. We will need to be prepared to use whatever people we must to get meetings, and then be prepared to make our case succinctly, always leaving the door open to legislative action. We will insure that our case is logical, rational and reasonable. By so doing, we will have the upper hand, as long as we get our story out to the right people. And so far in these negotiations, I have seen nothing from the Navy to indicate that our position will be considered other than reasonable. Indeed, as we have seen, the Navy position seems to be based on emotion and a view of the world situation that does not coincide with current events. Some of the offices we will need to approach are:

•• Navy Operational Staff

- COMFAIRWESTPAC, Japan
- COMNAVAIRPAC, San Diego
- CINCPACFLT, Honolulu, Hawaii
- Chief of Naval Operations Operational Staff,

Pentagon: (OP-05, OPA, OLA)

•• Naval Facilities Engineering Command Staff

- PACDIV Headquarters, Honolulu, Hawaii
- NAVFAC Headquarters, Washington
- CNO's Civil Engineering Staff, Pentagon (OP-04)

•• Navy Secretariat

(Installations)

- Asst. Secretary Jackee Schafer & Staff
- Under Secretary Dan Howard
- Secretary Larry Garrett

Proposal: FY1992 Representation for the Guam Airport Authority**•• Congress**

- Congressman Ben Blaz
- Military Construction Subcommittee, House and Senate Armed Services Committees and House and Senate Appropriations Committees
- Interior Committees, House and Senate Authorization and Appropriation

• Legislation to accelerate the parcel transfer. If we are not gaining the ground we think we should be, then we will have to consider pursuing legislation to accelerate the parcel transfer. We will work with Congressman Blaz to develop a package and the support. If our position is as logical as it has been to date, and if the Navy's position remains as it has been ("rollback, security, and sanctity"), then I feel we will have the sympathy of the Congress. Indeed, even if we believe the Navy is working in good faith towards assisting us and the south parcel lease seems to be feasible, we still need to be doing the advance work for this legislation. This will let the Navy know we are serious, and we will be prepared if negotiations break down.

• Initiating the Transfer Request with FAA. Another possible response to Navy intransigence that we have discussed would be to initiate the request for the transfer of the parcels before the negotiations are complete. This might worth pursuing, but probably only after we are positive the Navy has adopted a position that they believe to be correct but is in fact irrational when viewed from the civilian world, and we have determined that they will not move from it. Moreover, we should only pursue this position after we have assurances from the FAA that it will win.

Base Closure

General. The 1991 Base Closure Commission did not, in the end, include NAS Agana on their list of recommended closures. They were concerned with the reported costs involved and the uncertainty in the world situation. While Brewer Field was not on this list, we need to realize that work will begin this winter or early next Spring on the list for the 1993 Base Closure Commission that is already mandated by law. The world situation has changed, and more importantly, there are possible avenues to consolidation that will lower the cost dramatically while still achieving our goals with only limited, non-financial, compromises.

1991 Base Closure Commission Results. For one brief moment, the 1991 Base Closure Commission added NAS Agana to the base closure list. It was, however, only a symbolic victory achieved through the efforts of the GAA staff and consultant and Congressman Blaz. In view of the cost of consolidating the Navy up at Andersen AFB and the uncertainty in world affairs, and more specifically Pacific affairs, the Commission talked about

Proposal: FY1992 Representation for the Guam Airport Authority

closing the base, but they did nothing else. Indeed, the Navy staff indicated that they too had the base on their list, but the cost and these uncertainties moved them to remove it.

The list is now before the Congress, and while there is some localized opposition to it, no one believes the Congress will not approve it. In fact, there have already been one or two votes in committee, and the support was lopsided in favor of the Commission's recommendations. None of the Congressman like to do this, but they know it has to be done.

Schedule for the 1993 Base Closure Commission. With the end of the 1991 Base Closure Commission in sight, it seems as if the 1993 Commission is a considerably long way off. Unfortunately, the contrary is true. It is important to remember that everyone involved in this year's efforts felt that they had insufficient time to prepare. Much of this was due to the fact that the starting date for the proceedings was not as early as anticipated by the people who wrote the legislation. It also took longer than anticipated to nominate and approve the people who were to be the Commissioners. Consequently, we must assume they will take more time on the next one.

Thus, if we work backwards from the 1993 Commission's end dates, the schedule would look like the following:

- July 1993: Commission reports to the President.
- January 1993: Commission begins hearings on DOD List.
- December 1992: DOD forwards their List to Commission.
- October 1992: Military Departments report to DOD.
- April 1992: Military Departments begin work on Lists.

To insure ourselves that we have a better chance to be on the 1993 Base Closure List, we need to begin our efforts this fall, winter at the latest. Not only must we be prepared to face the intransigence of the Navy and DOD bureaucracies, but we must leave sufficient time to allow for the constraints of our own internal staff decision process.

Initial Action Required: Revised Plan for the Governor. To be successful in the 1993 Base Closure Process, we need to address the problems we still face in terms of consolidation and develop a plan to overcome them.

• **Today's Problems.** The problems we still face on consolidation are cost and the world situation. I believe the latter is becoming less a factor, but more importantly what remains of it can be addressed with a revised plan. The largest part of the cost problem is the cost to "relocate" the base housing on the NAS; i.e., to pay to have it rebuilt somewhere on the island. The second largest part of this problem is the cost to move the administrative and operational activities.

Proposal: FY1992 Representation for the Guam Airport Authority

• World Affairs. One of the major factors in the decision process leading up to the 1991 proceedings was the uncertainty of the status of the U.S. bases in the Philippines and the rest of the Pacific. Since those days in late 1990 and early 1991, the world has changed dramatically. Not only has our major opponent in the world, the Soviet Union, now crumbled, they in fact no longer exist. Thus, the threat we face worldwide is dramatically different. Moreover, the eruption on Mt. Pinatubo eradicated Clark AFB, and U.S. forces pulled out, almost unilaterally, with little impact on Guam.

Lastly, an agreement was reached ^{not approved} between the Philippine negotiators and those from the U.S. for a ten year agreement on Subic Bay. There is still a good chance this will not be approved by the Philippine Senate, but even if is not, the situation is such that our plan can account for it. The pressure on Guam military fields from events in the world is diminishing monthly, and we need to be ready to take advantage of it with our new plan for the 1993 Commission process.

• Cost to Consolidate. As we saw when we put together the papers for Congressman Blaz, about 60% of the cost of the consolidation is the cost to rebuild the Navy housing. The second largest cost is the cost to rebuild the administrative facilities of the NAS up at Andersen. The next highest was to rebuild the operational facilities, and the least was to actually move the operational assets.

actually
• Addressing World Affairs. We now have convincing evidence that what Ambassador Rich Armitage said was true: the loss of military assets from the Philippines will have little or no impact on Guam. What assets were moved back to the mainland were moved to Alaska. The only thing moved to Guam was the headquarters of the 13th Air Force, about 200 personnel. They came with no physical assets. They are essentially useless, and in these tough economic times when we are faced with a disappearing foreign threat and a shrinking DOD budget, it may be time to do away with them.

Thus, there remains to the north on Guam a huge, underutilized and impressive military facility, namely Andersen AFB. If the Navy were to be forced from the Philippine facilities, and there remains real doubt that they would be moved to Guam, there is still more than enough space at Andersen to accommodate them.

Moreover, with the lessening of the Russian threat, there is even less likelihood that the Navy will need more room on Guam. Indeed, they may be moving assets off Guam while they are moving them off the Philippines.

Now we need to examine how this diminished world threat effects the cost to consolidate.

Proposal: FY1992 Representation for the Guam Airport Authority

- **Administrative and Operational Costs.** The primary administrative costs for the Navy to consolidate at Andersen were the costs to replicate the Administrative facilities they now have at Brewer Field. If the Air Force were no longer using Andersen, those costs would be eliminated.

The operational costs to move to Andersen involve building hangars and the other buildings needed to support the few airplanes the Navy still operates from Guam. If the Air Force were no longer using Andersen most of the support buildings would be available, but the hangars would not. The Air Force uses "nose hangars," while the Navy uses full size hangars. Thus, there would be some cost to build regular Navy hangars over the long haul, but the rest of the operational costs would be nil.

- **Relocating Bachelor Officer and Enlisted Housing.** A portion of the housing relocation costs involved moving the BOQ and the BEQs. The answer here is identical to the Administrative solution above. If the Air Force is no longer using Andersen, their need for a BOQ and BEQs will be less, and what need they do have can be accommodated by the Navy in the old Air Force facilities.

- **Relocating Residential Housing.** As we have seen repeatedly, the largest single cost of relocation is the rebuilding of Navy housing. My suggestion thus is to avoid rebuilding the housing entirely. If we can not go through the opponent, we should go around them.

The Navy housing in question sits in one or two fairly contiguous blocks next to the North Runway. It has recently been extensively rebuilt and has a life expectancy of 20-30 years. We need to examine an alternative wherein Guam would take over the entire Naval Air Station from the Navy and lease back the housing at no cost. The areas would be fenced off from Central Avenue and provided with their own access and security. As the housing aged, became useless, and was replaced elsewhere on the island by the Navy over the 20-30 year period, the buildings would be demolished by the Navy and the land turned over to the Government of Guam.

- **Consolidated Housing Management.** While this plan would leave the Navy in charge of the base at Andersen, the Air Force would still need housing for the people who would remain in their communications facilities. This plan does not intend that they should be moved out of their existing housing. The solution to this problem involves creating a consolidated DOD housing manager, as the Department did on Hawaii, who would oversee all the officer and enlisted housing on the entire island of Guam. The most logical candidate would be the Commanding Officer of the Navy Public Works Center. He already handles all of the Navy housing, and the additional housing would undoubtedly be little or no burden, especially with the increased staff from the former Air Force office.

Proposal: FY1992 Representation for the Guam Airport Authority

• **Summary of the Plan.** This potential plan for the 1993 base closure process addresses each of the problems we still face, but it begins with the removal of the Air Force, operationally, from Andersen. The few operational assets they have on Guam are currently unnecessary, and could easily be eliminated.

The second step is to move the Naval Air Station, operationally and administratively, up to Andersen. This will involve some construction of Navy-style hangars, which will have to be included in the DOD budget request. They should be in the \$10 million to \$20 million range, depending on how much is moved and how much is eliminated in unrelated budget cuts.

Additionally, this second step involves little or no construction of administrative facilities, as the Navy will move into vacated Air Force administrative spaces.

The third step is to leave the Navy residential housing where it is on NAS Agana, lease it back no-cost to the Navy for its useful life, and fence it off from the surrounding areas. The plan would also create a consolidated DOD housing office to manage officer and enlisted housing for all military personnel on Guam using base housing at the former Andersen AFB, the former NAS Agana and at every other military facility on the island.

• **Congressional Champion.** I believe the key element to initiating this strategy is to seek out a Champion in the Senate to assist Congressman Blaz in the House. I have a Senator in mind who is senior on Armed Services and, I believe, feels he and the base in his district were mistreated by the Air Force during the 1991 base closure process. If we can enlist his assistance, we will have a real head start on the process.

North Ramp Lease

The work that will be necessary this year on the North Ramp lease will involve primarily follow-up to insure the request does not get put in suspension bureaucratically, as it did last month. This will be accomplished by contacting the staffs in the review chain of the request to insure they understand the request itself and the urgency. If a holdup develops, we may well need to brief certain staffs, as well as apply mild pressure through the Congress or the Administration to insure its timely review.

Military Airports Program

The Military Airports Program request has been submitted by the Airport Authority, and it is well on its way. Moreover, the request has been reviewed favorably along the way, and some have recommended our candidacy. However, as I reported last month, this is an election year, and politics appear to be underway.

Proposal: FY1992 Representation for the Guam Airport Authority

We need to bring the Governor to Washington to meet with key people in the Federal Aviation Administration, the Department of Transportation, the White House, and the Republican National Committees. We may not be the biggest Republicans in the Union, but we are Republicans nonetheless, and we need to capitalize on that. With some of the right visibility, I believe we will dramatically improve our chances to be part of the program.

Other Activities

Wayne Army will also continue to act as the Washington Representative of the Guam Airport Authority for other issues as they arise, continuing to improve the long term positive relationship for GAA with the agencies of government in Washington with whom they must maintain good relations over the coming years. These include:

Congressional Affairs. Developing a strong relationship, not only with Congressman Blaz's office, but with the offices of the Chairmen and Ranking Minority Members of the Committees and Subcommittees that are important to GAA. In this, as in all of these areas, we would be building on the relationships developed as we work on the airport expansion.

Administration Liaison. Furthering GAA's objectives through liaison with the myriad of government agencies, both large and small. More than most any other organization, GAA's unique position as an airport authority in a Territory places heavy demands on liaison with the Administration. Here we will continue to work with the Defense agencies, the Department of the Interior, the Department of Transportation and the Federal Aviation Administration, the White House and the Office of Management and Budget, as appropriate

BUDGET

I estimate that the budget for the above services will be \$10,000 per month, plus expenses. Reports detailing work performed will be written after each event and forwarded via facsimile transmission to the Deputy Executive Manager. A monthly report will accompany the monthly invoice, but it will consist primarily of a compilation of these event-by-event reports, with any additional summary comments that may be necessary.

If the Guam Airport Authority desires to have this account billed by the hour, the billing would be invoiced monthly at the standard rate of \$225 per hour to a maximum of \$1350 per day.

Submitted by:

L. Wayne Army, III

EXECUTIVE SUMMARY

Unlike other cities and states that have highway, rail, shipping and air transportation modes that support their economy, Guam's livelihood relies on air and sea transportation. And while the shipping industry is large, the vast majority of it is in direct support of the tourism industry that arrives by air.

On a small island like Guam (212 square miles), real estate is scarce. Even scarcer is land suitable for new airport development. Accordingly, the political pressures of environmental issues, land-use concerns and private landownership practically precludes any major new airport development. On Guam, this is particularly true since the federal government already supports two large under-utilized military airports.

The Congress recognized the need for the Department of Defense (DOD) to share some of their facilities with civil aviation by providing, through past Congressional action, for DOD to make military airports available for civil use to the maximum extent feasible. Since 1972, Guam has jointly used the runway and taxiway facilities at the Naval Air Station, Agana. Guam has also constructed approximately \$100 million of terminal and apron facilities to support its burgeoning tourism market. Over the past decade, Guam's economic future and reliance has shifted from a military-based economy to a tourism-based economy.

During the past 16 years, Guam has enjoyed a good relationship with the U. S. Navy and each has prospered under the existing Joint Use Agreement (JUA). However, for the purpose of providing for further economical use of airspace, land, facilities and other resources, the issues surrounding the proper use of land that is currently set aside for airport use, be they military or civil, must be resolved.

To this end, Guam has initiated two requests with the U. S. Navy.

The Immediate Transfer of 125 Acres for the operational needs of civil aviation. The Governor has officially requested a land transfer of four parcels of unused or poorly used federal property on the Naval Air Station. This no-cost request would support the development of aircraft parking areas, taxiways and much needed cargo and aircraft maintenance facilities.

A section of this brief presentation, entitled "The Immediate Transfer of 125 Acres" recaps the status of on-going discussions between the Government of Guam and the U.S. Navy.

The Relocation of NAS Agana and turnover to the Government of Guam for effective civil as well as military long-term airport planning. NAS has been reduced to nearly a caretaker status, and today there are no aircraft assigned to Andersen AFB just 12 miles away. By comparison, commercial airline traffic in and out of Guam has increased many fold in the last 20 years. The Guam airport has developed into a regional aviation hub. But it is land poor. A 1991 GAO report concluded that consolidation of these two facilities at Andersen was feasible. Both the Navy and the Air Force agreed.

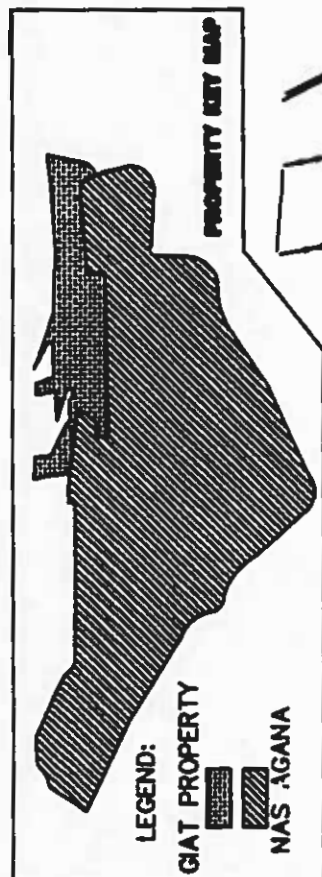
The remaining section of the brief comprising the theme "Recovery of Tiyan", which presents a historic, economic and proposed long-term land-use of the area known to Chamorros as Tiyan, articulates a compelling argument for the relocation of NAS Agana and turnover to the Government of Guam.

A Request to the Congressional Delegation. It may appear that negotiations are slowing to a halt. The Navy has stated its concerns of "rollback", "security" and "sanctity" in opposition to the more important parcels. The reasoning and facts behind these positions have been less than understandable to civilian authorities. But we are optimistic that objective and sensitive judgements will prevail and will allow the complete transfer. If, however, things do not improve, we would have no other recourse but to come and talk with you in pursuit of your intervention to facilitate resolution of our quest.

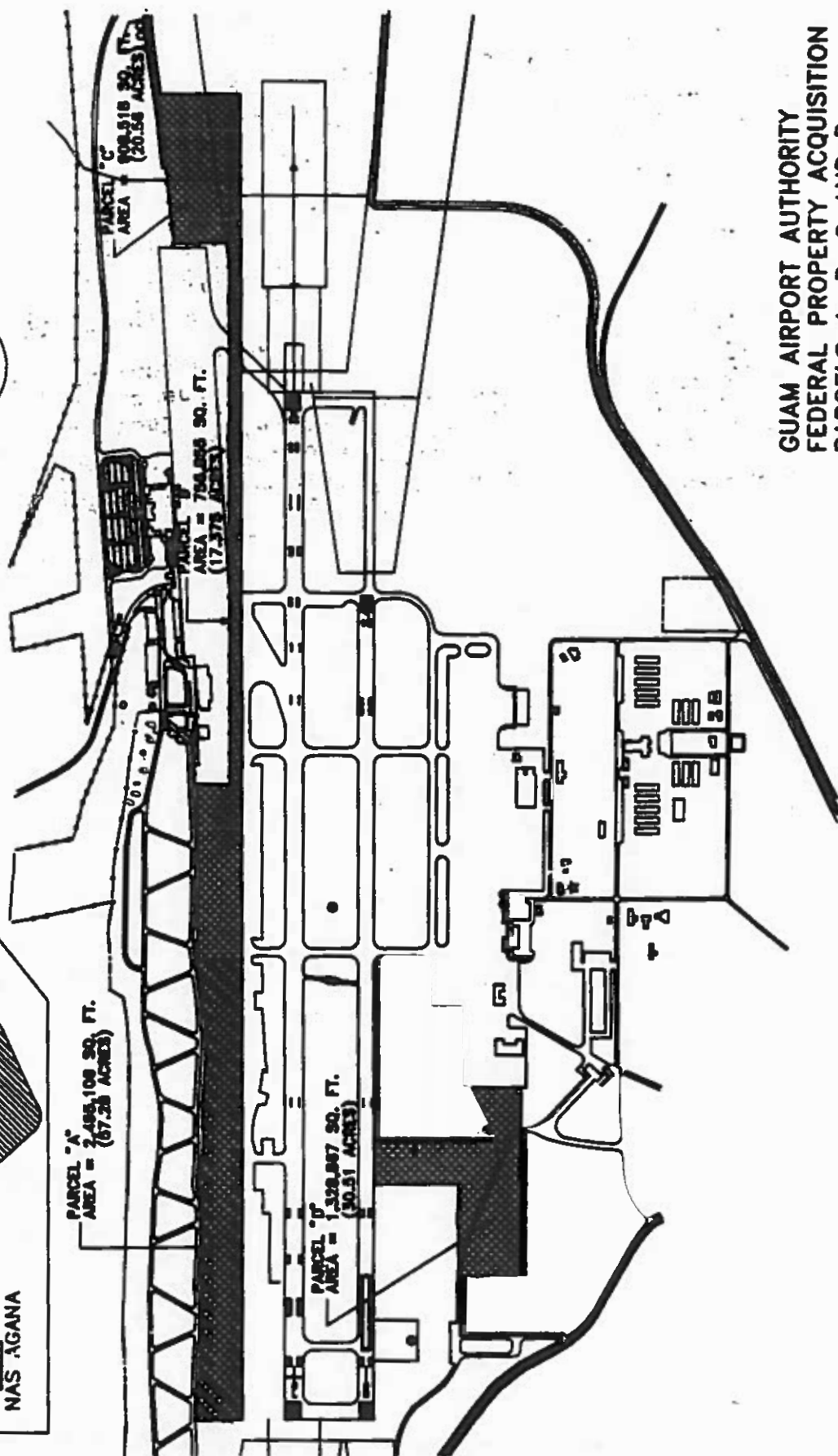
Significantly, one needs to remember four things about our request:

1. **The need for the transfer of some lands to the Guam Airport Authority for the expansion of Guam's civil air facilities is unchallenged.**
2. **The parcels we are requesting are empty and unused.**
3. **The transfer is permitted by law, through the FAA.**
4. **The transfer involves no cost to the Federal Government.**

* * *



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GUAM AIRPORT AUTHORITY
FEDERAL PROPERTY ACQUISITION
PARCELS A, B, C AND D

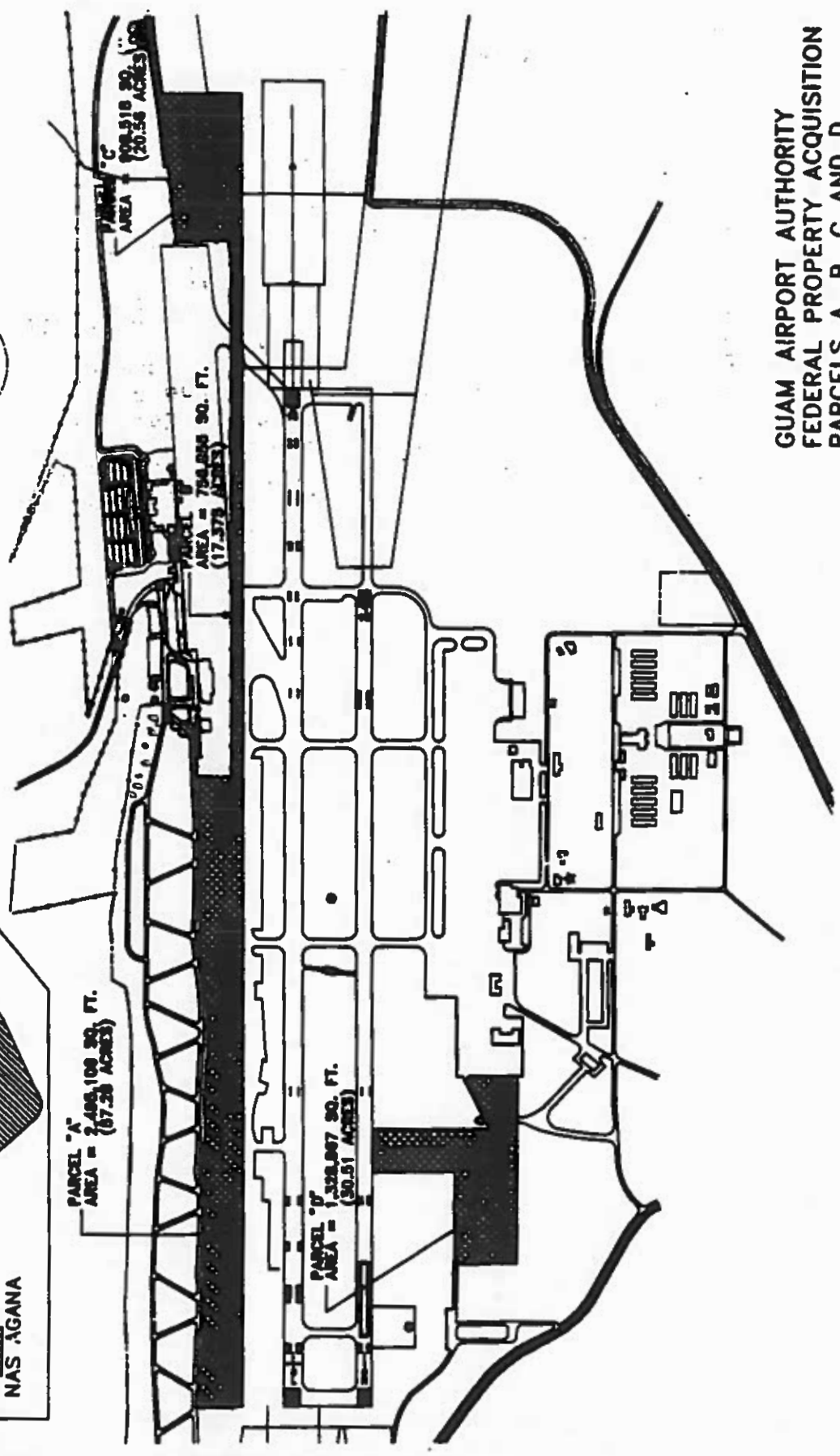
LEGEND:

GIAT PROPERTY

NAS AGANA

PROPERTY KEY MAP

N



GUAM AIRPORT AUTHORITY
FEDERAL PROPERTY ACQUISITION
PARCELS A, B, C AND D

GOVERNMENT OF GUAM/N.A.S. TALKS
N.A.S. Land Transfer
September 25, 1991



A meeting of representatives from the Government of Guam and the U.S. Navy was held at 10:05 a.m. on Tuesday, September 25, 1991, to discuss the transfer of four parcels of federal land on the Naval Air Station to the Guam Airport Authority. Those present at the meeting were:

Government of Guam:

Mr. Peter Leon Guerrero, Director, Bureau of Planning
Ms. Kathy Maraman, Legal Counsel, Office of the Governor
Mr. Duane Siguenza, Deputy Executive Manager, Guam Airport Authority
Mr. Tom Jones, Administrative Consultant, Guam Airport Authority

U.S. Navy:

Capt. Robert F. Johnson, Commanding Officer, U.S. NAS
LT Woody Harris, Staff Civil Engineer, U.S. NAS
LT Ken Liles, Asst. Operations Officer, U.S. NAS
Senior Chief Chuck Kent, Air Traffic Control, U.S. NAS
Chief Michael D. Mecca, Air Traffic Control, U.S. NAS
CDR John Moran, COMNAVMAR Staff Civil

1. DISCUSSION ON INDIVIDUAL PARCELS - NAVY

Capt. Johnson and his staff showed some slides to the Government of Guam representatives relative to the four land parcels which the Government would like to have the Navy transfer over for use by the Guam Airport Authority. Discussions on the land parcels were then held, as follows:

Parcel A

Capt. Johnson stated that the Navy is reluctant to consider the transfer of the entire Parcel A area. The first and second slides showed that portions of this area run in close proximity to the 750 foot "line" from the center of the runway, and narrows down at the end of the runway. He added that the Navy currently has a waiver request in for the North Ramp, and he did not feel it would be appropriate to put in an additional waiver request at this point in time for the other portion of Parcel A. In addition, he stated that the North Ramp is closer to the Terminal complex while the narrow area of Parcel A is in closer proximity to the landing area of the runway, which poses some concerns relating to safety. Further, the Navy still has its concerns regarding noise and the "eyesore" of having aircraft parked in that location. One additional consideration is the restrictions regarding having metal objects in the portion of Parcel A close to the end of the runway due to the sensitivity of the Instrument Landing System (ILS).

Parcel A (cont.)

Mr. Leon Guerrero then questioned whether the "bottom line" on Parcel A is that due to these constraints, it is very unlikely that the Government could secure this property. Capt. Johnson replied that the Navy is not in favor of supporting the Government's request for transfer of the portion of Parcel A outside of the North Ramp due to the reasons he just gave.

Parcels B and C

Capt. Johnson stated that he spoke with Admiral Perkins regarding the preliminary drafting of correspondence to effect the transfer of Parcels B and C to the Government. He stated that the Navy would like to see what the initial draft of the correspondence looks like. It will be given to Admiral Perkins and the Operational Commanders for their input. Capt. Johnson added that the Navy would still prefer to treat the transfer of Navy property as one entire package, and that to do so would facilitate the process. However, this does not prohibit the Government from formulating documentation outlining the separate transfer of Parcels B and C.

Capt. Johnson stated the Navy concurs with the GAA letter of August 6, 1991, regarding the Parcel 3 FAR criteria, and it would only entail submitting a waiver modification for a 2100 versus a 1400-foot extension of the "outboard" line (which should not be a problem).

Parcel D

Capt. Johnson stated that the Navy representatives promised to come back to the Government at this meeting with reasons for their opposition to the transfer of Parcel D. He went on to state that the Operational Commanders have historically been opposed to having civilian operations alongside Navy operations, citing as the reasons access, control, and proximity to Navy operations. In addition, due to the unknown situation in the Philippines, the Navy does not know whether it will be "inheriting" anything from the Naval facilities there. More importantly, he stated that there are two old landfills in that area which have been under investigation by PacDiv since 1986. While Parcel D does not include the landfills, Navy officials expressed concern regarding the possibility that contamination from the landfills has spread into the Parcel D area. Monitoring wells have been placed in the area, and PacDiv is in the process of contracting a remedial investigation and feasibility study, along with the possible installation of additional monitoring wells. This work will

Parcel D (cont.)

begin in January 1992 and is expected to determine the extent of the contamination. Capt. Johnson stated that once this is determined, it is the Navy's responsibility to perform an "environmental clean-up" before any transfer could even be considered. PacDiv's informal recommendation is that the transfer not be considered at this time.

Capt. Johnson went on to state that the Navy would like the Government to reconsider the alternative of the area which they previously proposed which includes some Navy housing. In addition, CDR Moran drew up another plan that might be less costly in terms of area, housing replacement, and fill requirements for site preparation (provided to the Government team at this time). Capt. Johnson went on to state that this is not necessarily the only other alternative, and there may be other alternatives. He also stated that it doesn't look like the transfer of Parcel D is feasible, but the Navy understands that the Government has the need to expand its operations in certain areas, which includes some construction.

Capt. Johnson then stated that in looking at the increased civilian operations at the airfield (which are necessitating the land transfer), it might be appropriate to also consider an increase in the area of civil cost responsibility. He went on to state that from an operational standpoint, one thing that would be a significant improvement in Airport operations would be the extension of the taxiway on the south side from where it is presently all the way down to the approach end of Runway 6, which would eliminate taxiing operations on Runway 6R. In addition to the wear and tear with additional traffic, it might also be a good idea to include Runway 6R in the area of civil cost responsibility.

2. DISCUSSION ON INDIVIDUAL PARCELS - GOVERNMENT OF GUAM

Parcel A

Mr. Siguenza stated that the Government's whole purpose in performing environmental studies for the land transfer is to see what the environmental impacts might be and to possibly recommend mitigation of any negative impacts. Environmental impacts of the land transfer would, therefore, be difficult to consider until they have been clearly identified through the environmental studies.

Regarding constraints on placing metal objects (such as aircraft) in one area of Parcel A due to the possibility of interference with the ILS, Mr. Siguenza stated that further studies would have to be performed. He then asked Mr. Jones

Parcel A (cont.)

whether the ILS could be relocated. Mr. Jones replied that there is no better location for the ILS than where it is now. However, the ILS is very old, and such systems are being replaced with the Microwave Landing System (MLS), which has lower antennae and therefore fewer constraints. He concluded by stating that in any event, restrictions on the ILS are somewhat negligible and are only applicable under certain conditions. Capt. Johnson replied, however, that the Navy does not want to incur the possibility of any operational restrictions on the airfield at this time.

Capt. Johnson then stated that he has not been convinced that there is a viable need to transfer all of Parcel A at this time. In addition, there would be a requirement for an additional waiver request should all of Parcel A be transferred, as well as other concerns.

Mr. Siguenza replied that there is a definite immediate need for transfer of all of Parcel A. With the start-up of commuter operations from the Old Terminal Building (planned for October 15, 1991), the Government has a need to relocate all of the general aviation aircraft right now. And to support the Terminal Expansion Program which is expected to be completed by 1995, it is planned that the North Ramp area up to Taxiway Delta will be utilized for overnight parking for commercial aircraft (a total of eight 727's or a configuration of different-sized aircraft that would utilize approximately the same amount of space), and a need for additional areas to park general aviation aircraft.

Capt. Johnson then asked what the Government would do if the North Ramp waiver request were denied. Mr. Siguenza stated that this would put more emphasis on the other Government Task Force' mandate to work towards the relocation of N.A.S., because the Government and the Navy would have reached a point of incompatibility of operations. Capt. Johnson agreed with this statement, adding that the location of Navy housing next to the airfield represents an incompatibility of land uses, but this was not foreseen when the houses were constructed.

Capt. Johnson stated that the next step regarding consideration of the transfer of Parcel A would be for the Government to communicate a more definite plan for usage of all of Parcel A. Statements have been made by the Government representatives regarding new companies desiring to do business at the Airport, but no definite plans have been communicated. Captain Johnson then asked whether a determination had ever been made regarding how many operations could occur at the Airport. Mr. Jones

Parcel A (cont.)

replied that facility licenses for general aviation must all be issued by NavAir, which first takes a look at safety of operations. This is the only restriction on operations.

At this time, Capt. Johnson stated that he feels that for the immediate future, to accommodate the recognizable needs that exist in the short-term, the transfer of Parcels B and C, the North Ramp area of Parcel A, and a mutually-acceptable alternative to Parcel D should suffice.

Mr. Leon Guerrero then stated that it appears the Navy wants to receive substantiation from the Government regarding its needs for all of Parcel A. Capt. Johnson stated that he would like to see the needs for this portion enumerated. Mr. Siguenza asked whether the Navy team was familiar with the Airport Authority's General Aviation Master Plan Update, issued in January 1991.

Mr. Siguenza concluded by stating that the Government does have a requirement for Parcel A for general aviation, and its request for Parcel A considers that and contemplates general aviation aircraft parking west of Taxiway Delta. The impact of environmental issues and the ILS will be considered when and if discussions regarding the transfer of Parcel A progress.

Parcels B and C

Mr. Siguenza stated that the Airport Authority has a contract for an environmental assessment report for Parcels B and C. In addition, the Airport Authority has started the procurement process for environmental assessment services for other land parcels to be performed at a later date.

Capt. Johnson determined from his staff that the Navy must initiate the waiver request required for Parcel C.

Parcel D

Mr. Siguenza stated he would go over the Government's reasons for desiring to construct civilian facilities at this location. He went on to state that earlier discussions regarding the Government replacing Navy housing in order to utilize Navy property were "bogged down" because of the costs involved and that the cost factor is what is driving the Government to prefer a piece of property across the runway as opposed to property adjacent to its current facilities. Mr. Siguenza stated that the Government has difficulty in considering taking full responsibility for the replacement of the Navy housing

Parcel D

involved, taking into consideration that the Navy itself admits to the incompatibility of having family housing in this area. The Government is trying to present what is in its view the best alternative.

Mr. Siguenza then stated that the Government would like to continue discussions on all concerns relating to Parcel D, concurrently with the environmental concerns, in an attempt to settle these issues should the environmental concerns be resolved more easily or sooner than expected.

Capt. Johnson then stated that the situation in the Philippines dictates that the Navy must keep its options open regarding the absorption of functions currently located there. However, the driving factor behind the Navy's reluctance to consider the near-future transfer of Parcel D is the purported contamination generated by the former dumpsites located in the Parcel D area, and the Navy's responsibility to clean up such contamination after it is determined. A detailed discussion regarding the possible size and effects of the contamination in Parcel D was then held.

Regarding the alternative proposed by the Navy to the Government's request for transfer of Parcel D, CDR Moran stated that the Government estimated its site preparation costs as being \$15 million before any new construction was taken into consideration. CDR Moran went on to state that he has proposed another alternative that would provide as much of the capability that was shown in the first alternative site, but would significantly cut down the costs. This would involve not replacing seven housing units by realigning the proposed hangar so that it would be parallel to the runway instead of perpendicular to it. (The total number of housing units that would have to be replaced would therefore be 38.) This would also cut down on fill requirements and eliminate need for new roadway. The cost of this revised alternative proposal would be as much as 40% less than the original alternative proposal. Mr. Jones asked whether the revised alternative would require the relocation of the NAS back gate. He was told that the intent would be to keep the housing fenced and maintain a roadway for the housing.

Mr. Siguenza then asked whether it was still the Navy's position that the Government of Guam would pay for all costs associated with this alternative to Parcel D, including the replacement of housing. Capt. Johnson replied affirmatively, adding that the Navy has a continued requirement for family housing. Ms. Maraman then asked whether the Navy would

Parcel D (cont.0

consider a more economic type of construction than the construction of duplexes. Capt. Johnson replied that he could not respond to that question at this time and that different alternatives would have to be looked at.

Regarding increasing the area of civil cost responsibility, Mr. Siguenza expressed his feeling that this matter should be discussed in the JOAC meeting, as it is strictly an Airport issue.

3. NEXT MEETING

Mr. Siguenza stated he would get back to Capt. Johnson with respect to the scheduling of the next meeting.

Mr. Siguenza then stated that he may have been too liberal in response to a question posed during the August 6th meeting, as reflected in the meeting minutes. This question was with regard to proposed aircraft activities on Parcel A, and his statement that turboprop aircraft would not be operated in Parcel A. Mr. Siguenza went on to state that what he should have stated was that the environmental report would address activities that would occur on the ramp. Capt. Johnson stated that he appreciated that, however, it is not just a study that would determine acceptable levels of noise. He then suggested that the Airport Authority also contract for an environmental study to be performed on all of Parcel A at this time, rather than just the North Ramp. Capt. Johnson then stated that at the next meeting, the teams should discuss the Airport Authority's General Aviation Master Plan (and Update), and look at the usage of portions of Parcel A from that perspective. Further, he asked that the Government look at whether Parcels B and C, the North Ramp, and an alternative to Parcel D would meet its needs at this time. Capt. Johnson then stated that he would attempt to determine the status of the North Ramp waiver request and lease agreement, and also to determine the feeling of AirPac with respect to a waiver request for all of Parcel A.

Mr. Siguenza then asked that the Navy look into the possibility of transferring an area west of the Delta taxiway (Mr. Jones suggested the area between Charlie and Delta) for parking general aviation aircraft if it looks like approval of all of Parcel A is not forthcoming. Mr. Leon Guerrero also questioned Capt. Johnson regarding when the Navy might expect to determine the impact of the Philippines situation on NAS. Capt. Johnson replied that he had no idea, but the situation would not impact the possible transfers of Parcels A, B and C.

Minutes - GovGuam/NAS Talks re NAS Land Transfers
September 25, 1991
Page 8

There being no further business to discuss, the meeting concluded
at 11:50 a.m.

APPROVED:

Mr. Peter P. Leon Guerrero
on behalf of Governor
Joseph F. Ada
Date: _____

Capt. Robert F. Johnson
on behalf of Rear Admiral
James B. Perkins
Date: _____

January 29, 1992

MEMORANDUM

TO: Governor Joseph F. Ada

FROM: Peter Leon Guerrero, BOP
Duane Siquenza, GAA
Kathy Maraman, Gov. Office

SUBJECT: NAS Land Transfer: Update Briefing

Before you leave for Washington, we need you to prod Admiral Perkins to act favorably on our complete request for four parcels of land at the Naval Air Station. We need the Admiral to act now on his promise to you and other elected officials to get the land we need to properly expand civil airport facilities.

Positive News (Parcels B & C): We are in agreement on Parcels B & C (both are ramp areas adjacent to our current taxiways and ramps), and we are proceeding with the environmental assessment process. You may want to thank him for that, even though it is minor and the least controversial part of the package.

Action Needed (Parcels A & D): We have made no progress on Parcel A (the taxiway/parking area adjacent to the Navy housing) or Parcel D (the proposed area on the Navy side for the Maintenance Hangar). On both parcels we need to stop concerning ourselves with details and agree to the principal of the transfer. Then we can move forward to overcome any obstacles that might arise during the review process.

Parcel A: The Navy is concerned about the effect of our operations on the "quality of life" of the Navy families in housing. If that is their principal concern, we need to ask the Admiral to allow us to proceed towards transfer and let the environmental process (that is required by law) determine what the noise pollution levels really are, and the alternatives that are available to mitigate them.

Memorandum to the Governor
January 29, 1992
page 2

Parcel D: The Navy was concerned about (1) flexibility in the event of "roll back" of forces from the Pacific (2) security with Navy and GIAT/airline personnel working on the same side of the field, and now (3) possible environmentally sensitive waste sites in that area.

"Roll back". This should no longer be a concern. When the Navy needed to transfer forces to Guam, they decided to house a squadron (VRC-50) at Andersen AFB.

Security: We will work closely with the Navy to mitigate any existing or potential security concerns. The Navy has a great deal of experience dealing with this in areas of far greater problems. Subic Bay Naval Station employed many civilians in their operations, and most of them were foreign nationals. Surely, on a small island like Guam where most of the people on the terminal would be American citizens, and we would be using far fewer than anything on Subic, security is a problem we can work out between us.

Environmental: We would like Admiral to treat this potential environmental problem in the same fashion as we want the "quality of life" issue treated on Parcel A. Make a decision to agree with the concept of the transfer and let the environmental assessment procedures determine the extent of contamination, if any, and how it should be mitigated.

RECOMMENDATIONS

- o That one last meeting be held by the GovGuam/NAS working group clarify remaining issues. At the point of intransigence, a recommendation should be made to elevate the negotiations back to the Governor-Rear Admiral level.
- o Governor discuss with COMNAVMAR his concerns on the status of the talks. COMNAVMAR might be reminded of his earlier promise to help.

Memorandum to the Governor
January 20, 1992
page 3

THE BOTTOM LINE:

You may want to thank the Admiral for his help in proceeding ahead on the transfer of Parcels B & C.

But we now need to also proceed forward on Parcels A & D (the North Ramp and the Maintenance Hangar area). We need both badly.

Now that the forces being transferred to Guam from the Philippines are moving to Andersen, we need to agree to the concept of transferring these remaining two parcels.

We should then allow the legal review process to address our potential "quality of life" and environmental problems. This process will also identify alternative fixes to them, if they are needed.

Once we have completed environmental assessments on Parcels A & D, both Guam and the Navy will have the data we now lack that will allow us to make informed decisions on the methods and costs of mitigating any problems that might arise.

USE OF A PORTION OF CAMP EDUSA FOR A FIRE STATION

- The Guam Fire Department (GFD) has determined that its Dededo Fire Station's current location is inadequate to house its present personnel and equipment in addition to proposed additional personnel and equipment. GFD requires a site with sufficient acreage to enable the expansion of its facility. The site also must be centrally located near Route 1 to enable quicker response to emergencies.
- 6.9 acres of federal property at Camp Edusa in Dededo was identified and determined to be the most suitable site for GFD's fire station.
- In an October 23, 1991 letter, the Governor requested Colonel DeGovanni's review and approval of the concept of locating a fire station and compound on that portion of Camp Edusa.
- Should Colonel DeGovanni approve of the concept, GovGuam will then provide additional details on the proposed use in a formal request to lease the property, similar to that used in the lease of the Yigo fire station.
- In a December 11, 1991 letter, Colonel DeGovanni informed the Governor that Air Force is favorable to the idea of a long-term lease arrangement of Camp Edusa, however, the requested property is not under Air Force control as it is included in the excess land proposal submitted to Congress.
- The U.S. General Services Administration was requested by the Bureau, in an October 18, 1991 letter, to provide information on whether or not surplus federal land can be obtained at public benefit discount for public fire station use.
- On November 21, 1991, the U.S. GSA responded to the Bureau's request. However, the response was inadequate as it only stated that no surplus federal land was available on Guam for the purpose of a fire station.
- We need to find out whether public fire station use is eligible under the public benefit discount program. If federal land can not be obtained at public benefit discount for the purpose of a fire station, then what is the process by which a long-term lease arrangement can be made for that portion of Camp Edusa.
- Alternatively, we may need to request that Congressman Blaz delete the 6.9 acre site from his bill (in the same fashion that the GCC site was deleted). However, before submitting such a request, we need to determine if surplus land can be obtained by GovGuam at no cost for a fire station.



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 633D AIR BASE WING (PACAF)
APO SAN FRANCISCO 96324-3600

11 DEC 1991

The Honorable Joseph F. Ada
Governor of Guam
Office of the Governor
Agana, Guam 96910

Dear Governor Ada

I received your October 23 letter requesting land at Camp Edusa in Dededo for use as a fire station. I referred this question to my Staff Judge Advocate and Civil Engineer. Based on their review, I must regretfully inform you that the land you requested is not currently available.

The Air Force is willing to make a long-term lease arrangement with GovGuam, similar to the one currently being used for the Yigo fire station. Unfortunately, the land you request was included in the package which the Department of Defense has submitted to Congress for declaration as "excess" to military requirements. As part of the excess land proposal, this site may be given to GovGuam in the future. However, that decision is no longer up to the Air Force. If Congress approves the proposal, then the General Services Administration (GSA) will be directed to transfer title from the US Government. I do not know who on Guam--GovGuam, original landowners, or some other party--will receive title to the property if the proposal is approved.

If for any reason this land is returned to USAF control, I will be glad to consider your request.

Sincerely

George Degovanni
GEORGE DEGOVANNI, Colonel, USAF
Commander

12/26

Planning

Pete -

As per our
discussion the
4



Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
 RESINA I MA'GAT AHI
 AGANA GUAM P.R. 96910

OCT 23 1991

Colonel George DeGovanni
 Commander
 Department of the Air Force
 Headquarters 633D Air Base Wing (PACAF)
 APO San Francisco 96334-5000

Hafa Adai Commander DeGovanni:

As you are aware, the island is currently experiencing an increase in housing and commercial development particularly in central and northern Guam. Hand in hand with this increase, the government must increase certain public services that are vitally needed in the community. One such service is public safety, more specifically, fire protection.

To sufficiently provide fire protection services to the increasing population in this area, the Guam Fire Department (GFD) will be providing its Dededo fire station with additional firefighting equipment and personnel. However, GFD has determined that its Dededo facility is currently inadequate in housing its present equipment and personnel, let alone to handle additional equipment and personnel.

GFD is proposing to relocate the Dededo fire station elsewhere to enable rebuilding a facility and compound that meets its requirements. We have looked into our inventory of GovGuam-owned land in the area and found none that meet GFD's criteria. However, we have identified 6.9 acres of federal property along Route 1 and Santa Monica Avenue in Dededo (map enclosed) that does meet such criteria. This federal property is known as Camp Edusa and is under the Air Force's jurisdiction. I believe that this site is the most suitable site for GFD's fire station.



Commonwealth Now!



General Services Administration
Federal Property Resources Service
Washington, DC 20405

4.

NOV 21 1991

Mr. Peter P. Leon Guerrero
Director of Planning
Bureau of Planning
Government of Guam
Agana, GU 96910



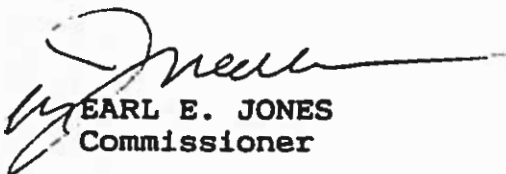
Dear Mr. Guerrero:

Thank you for your letter of October 18, 1991, requesting information on whether surplus Federal real property can be obtained at public benefit discount for health uses.

At present there is no surplus Federal land on Guam which could be made available under any circumstances to the Government of Guam (GOVGUAM) for the purposes of a public fire station or a GOVGUAM-operated power substation. The General Services Administration (GSA) will be pleased, however, to consider the needs of GOVGUAM should real property be reported to us as excess by Federal agencies on Guam.

When property on Guam is reported to GSA, we coordinate the disposition with the Office of Territorial and International Affairs, Department of the Interior. Existing law requires that other Federal requirements be considered first before the property can be determined surplus and made available for local public uses. In addition, the requirements of the Stewart B. McKinney Homeless Assistance Act of 1987, as amended, will apply. As the process permits, we would consider recommendations from the Department of Health and Human Services with respect to acquisition of the properties for health uses by GOVGUAM or for other appropriate uses under applicable provisions of law.

Sincerely,


EARL E. JONES
Commissioner



crist

SETBISION MAMPLANEHA
Bureau of Planning

OCT 18 1991

Mr. Earl E. Jones
Commissioner
Office of the Commissioner
U.S. General Services Administration
Federal Property Resources Services
Room 5241
GSA Building
18th & "F" Street N.W.
Washington D.C. 20405

Hafa Adai Mr. Jones:

As the Bureau of Planning, Government of Guam, is the agency responsible for coordinating surplus federal property applications, I am requesting information on whether or not surplus federal land can be obtained at public benefit discount for the following supportive health uses:

- Public Fire Station
- Government of Guam Operated Electrical Power Substation.

Please provide the requested information to my office at your earliest convenience. Thank you in advance for your assistance.

Sinceru,

161
PETER P. LEON GUERRERO
Director of Planning

NORTHERN HIGH SCHOOL

- All documents and information required by U.S. GSA were submitted to local Air Force in October 1991. The requested additional information included the legal description for an access and utility right-of-way easement for the 80-acre school site.
- Documents for the Northern High School property were successfully processed by U.S. GSA in November 1991 and forwarded to OTIA-DOI (Stella Guerra) for concurrence.
- The Department of Education prepared and submitted a draft application for the Northern High School property to the Bureau for review in December 1991.
- The Bureau completed its review of the draft application and provided comments to the Department of Education in January 1992.
- The Department of Education is presently making revisions to its application.
- Notification of Determination of Surplus for the Northern High School property has yet to be received by GovGuam. Once received, GovGuam can notify U.S. GSA of its intent to apply for the property.
- While in Washington, D.C., we recommend that OTIA-DOI be contacted to determine its position on the excessing of the Northern High School site.



Territory of Guam

Teritorion Guam

WASHINGTON OFFICE OF
THE GOVERNOR OF GUAM
UPISNAN I MAGA LAHI
1615 NEW HAMPSHIRE AVENUE, N.W.
WASHINGTON, D.C. 20009
TELEPHONE (202) 734-GUAM
TELECOMPUTER (202) 797-0420

December 16, 1991

MEMORANDUM

TO: Peter Leon Guerrero
FROM: Donna Dudek
REQUEST: Requests for Information

1. The Northern High School property has been successfully processed by GSA. Documents are now on Stella Guerra's desk (Via my pressing for attention) for signature. John Neal at GSA expects her signature any day now. The process is then that Guam must make application to the Department of Education whereby the property will be transferred to Guam at no cost. A "Homeless Screening" will also be required (See attached letter to Governor Ada). ~~What is the GSA contact for further information (202) 501-~~

2. According to FEMA (Agnes Mracok (202) 646-3660) Guam has already applied for Emergency Food Stamps as a result of the recent typhoon. However, the request was denied as requests for Food Stamps on Guam have not exhausted the Standard Food Stamp allocation for Guam. (Michael Jacobs, FEMA (415) 705-1361, is in charge of the food stamps program for Guam).

GGTN Summary

PROBLEMS:

1. Connection to the GGTN monuments are insufficient to control the position of the survey.
2. Network is too sparse and the integrity of the 1963 coordinates are doubtful. In some instances, there are 2 different sets of coordinates for the same monument.
3. It has been estimated that almost 75% of the markers have been lost or destroyed, many being in the middle of roads. Markers have not been maintained.
4. Need for an increase in the density of markers due to the rapid growth of the island.
5. Without an accurate framework provided by a geodetic network, the GGTN coordinate system will never, in itself have the ability to unambiguously retrace a lot boundary, thus increasing the volume of boundary disputes litigation.
6. Because of the inaccuracies in the current system, restoring the current GGTN network would produce more confusion because the three coordinate systems are only 1 meter apart.
7. It is possible to restore the 1963 GGTN network using GPS and reestablishing the old markers, however Guam has the opportunity to use new technology and will find itself out of synchronization with the rest of the world.

SOLUTION:

1. Global Positioning Station is a tool to assist identifying earth centered data. GPS is used to determine the coordinates of the network. GPS uses satellites and computers to compute positions anywhere on the earth. Positions are calculated from distance measurements to the satellite. Because GPS does not relay on line of sight between markers, positions of new markers do not have to be in locations such as hilltops.
2. Using GPS technology, about 10-20 primary marks will be required. It may be beneficial to look into the work the military has done on the island with GPS. They may have already established some absolute measurements. GPS relies on the determination of absolute position such as latitude, longitude and geoidal height of at least one primary point. Gravity observations and GPS precision codes are also needed to use GPS technology. This

primary point is referred to as the "datum monument" from which other points are determined.

3. The establishment of a tertiary network should be undertaken concurrently with the primary project. This interim network should be established first in areas of high development or in areas where cadastre is poor.
4. It is recommended that GPS be used for the establishment of height data, however, the following will be required:
 1. derivation of mean sea level: vertical data was based on tidal observations between 1949-1962. It is likely that position of mean sea level has been altered and new height datum is appropriate.
 2. a model of the geoid which can be modeled from gravity measurements over large areas surrounding Guam.
 3. a map of differences between the spheroid and the geoid for Guam.
 4. absolute gravity observations at tide gauge and relative gravity at other sites
5. Attached are excerpts from the SADOL study regarding the Geodetic Network.

5.3 GEODETIC NETWORK

During this century, Guam has had three different horizontal and vertical control networks. The first, known as the Butler Grid, was established by a party of U.S. Army Engineers in 1913. The network contained only a minimum of stations, and consequently, to fix new surveys, additional stations were often added by open traversing. This resulted in degradation of the network and poorly controlled new surveys.

The coordinates for the Butler Grid were believed to be derived from a polyconic grid projection of plane rectangular coordinates. In later years, detailed investigation of the 1913 coordinate derivation was unable to fully explain the exact method which was used to generate the initial coordinates associated with this network.

Using two years of readings from an automatic tide gauge at Agana, a height datum referred to as "mean-lower-low-water" was established. The vertical control network consisted of the same stations as the horizontal control network.

In 1945, recognising the inadequacies of the 1913 system for cadastral surveys, the Land and Claims Commission established a new control network which consisted of 69 primary stations and approximately 52 secondary stations. Monuments from the 1913 network were used when found, but many had disappeared either prior to, or during, World War II. The network was known as the 1945 Land and Claims Triangulation Network.

The 1913 records of geographic position of the two stations used for the base line were adopted and plane rectangular coordinates in a polyconic grid projection were generated for these stations. As in 1913, the datum was assigned the coordinates 50,000 metres east and 50,000 metres north to ensure all coordinates on the island remained positive. The origin was referred to as "Agana Monument - 1945" and was approximately one metre from the previous datum "Agana Monument - 1913".

Using the same height datum as the 1913 network, approximately 50 benchmarks were levelled in 1945. These stations consisted of the more accessible GGTN stations and selected road centreline monuments.

The U.S. Coast and Geodetic Survey revised the network in 1963, effectively replacing the 1913 and 1945 systems with the Guam Geodetic Triangulation Network (GGTN). The Government of Guam carried out the second and third order (tertiary) network densification associated with this new control survey. The existing stations which were located were incorporated into the system and assigned 1963 coordinates. The network consisted of 29 primary stations and 130 secondary or intermediate stations.

The Clarke Spheroid of 1866 was adopted for defining the geographical coordinates, and the Agana Monument - 1945 was selected as the origin. The coordinate system chosen approximates an azimuthal equal distance projection in which geodetic and grid north coincide at the origin. The coordinate values of 50,000m east and 50,000m north were again assigned to the Agana Monument - 1945. Because of the relative smallness of the island, the difference between grid and geodetic lengths is not significant.

The GGTN '63 does not extend into the Federal lands which include the Andersen Airforce Base and the Naval Base. These lands constitute approximately one third of the island.

5.4 LAND USE PLANNING

5.4.1 Agencies Involved

There are several organisations in Guam which are involved in the land use planning process. The major participants are:

- Bureau of Planning;
- The Legislature;
- Municipal Planning Councils;
- Territorial Planning Council (TPC);
- Ad Hoc review committees.

The TPC is a 12 person committee which consists of CEO's of Government departments, civic leaders and senators.

Three other agencies are involved in administering the zoning laws. These are:

- Department of Land Management (Land Planning Division)
- Territorial Land Use Commission (TLUC)
- Development Review Committee (DRC)

The DRC consists of nine agencies, namely:

- Guam Environmental Protection Authority (GEPA);
- Public Utility Agency of Guam (PUAG);
- Dept. of Public Works (DPW);
- Bureau of Planning (BOP);
- Dept. of Parks and Recreation (DPR);
- Chamorro Language Commission (CLC);
- Dept. of Agriculture;
- Dept. of Commerce;

SECTION 2 SURVEYING AND MAPPING

2.1 GEODETIC NETWORK

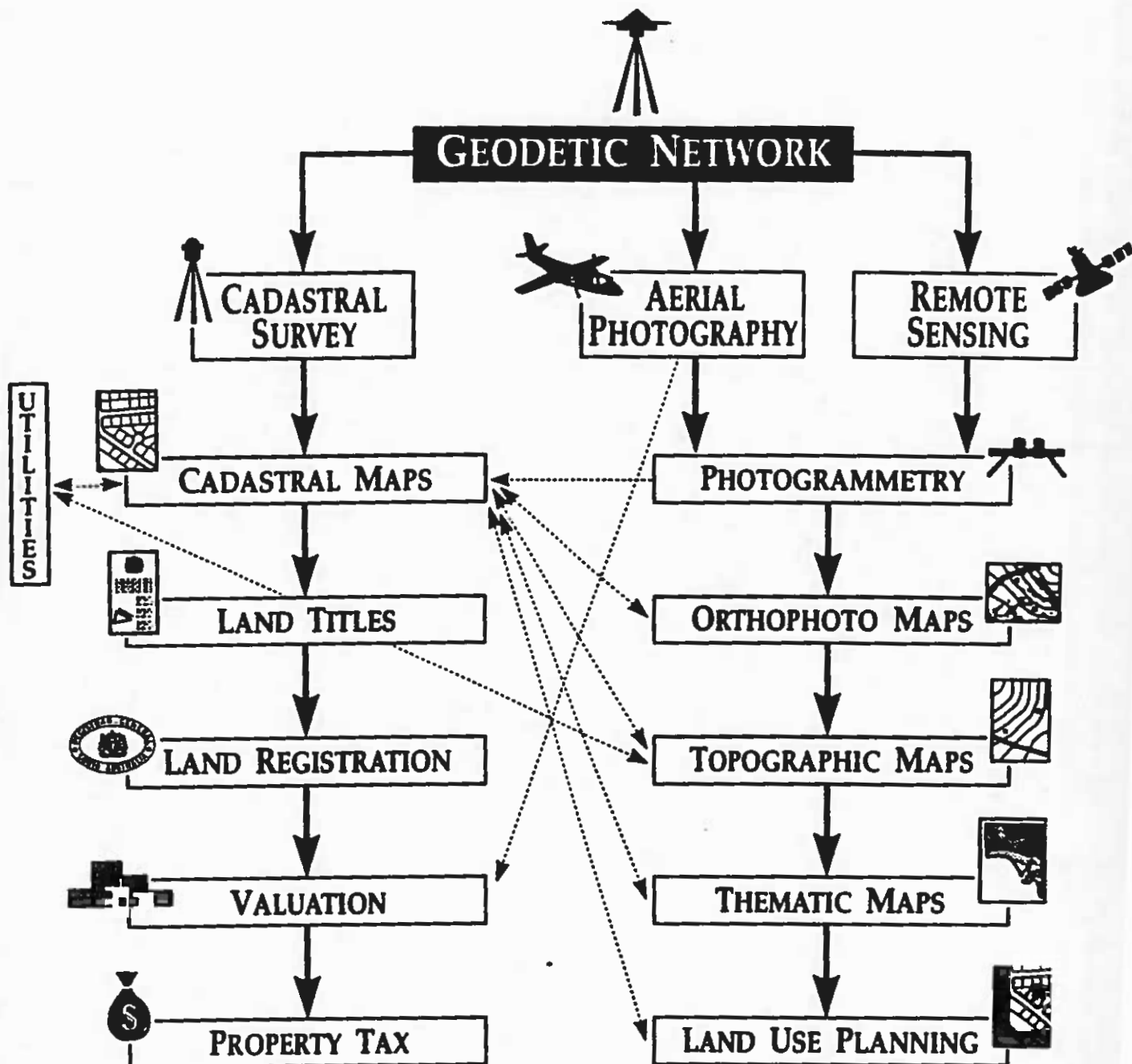
The existence and accuracy of a geodetic network is of great importance to the social and economic development of a country. Some of the roles of a geodetic network, and the benefits to be gained are as follows:

- *a geodetic network provides fundamental support to land surveying, mapping, engineering and related applications. It provides the basis for the integration of all such activities; for example, the design and layout of major developments;*
- *an existence of a homogeneous coordinate system provided by a geodetic network is essential to a Land Information System. It enables the efficient spatial integration of data from many different sources (e.g. planning, facility data, survey, mapping, remote sensing). See Figure 3;*
- *an effective geodetic network controls the position of surveys, thus significantly lessening the creation of boundary overlaps;*
- *a geodetic network also lays the foundation for a coordinate - based cadastre and surveying system, the ultimate of which is a legal coordinated cadastre where coordinates of boundary corners are given precedence over other boundary evidence. Recent studies have shown significant benefits in such a system;*
- *the existence of an accurate primary network also aids in the monitoring of earth movements in seismic and plate tectonic studies.*

For the majority of the above, the requirements of an effective network are:

- *appropriate accuracy of coordinates;*
- *well maintained survey marks;*
- *sufficient density of marks to enable all surveys to be adequately connected;*
- *an increase in density of marks as development occurs;*
- *an adequate record system holding information related to marks.*

LAND INFORMATION SYSTEM



A geodetic network plays a fundamental role in any LIS, enabling the spatial integration of data from a wide cross-section of sources.

FIGURE 3

2.1.1 Assessment of Current Situation

The Guam Geodetic Triangulation Net is not adequately fulfilling its role as an effective geodetic network.

Cadastral surveys are required to show a connection to the GGTN, but in many instances, these connections are insufficient to control the position of the survey. The network is too sparse and the integrity of the 1963 GGTN coordinates are doubtful. In some instances, there are two different sets of coordinates for the same mark. This situation may occur where two separate traversing loops meet.

Due to the physical location of many of the GGTN stations on the carriageway, many marks are lost due to road works and construction. Furthermore, the safety of survey teams is becoming an issue with the increase in road traffic.

There is no maintenance of GGTN marks and it has been suggested that 75% of them may have been destroyed. The surveying profession rely upon local knowledge of the network as there are no records kept of which stations have been lost.

The limited resources within the DLM Survey Division preclude the network from being densified or extended as development occurs. While it is recognised that this is needed, DLM do not have a clear strategy for achieving it.

DLM appear to have limited in-house expertise in the geodetic area. All previous work, including that commenced in 1975 but never completed, has been either carried out or overseen by Federal Government Departments.

2.1.2 Opportunities for Improvement

Soon after the implementation of the GGTN '63, it was recognised that problems existed with the network and in 1975 an attempt was made to upgrade it. The new network never came to fruition, perhaps through lack of funding or a change in priorities. Even more so now than in 1975, the current network is inadequate to support the development taking place in Guam.

It is strongly argued that in a modern country undergoing a significant economic re-structuring and rapidly escalating land prices, the existence of an extensive, precise geodetic network is a fundamental requirement.

Without the accurate framework provided by such a geodetic network, the GGTN coordinate system will never, in itself, have the ability to unambiguously retrace a lot boundary. In such a situation, the volume of boundary dispute litigation will continue to rise and put undue pressure on the Courts and on the economic capability of the individual to achieve just consideration of land claims.

The long term goal of rigidly controlling the position of all property boundaries such that boundary disputes are minimised is a basic premise in building and maintaining an accurate geodetic network. Such a system provides the opportunity to move towards a legal, coordinated cadastre in which coordinates are given precedence over other boundary evidence. While such a move may not be contemplated at present, it is a sound strategy to ensure that decisions preventing such a move in the future are not made in the short term.

To provide an accurate, homogeneous control network for all cadastral surveying, the existing GGTN requires upgrading. Taking into account the existing stations, such a project to upgrade the geodetic network would entail selection of an ideal distribution of GGTN station sites, building of new monuments, observations, densification of the network in areas of recent development and a complete adjustment of the network.

A New Geodetic Network

With the limited equipment and geodetic resources within DLM, it is proposed that DLM contract for the creation of a new primary geodetic network using the satellite-based Global Positioning System (GPS) technology. An optimum network distribution should be established and an adjustment carried out. It is envisaged that, using GPS technology, about 10-20 primary marks may be required. Because GPS does not rely on line-of-sight between marks, the selection of position of the new primary network marks would be based upon the permanency and accessibility, and hence would most likely not be on hill-tops as in previous networks.

The use of GPS technology relies on the determination of the absolute position (latitude, longitude and geoidal height) of at least one primary point, preferably two. GPS precision code measurements together with gravity observations are generally required. The point chosen is usually referred to as the "datum monument" as it defines the datum used for all other network marks, and the positions of other points are determined with respect to the

datum monument. The existing Agana Monument provided the datum in the previous geodetic network and its suitability as a datum monument for the proposed new network should be assessed.

It is likely that the military have already determined an absolute position of at least one point on Guam for their own use. This possibility should be further investigated, as access to such a mark would make new absolute measurements unnecessary. Other aspects of any GPS work done in military areas should also be investigated if possible, particularly the datum used.

An upgrade of the GGTN would provide the opportunity to consider the appropriateness of the current datum, spheroid and coordinate system. Because of the inaccuracies in the current coordinate system, an upgrade of coordinate values in the same system would be likely to produce even more confusion than already exists with 3 coordinate systems within one metre of each other. With an eye towards future technology, it may be deemed an opportune time to adopt an earth-centred datum which would be aligned with the development of land and sea satellite navigation systems. Once the technology of such systems is developed sufficiently for the mass market, there would be advantages in having such a datum. Perhaps more importantly, the current trend is for most countries to adopt earth centred datums, and the continuation of a different datum would ultimately place Guam out of synchronisation with the rest of the world. In fact, it is highly likely that recent GPS work in the military areas of Guam was reduced to an earth centred datum. Furthermore, an earth centred datum would allow for easier reduction of GPS observations.

It should be noted that a change in datum may make it difficult to inter-relate existing mapping with mapping based on the new coordinate system. That is, adjacent maps in two different systems are likely to have a gap or an overlap where they are expected to meet. However, it is not expected that this will create a major problem in Guam, due firstly to the limited mapping currently existing, and due secondly to the proposal for mapping information to be digitised in the future.

On the other hand, digital information already collected in GGTN 1963 coordinates would need to be transformed into the new coordinate system. Of course, the earlier the new network is introduced, and the less digital data is collected in the old system, the easier the transformation will be. This is further discussed in Part B Section 2.3.2.

Perhaps one other disadvantage of adopting a new coordinate system would be the legal implications of such a move. These should be investigated.

In comparison, the disadvantages of staying with the existing datum are as follows:

- . the existing datum is not in line with the "pseudo-standard" datum for the world, hence Guam would find itself out of synchronisation with the rest of the world;
- . a fourth set of coordinates would be generated which are similar to those in the previous three coordinate systems for Guam, thus exacerbating the confusion which already exists;
- . the use of satellite systems in the future, such as satellite navigation, would be less convenient (due to the need for transformation parameters);
- . the reduction of GPS data would be more difficult.

An appropriate map projection would need to be determined. A universal transverse mercator projection, with the central meridian through the centre of the island, and a scale factor of 1.0 may be suitable.

Assuming a new datum is decided upon, to facilitate the creation of transformation equations between the 1963 network and the new coordinate system, the connection of existing primary network marks into the system should be considered. If possible, a mathematical equation should be developed and made available for general use to enable the transforming of GGTN '63 coordinates into the new system. More likely, several localised area transformation equations would need to be derived.

The establishment of a tertiary (that is, third order) network should be undertaken concurrently with the primary network project. Ideally, a tertiary network should be established throughout Guam. However, it may be deemed more appropriate to first concentrate on areas of existing high development or anticipated future development, or in areas where the cadastre is known to be particularly poor. The benefits of establishing a tertiary network throughout Guam on a one-off project should be investigated.

The possibility of using a combination of EDM and kinematic¹ GPS techniques for the tertiary network should be investigated. Where possible, there are generally significant benefits to be realised from the use of kinematic GPS techniques; however, certain conditions, such as the maintenance of satellite "lock", must be achievable. All existing GGTNs in tertiary network areas should be included in the network.

The ideal density of marks for tertiary network areas would need to be determined (e.g. a spacing of less than 250 metres between marks in urban areas, and less than 1.5 kilometres in rural areas, may be appropriate). Marks of sufficient permanency would need to be in place prior to the measurements being taken.

The need for an improved vertical network should be further investigated, but it is reasonable to assume that the establishment of vertical information on all new network marks would be worthwhile. An opportunity would exist to assess the usefulness of GPS techniques to provide heighting information for each mark connected to the network without the need for traditional levelling.

By carefully selecting 6 or more bench marks which have previously been connected to a homogeneous local vertical datum, and which are judiciously spaced around the island, and by including these marks in the new geodetic network, a transformation between GPS earth centred heights and the local datum may be able to be deduced. If this was found to be unattainable, an opportunity to provide heighting information in smaller areas, by connecting to a number of bench marks in a smaller area less affected by geoid-spheroid separations may be worth considering.

It is generally accepted (and, indeed, particularly necessary for port authorities) that a height datum should be based on mean sea level. It should be noted that the above option perpetuates the existing vertical datum which is based on tidal observations between 1949 and 1962 depicting mean sea level at that time. It is highly likely that the position of mean sea level has since altered and, accordingly, the creation of a new height datum may be appropriate. It should be

¹ Kinematic GPS involves the use of a stationary GPS receiver and a roving receiver. To position a series of third order geodetic stations, the stationary receiver occupies an existing primary station while the roving receiver occupies each of the new third order stations, and receives satellite signals, for as little as two minutes. Many stations may be positioned to third order accuracy in a relatively short space of time. To achieve the required data redundancy, the process is generally repeated with the stationary receiver occupying a different primary station.

noted, however, that a change in vertical datum may have cadastral boundary implications where boundaries are based on height, e.g. high water mark.

To use GPS to establish a new height datum and generate height information for all occupied network marks, the following are likely to be required:

- . the derivation of mean sea level using precise levelling between two high precision tide gauges (existing tide gauges should be assessed for reliability and accuracy, and if found inappropriate or inadequate, two high precision tide gauges should be placed at selected sites);*
- . a model of the geoid (The geoid can be modelled using gravity measurements over a large area surrounding Guam. Gravity measurements are available for most parts of the world from sources such as the University of New South Wales in Australia);*
- . a map of differences between the spheroid and the geoid for Guam. (The sources mentioned above can also derive such a map);*
- . absolute gravity observations at tide gauges and relative gravity observations at other sites (perhaps two) in order to estimate the accuracy of the geoid.*

The practice of positioning marks in road centre-lines should be reviewed. Where possible, new stations should be located within the right-of-way but off the made-up carriageway. To ensure the ability to connect all new surveys to the GGTN, consideration should be given to placing stations in private easements as well as the right-of-ways.

To facilitate the input and control of existing survey maps in the new network, when traversing or using kinematic GPS for establishing the third order network stations, consideration should be given to fixing existing survey monumentation such as road centre-line monuments or private surveyors' monuments. This should be particularly considered in areas where the cadastre is known to be poor (e.g. where significant overlaps and gaps occur).

Similarly, to facilitate the transformation of existing property maps into the new network and hence into the Survey Data Base, consideration should be given to incorporating GGTN 1963 data in the adjustment. This would enable new coordinates to be provided for marks which have been destroyed, but which are shown on numerous property maps.

If available, 1963 data may be useful in other ways. For instance, another adjustment by geodetic experts may more closely identify errors in the old network.

Mark Maintenance and Supplementary Connections

From the moment marks are placed in the ground, an on-going system of mark maintenance should be introduced to maintain the new network. Although the private industry could have a role to play in a maintenance scheme, it is highly likely that the most practical approach would be the allocation of resources from within DLM.

A system of "supplementary connections" should be introduced as a standard practice to support new property development activity in tertiary network areas. Such a system would entail the accurate connection to the geodetic network of marks placed by surveyors, after the survey had been completed. To reduce the measurements and thus create accurate coordinates, an adjustment package such as GEOLAB, PCGANET or PCNEWGAN would be required. Additional survey equipment and perhaps training for staff may be required. The monuments would then become tertiary network marks.

In non-tertiary network areas, in areas where development is anticipated, network densification, or the creation of tertiary network areas, prior to development is preferable. Because such densification usually results in a loss of marks during development, subsequent supplementary connections may be necessary.

The option of either DLM or the developer carrying out supplementary connections should be considered. If the private surveyor did the supplementary connection, then the property map may satisfy the location diagram requirement. In this instance, the depiction of occupation etc. adjacent to the monument would be particularly important. Alternative arrangements would be required if done by DLM.

Penalties for anyone involved in the destruction of survey monuments, particularly GGTN stations, should be reviewed to ensure that penalties are adequate. Such legislation should be actively policed by DLM.

A public relations exercise should be undertaken to educate utility agencies and the public of the importance of retaining survey monuments, and the penalties associated with their removal.

Mark Records

For each network station, a location diagram should be prepared and maintained for use by surveyors, utility agencies and the public until, over time, survey maps connecting to the stations are produced and available for this purpose.

A computerised data base should be created containing comprehensive information on the position and associated attributes for all network stations. Logically, this should be a component of the comprehensive Survey Data Base being proposed (see Part B, Section 2.2). However, in the interim, information on the network stations, including maintenance data, should be compiled and maintained in digital form. A PC-based system such as dBase IV could be utilised for this task.

2.2 CADASTRAL SURVEYING

2.2.1 Assessment of the Current Situation

In assessing the current situation, the discussion points associated with cadastral surveying can be broadly grouped into the following categories:

- cadastral processes;*
- professionalism and regulation of the survey industry;*
- survey checking;*
- boundary overlaps;*
- survey records;*
- staffing and resources.*

Each will be discussed in the following.

Cadastral Processes

Because of the lack of maintenance of GGTN marks, surveyors over the years have resorted to showing data connections to the GGTN without actually surveying to the mark. In some cases, these data connections may even be to marks which, in fact, had gone at the time of the survey. As such, the connection to the GGTN is not controlling the accuracy nor the position of the survey.

TITLE IV - REGIONAL MARINE RESEARCH PROGRAM

"The Mitchell Bill"

- The purpose of this title is to establish a regional research program under Federal oversight that will set the priorities for regional marine and coastal research in support of efforts to safeguard the water quality and ecosystem of each region.
- The Mitchell Bill passed by the 101st Congress provides for much needed funds for marine research in the Pacific region. The guidelines of the legislation calls for the establishment of a Regional Marine Research Board to develop and administer the program in nine coastal regions and the Great Lakes. The Pacific is one designated region. Pacific island states and territories were urged to move forward in implementing the legislation in view of the anticipated availability of 1992 monies.
- During the PBDC Annual Meeting held in Saipan, the Board of Directors reviewed and discussed the responsibilities surrounding the appointments to the Insular Pacific Regional Marine Research Board.
- The Governors of the Territories of American Samoa and Guam, the Commonwealth of the Northern Mariana Islands and the State of Hawaii will each make one appointment. Guam will appoint one additional representative from the University of Guam to serve as a member of the Board. It was also agreed that the Executive Director of PBDC serve as the final member to the Research Board.
- In the PBDC Winter Meeting, the Governors will be asked to endorse the nominees provided by PBDC to the Regional Marine Research Board.



University of Guam

MARINE LABORATORY
UOG Station, Mangilao, Guam 96923

September 9, 1991



MEMORANDUM

To: Director, Bureau of Planning

From: Director, Marine Laboratory

Subject: Regional Marine Research Program

I have been following the progress of the Mitchell Bill since it first came up, and am aware of several points of interest from Guam's perspective. Jack Davidson, University of Hawaii Sea Grant program, has been trying to gain the chairmanship from the start, and wrote to Governor Wahiee indicating his intent. This is good for Hawaii, but bad for Guam, CNMI and Samoa, as Dr. Davidson has an established record of using the Islands to receive support for his own program, while little actually goes to the islands he claims to represent. The bill states that the chairmanship should go to a Sea Grant Program Director in the area. UOG has a Sea Grant director, presently myself, and Dr. Valerie Paul after October 1, 1991. Two possible strategies: 1) We push to have the islands chair the committee, or someone other than Jack Davidson, as he has an objectional history of diverting to his own program (we can document this); Dr. Valerie Paul would be a good candidate 2) We allow Davidson to maintain the chairmanship, but require that all correspondence be open to the committee, and that as established by Robert's Rules of Order, the chair cannot make motions, and only votes to break a tie.

The 6 members chosen by the Governors should include one representative from each of the "states" (Hawaii, Guam, Samoa, and the Marianas Islands), and if Hawaii has the chair, limit them to no more than 1 individual. It would be wise to include a representative from Palau and/or FSM, as they have many concerns we share, as well as expertise, and it would be a wise political move to help the region. My suggestions include:

Dr. Valerie Paul - Guam Sea Grant Director
Research/research administration

Dr. Robert Richmond - UOG Marine Lab Researcher
coral reef ecology/environmental biology

Mr. Gerry Davis - Guam Division of Aquatic and Wildlife Res.
Chief Fisheries Officer

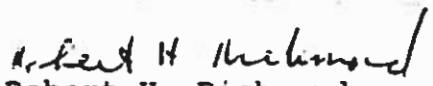
Mr. Mel Borja - Guam EPA
water quality/environmental concerns
Mr. Arnold Palacios - CNMI Fish and Wildlife
marine resources/fisheries
Mr. Noah Idechong - Palau Marine Resources Division
marine resources/fisheries

OR

Mr. David Idip - Palau Division of Natural Resources
marine resources/fisheries
Dr. Paul Jokiel - Hawaii Inst. of Marine Biology
good scientist/does not play politics

The Mitchell Bill can provide much-needed funding to perform research critical to protection/utilization of marine resources. If the committee is objective, all will benefit. I am very concerned that Jack Davidson will turn this into another way of expanding his own personal program which does little of value to the region. We should work closely with the other islands to see that this opportunity for assisting the region protect and develop marine resources does not get lost in the political arena.

If you want to discuss this further, or need additional input or suggestions, please contact me at your convenience. This is an important one that we need to take a strong position on.


Robert H. Richmond



Seal of the Commonwealth of the Philippines

ROUTING AND TRANSMITTAL SLIP
Office of the Governor

From: Lourdes T. Pangelinan *dy* Date: 8/27 Document Number C-91 3/32

To:		
1. Governor	1. Action	
2. Lieutenant Governor	2. Approval	
3. Chief of Staff	3. As requested	
4. Communications	4. Circulate	
5. Health, Education & Human Resources	5. Clearance	
6. Government Reorganization	6. Comment	
7. Utilities, Transportation Physical Infrastructure	7. Coordinate	
8. Community Affairs	8. File	
9. Chief Financial Officer	9. For info	
10. Legal Counsel	10. Justify	
11. Commission on Self-Determination	11. Per conversation	
12. Bureau of Budget and Management Research	12. Prepare Reply	
13. Bureau of Planning	13. Prepare Reply for Governor	
14. Volunteers are Important People	14. Prepare Reply for Lieutenant Governor	
15. Other:	15. Redraft	
	16. Review	
	17. Retype	
	18. Signature	
	19. See Me	

REMARKS:

Mike - This is disturbing relation
Another VHT grabbing of power (Wu p...), dividing
having internal planning meetings, etc. Am 3
composition of the right board, etc. VOG & K...
Turkey has a harden to screen over VOG & K...
It's time to coordinate this board... but we
need VOG / GEPs to provide us with
substantive comments & recommendations
about the role we want to play in
this organization, like the
its mandate. Like the
people that the initiative
will probably get pittance
for our participation.
Y.

UNIVERSITY OF HAWAII

Sea Grant College Program
School of Ocean and Earth Science and Technology

August 19, 1991

The Honorable Joseph Ada
Governor of Guam
Agana, Guam 96910

Dear Governor Ada:

I have attached a copy of legislation which was passed by the 101 Congress known as the "Mitchell Bill. This legislation amended the Marine Protection, Research and Sanctuaries Act by adding a new title: Title IV--Regional Marine Research Program.

The Legislation calls for establishment of Regional Marine Research Boards to develop and administer this program in nine coastal regions and the Great Lakes. The insular Pacific is one designated region.

Each Board is to have 3 members appointed by NOAA: 1 member who shall be a Sea Grant Program Director from a State in the region and who shall serve as chairman of the board; 2 members to be appointed by the Environment Protection Agency; and 6 members appointed by the Governors of States located within each region. I believe you have already received a letter from Dr. John A. Knauss, Under Secretary of Commerce for the National Oceanic and Atmospheric Administration, which designates me as the Chairman of the Pacific Region Research Board.

Although no money was appropriated in 1991, the National Oceanic and Atmospheric Administration, Department of Commerce (NOAA) moved ahead to the extent of designating the Chairperson of the Board and holding several internal planning meetings as well as one meeting with the Board Chairpersons.

It is my understanding that you will shortly receive a letter from Dr. Knauss inviting you to nominate potential members for the Regional Marine Research Boards, and providing some suggested criteria for their selection. This will permit NOAA to proceed quickly with the appointments if and when an appropriation is made.

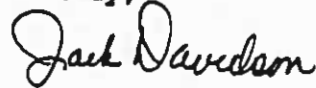
I have also attached a copy of an electronic mail message I received on July 22 from David Duane, Acting Director of NOAA's Office of Oceanic Research Programs. This informed us of a \$6 million appropriation for 1992 by the Senate Appropriation Committee. This would probably be a reasonable amount to start the program and develop the regional plans, except that the total sum was earmarked for the Gulf of Maine and New York Bight with nothing for the other regions.

When I received this message, I immediately wrote to Margaret Cummisky of Senator Inouye's staff. I indicated my hopes that she could find some way to help convince her Senate colleagues to change the language in Senate-House Conference Committee and to distribute the \$6 million equally among the 9 regions. I have not heard back from her as yet. A show of interest from the Governors might help influence Senator Inouye's decision to take action. I expect the Conference Committee to meet soon after the August Congressional recess.

At the present time there are no funds to start the process of developing the regional research plans. However we should be prepared to start promptly if an appropriation is made. In the meantime if you or your staff have questions concerning this program I will try to find the answers. If you or your designees are in Honolulu I would be happy to meet and discuss developments or strategy.

I will keep you updated on developments.

Sincerely,



Jack R. Davidson
Director

Attachments
c Jerry Norris

the enforcement of the MARCA. (3) by striking sections 208 and 209 and inserting in lieu thereof the following:

"SEC. 208. AUTHORIZATION.
"For the purposes of carrying out the provisions of this Act, there is authorized to be appropriated to the Environmental Protection Agency \$12,000,000 for fiscal year 1991, \$12,000,000 for fiscal year 1992, \$22,000,000 for fiscal year 1993, \$22,000,000 for fiscal year 1994, and \$32,000,000 for fiscal year 1995."

(4) by adding the following new title at the appropriate place in the bill:

TITLE III—REGIONAL MARINE RESEARCH PROGRAMS

SEC. 301. REGIONAL MARINE RESEARCH PROGRAMS

"The Marine Protection, Research and Sanctuaries Act (33 U.S.C. 1401 et seq.) is amended by adding at the end thereof the following new title:

TITLE IV—REGIONAL MARINE RESEARCH PROGRAMS

PURPOSES

"Sec. 401. The purpose of this title is to establish regional research programs, under effective Federal oversight, to—

"(1) set priorities for regional marine and coastal research in support of efforts to safeguard the water quality and ecosystem health of each region; and

"(2) carry out such research through grants and improved coordination.

DEFINITIONS

"Sec. 402. As used in this title, the term—

"(1) 'Board' means any Regional Marine Research board established pursuant to section 403(a);

"(2) 'Federal agency' means any department, agency, or other instrumentality of the Federal Government, including any independent agency or establishment of the Federal Government and any government corporation;

"(3) 'local government' means any city, town, borough, county, parish, district, or other public body which is a political subdivision of a State and which is created pursuant to State law;

"(4) 'marine coastal waters' means estuaries, waters the estuarine zone, including wetlands, any other waters seaward of the historic height of tidal influence, the territorial seas, the contiguous zone, and the ocean;

"(5) 'nonprofit organization' means any organization, association, or institution described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation pursuant to section 501(a) of such Code;

"(6) 'region' means 1 of the 9 regions described in section 403(a); and

"(7) 'State' means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

REGIONAL MARINE RESEARCH BOARDS

"Sec. 403. (a) Establishment.—A Regional Marine Research board shall be established for each of the following regions:

"(1) the Gulf of Maine region, comprised of the marine and coastal waters off the States of Maine, New Hampshire, and Massachusetts (north of Cape Cod);

"(2) the greater New York bight region, comprised of the marine and coastal waters off the States of Massachusetts (south of Cape Cod), Rhode Island, Connecticut, New York, and New Jersey, from Cape Cod to Cape May;

"(3) the mid-Atlantic region, comprised of the marine and coastal waters off the States of New Jersey, Delaware, Maryland, Virginia, and North Carolina, from Cape May to Cape Fear;

"(4) the South Atlantic region, comprised of the marine and coastal waters off the States of North Carolina, South Carolina, Georgia, and Florida, from Cape Fear to the Florida Keys, including the marine and coastal waters off Puerto Rico and the United States Virgin Islands;

"(5) the Gulf of Mexico region, comprised of the marine and coastal waters off the States of Florida, Alabama, Mississippi, Louisiana, and Texas, along the Gulf coast from the Florida Keys to the Mexican border;

"(6) the California region, comprised of the marine and coastal waters off the State of California, from Point Reyes to the Mexican border;

"(7) the North Pacific region, comprised of the marine and coastal waters off the States of California, Oregon, and Washington, from Point Reyes to the Canadian border;

"(8) the Alaska region, comprised of the marine and coastal waters off the State of Alaska; and

"(9) the Hawaiian Pacific region, comprised of the marine and coastal waters off the State of Hawaii, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

The Great Lakes Research Office authorized under section 1116(d) of the Federal Water Pollution Control Act (33 U.S.C. 1316(d)) shall be responsible for research in the Great Lakes region and shall be considered the Great Lakes counterpart to the research program established pursuant to this title.

(b) MEMBERSHIP.—

"(1) Composition.—Each Board shall be comprised of members of which—

"(A) 2 members shall be appointed by the Administrator of the National Oceanic and Atmospheric Administration, including 1 member who shall be a senior program Director from a State within each region, who shall serve as chairman of the board;

"(B) 2 members shall be appointed by the Administrator of the Environmental Protection Agency; and

"(C) 5 members shall be appointed by Governors of State located within the region.

"(2) QUALIFICATIONS.—Each individual appointed as a member of a Board shall possess expertise, pertinent to the region concerned, in scientific research, coastal zone management, fishery management, water quality management, State or local government, or any other area which is directly relevant to the functions of the Board. A majority of the members of each Board shall be trained in a field of marine or aquatic science and shall be currently engaged in research or research administration.

"(3) TERM.—Each appointed member of a Board shall serve for a term of 4 years.

"(4) VACANCY.—In the event of a vacancy, a replacement member shall be appointed in the same manner and in accordance with the same requirements as the member being replaced and shall serve the remainder of the term of the replaced member.

"(5) REMUNERATION OR EXPENSE.—Each appointed member of a Board may be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from the member's usual place of residence, in accordance with section 5703 of title 5, United States Code, when engaged in the actual performance of Board duties.

"(6) FUNCTIONS.—Each Board shall, in accordance with the provisions of this title—

"(1) develop and submit to the Administrator of the National Oceanic and Atmospheric Administration and the Environmental Protection Agency a marine research plan, including periodic amendments thereto, that meets the requirements of section 404;

"(2) provide a forum for coordinating research among research institutions and agencies;

"(3) provide for review and comment on research plans by affected users and interests, such as the commercial and recreational fishing industries, other marine industries, State and local government entities, and environmental organizations;

"(4) ensure that the highest quality of research projects will be conducted to carry out the comprehensive plan; and

"(5) prepare, for submission to Congress, a periodic report on the marine environmental research issues and activities within the region in accordance with section 406 of this title.

"(d) POWERS.—Each Board shall be authorized to—

"(1) cooperate with Federal agencies, with States and with local government entities, interstate and regional agencies, other public agencies and authorities, nonprofit institutions, laboratories, and organizations, or other appropriate persons, in the preparation and support of marine research in the region;

"(2) enter into contracts, cooperative agreements or grants to State and local government entities, other public agencies or institutions, and nonprofit institutions and organizations for purposes of carrying out the provisions of this title;

"(3) collect and make available through publications and other appropriate means, the results of, and other information pertaining to, the research conducted in the region;

"(4) call conferences on regional marine research and assessment issues, giving opportunity for interested persons to be heard and present papers at such conference;

"(5) develop and stimulate, in consultation with the Department of State, joint marine research projects with foreign nations;

"(6) utilize facilities and personnel of existing Federal agencies, including scientific laboratories and research facilities;

"(7) accept, and for all general purposes of this Act, utilize funds from other sources, including but not limited to State and local funds, university funds, and donations; and

"(8) acquire secret processes, inventions, patent applications, patents, licenses, and property rights, by purchase, license, lease, or donation.

(e) ADMINISTRATION.—

"(1) PRACTICES AND PROCEDURES.—Each Board shall determine its organization, and prescribe its practices and procedures for carrying out its functions under this title. Each Board should use existing research administrative capability to the extent practicable.

"(2) COMMITTEES AND SUBCOMMITTEES.—Each Board shall establish such committees and subcommittees as are appropriate in the performance of its functions.

"(3) STAFF AND SUPPORT.—Each Board is authorized to hire such staff as are necessary to carry out the functions of the Board.

"(f) TERMINATION.—Each Board shall cease to exist on October 1, 1995, unless extended by Congress.

REGIONAL RESEARCH PLANS

"Sec. 404. (a) DEVELOPMENT AND AMENDMENT OF REGIONAL PLANS.—

"(1) IN GENERAL.—Each Board shall develop a comprehensive 4-year marine research

plan for the region for which the Board is responsible, and shall amend the plan at such times as the Board considers necessary to reflect changing conditions, but no less frequently than once every 4 years.

"(2) **REVIEW AND COMPLETION OF NATIONAL PLAN.**—In the development and amendment of its research plan, the Board shall consider findings and recommendations of the national plan developed pursuant to the National Ocean Pollution Planning Act of 1978 (23 U.S.C. 1701 et seq.).

"(b) **CONTENTS OF PLAN.**—Such marine research plan shall include—

"(1) an overview of the environmental quality conditions in the coastal and marine waters of the region and expected trends in these conditions;

"(2) a comprehensive inventory and description of all marine research related to water quality and ecosystem health expected to be conducted in the region during the 4-year term of the research plan;

"(3) a statement and explanation of the marine research needs and priorities applicable to the marine and coastal waters of the region over the upcoming 10-year period with emphasis on the upcoming 3-to-5 year period;

"(4) an assessment of how the plan will incorporate existing marine, coastal, and estuarine research and management in the region, including activities pursuant to section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) and section 315 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1451); and

"(5) a general description of marine research and monitoring objectives and timetables for achievement through the funding of projects under this title during the 4-year period covered by the plan so as to meet the priorities specified in the plan in accordance with paragraph (3).

"(c) **PLAN REVIEW AND APPROVAL.**—

"(1) **IN GENERAL.**—When a Board has developed a marine research plan, including amendments thereto, the Board shall submit the plan to the Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Environmental Protection Agency, who shall jointly determine whether the plan meets the requirements of subsection (b).

"(2) **TIME FOR APPROVAL OR DISAPPROVAL.**—The Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Environmental Protection Agency, shall jointly approve or disapprove such research plan within 120 days after receiving the plan.

"(3) **ACTION AFTER DISAPPROVAL.**—In the case of disapproval of such research plan, the Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Environmental Protection Agency shall jointly notify the appropriate Board in writing, stating in detail the revisions necessary to obtain approval of the plan. Such Administrators shall approve or disapprove the revised plan within 90 days after receiving the revised plan from the Board.

"RESEARCH GRANT PROGRAM

"Sec. 405. (a) **PROGRAM ADMINISTRATION.**—The Administrator of the National Oceanic and Atmospheric Administration shall administer a grant program to support the administrative functions of each Board.

"(b) **RESEARCH GRANTS.**—(1) Each Board may annually submit a grant application to the Administrator of the National Oceanic and Atmospheric Administration to fund projects aimed at achieving the research priorities set forth in each research plan, including amendments thereto, developed and approved pursuant to section 404.

"(2) Project eligible for funding under this section shall include research, investigations, studies, surveys, or demonstrations with respect to—

"(A) baseline assessment of marine environmental quality, including chemical, physical, and biological indicators of environmental quality;

"(B) effects or potential effects of contaminants, including nutrients, toxic chemicals and heavy metals, on the environment, including marine and aquatic organisms;

"(C) effects of modification of habitats, including coastal wetlands, seagrass beds and reefs, on the environment, including marine organisms;

"(D) assessment of impacts of pollutant sources and pollutant discharges into the coastal environment;

"(E) transport, dispersion, transformation, and fate and effect of contaminants in the marine environment;

"(F) marine and estuarine habitat assessment and restoration;

"(G) methods and techniques for modeling environmental quality conditions and trends;

"(H) methods and techniques for sampling of water, sediment, marine and aquatic organisms, and demonstration of such methods and techniques;

"(I) the effects on human health and the environment of contaminants or combinations of contaminants at various levels, whether natural or anthropogenic, that are found in the marine environment;

"(J) environmental assessment of potential effects of major coastal and offshore development projects in the region;

"(K) assessment of the effects of climate change on marine resources in the region; and

"(L) analysis and interpretation of research data for the benefit of State and local environmental protection and resource management agencies in the region.

"(3) Grant applications submitted pursuant to this subsection shall include—

"(A) a description of the specific research projects to be conducted;

"(B) identification of the organization responsible for each project and the principal investigator directing the project;

"(C) a budget statement for each project;

"(D) a schedule of milestones and interim products for each research project;

"(E) a description of the relationship of the proposed project to the goals, objectives, and priorities of the research plan for the region and to other research projects; and

"(F) any other information which may be required by the Administrator.

"(c) **REVIEW AND APPROVAL OF PROJECT PROPOSALS.**—(1) The Administrator of the National Oceanic and Atmospheric Administration shall review the annual grant application and, with the concurrence of the Administrator of the Environmental Protection Agency, approve such grant application with such conditions as are determined to be appropriate based on peer reviews conducted pursuant to paragraph (2).

"(2) The Administrator of the National Oceanic and Atmospheric Administration shall develop a system of peer review of grant applications which shall ensure that only the highest quality research is approved for funding and that each project is reviewed by research scientists outside the region concerned.

"(d) **REPORTING.**—Any recipient of a grant under this section shall report to the appropriate Board, not later than 18 months after award of the grant, on the activities of such recipient conducted pursuant to this subsection. Such report shall include narrative summaries and technical data in such form

as the Administrator of the National Oceanic and Atmospheric Administration may require.

"REPORT ON RESEARCH PROGRAM

"Sec. 406. (a) **PREPARATION AND SUBMISSION OF REPORT.**—Each Board receiving a grant under section 405 shall, not later than 2 years after the approval of its comprehensive plan under section 404 and at 2-year intervals thereafter, prepare and submit to the Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Environmental Protection Agency a report describing—

"(1) the findings and conclusions of research projects conducted in the region;

"(2) recommendations for improvements in the design or implementation of programs for the protection of the marine environment; and

"(3) available data and information concerning ecosystem health within the region.

"(b) **TRANSMITTAL TO CONGRESS.**—Upon receipt of a report prepared by a Board under subsection (a), the Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Environmental Protection Agency shall transmit a copy of such report to the Committee on Commerce, Science, and Transportation and on Environment and Public Works of the Senate and to the Committee on Merchant Marine and Fisheries of the House of Representatives.

"AUTHORIZATION OF APPROPRIATIONS

"Sec. 407. (a) **IN GENERAL.**—For purposes of carrying out the provisions of this title, there are authorized to be appropriated \$18,000,000 for each of the fiscal years 1993 through 1994.

"(b) **ALLOCATION.**—(1) Of funds appropriated in any fiscal year, not more than \$500,000 shall be reserved for administration of this title by the National Oceanic and Atmospheric Administration and the Environmental Protection Agency.

"(2) Funds appropriated in a fiscal year which are available after allocation pursuant to paragraph (1), shall be used to support the administrative costs of Boards established pursuant to subsection 403(a), provided that such funding does not exceed \$100,000 for each research Board in each fiscal year.

"(3) Seventy-five percent of funds appropriated in a fiscal year available after allocation pursuant to paragraphs (1) and (2), shall be allocated equally among Boards located in regions submitting research project grant applications pursuant to section 405(b).

"(4) Twenty-five percent of funds appropriated in a fiscal year available after allocation pursuant to paragraphs (1) and (2), shall be allocated among Boards located in regions submitting research project grant applications pursuant to section 405(b) which, in the judgment of the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Administrator of the Environmental Protection Agency, propose the most needed and highest quality research."

TITLE IV—FOREST FOUNDATION

SECTION ON SHORT TITLE

This title may be cited as the "National Forest Foundation Act."

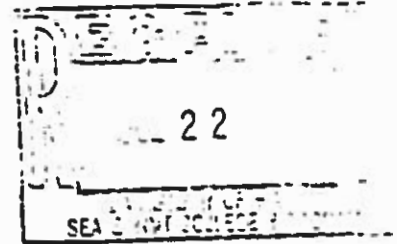
SEC. 401. ESTABLISHMENT AND PURPOSES OF FOUNDATION

(a) **ESTABLISHMENT.**—There is established the National Forest Foundation (hereinafter referred to as the "Foundation") as a charitable and nonprofit corporation domiciled in the District of Columbia.



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
OFFICE OF OCEANIC RESEARCH PROGRAMS
1335 East West Highway Silver Spring, MD 20910

JUL 17 1991



MEMORANDUM FOR: Dr. B.J. Copeland
Dr. Scott Nixon
Dr. Robert E. Wall
Mr. Louie S. Echols
Dr. James J. Sullivan
Dr. Thomas J. Bright
Dr. Jack R. Davidson
Dr. Christopher F. D'Elia
Dr. Ronald K. Dearborn

FROM: Dr. David B. Duane *DDuane*
Acting Director

SUBJECT: Regional Marine Research Program

In the event you are not aware of the Senate Appropriation Committee's mark for the Regional Marine Research Program, this is what it is: \$6 million, of which \$3 million is for the Gulf of Maine, and \$3 million is for the New York (NY) Bight (but reserved for National Undersea Research Program (NURP) activities).

Bob Shephard is presently trying to work the system to learn if it is possible to have the monies allocated to be more in keeping with the spirit of the Act. (I have just learned that an error by staff was the reason for the NURP/NY Bight item. It will be resolved in Conference.) Any ideas or background you have to share will be appreciated.

We will keep you informed.

CC:
Dr. Ned A. Ost enso
Dr. Don Scavi a
Mr. Robert J. Shephard



2-91-3117



UNITED STATES DEPARTMENT OF COMMERCE
The Under Secretary for
Oceans and Atmosphere
Washington, D.C. 20230

AUG 14 1991

Honorable Joseph Ada
Governor of Guam
Agana, Guam 96910

Dear Governor Ada:

Public Law 101-593 (Enclosure 1), establishes nine Regional Marine Research Boards and directs the National Oceanic and Atmospheric Administration (NOAA), in conjunction with the Environmental Protection Agency (EPA), to implement this research program. The purpose of each Board is to develop a long-term, comprehensive regional marine research plan and to implement a program of high quality, peer-reviewed research in support of efforts to safeguard the water quality and ecosystem health of each region. Although the Public Law does not now have appropriations, I believe we should proceed with establishing the Boards.

As prescribed by law, a National Sea Grant College Program state director is to be chairman of the board in each of the regions. I have appointed Dr. Jack R. Davidson, to be chairman of the board of your region, the Insular Pacific. He is located at the University of Hawaii and can be reached at (808) 956-7031. The full list of regions and the various chairmen I have appointed are listed in Enclosure 2. Criteria are being developed by NOAA and EPA to select the other members from each agency. Please take this opportunity to contact the chairman of the board of your region to begin working together to carry out this legislation.

The nine Sea Grant Directors who will serve as chairmen of the regional boards have met and proposed a process for appointing the other Board members. EPA and I endorse the proposed appointment process, as I hope you will. The procedure they recommend is that NOAA, EPA, and the Governors nominate individuals who are qualified and willing to serve. From this pool of candidates, we will work with the chairmen to assemble a slate of nominees for each Board that meet the specifications of the legislation and provide a balance of expertise and representation. When there is a consensus on the makeup of each Board, the appropriate authorities will make their appointments. With this letter, I am asking you to nominate as many candidate Board members as you may choose in accordance with the enclosed



THE ADMINISTRATOR

criteria (Enclosure 3), and send the names to me. Each name submitted should be accompanied by a one-to-two page resume. As soon as I learn there is an appropriation for this program, I will proceed with the selection process so you can appoint members from your state.

Sincerely,

A handwritten signature in dark ink, appearing to read "John A. Knauss". The signature is written in a cursive style with a large initial "J" and a distinct "K".

John A. Knauss

Enclosures



Pacific Basin Development Council

Suite 325 • 567 South King Street • Honolulu, Hawaii 96813-3070

Telephone (808) 523-9325 Facsimile (808) 533-6336

FACSIMILE TRANSMITTAL FORM

ate _____ Fax No. (671) 477 1512
Pages 7 (including this page)
o: _____
rom: _____
ubject: _____

December 24, 1991

ACTION MEMORANDUM #64-91

To: ✓ Mr. Peter Leon Guerrero, BPO, GU
Mr. William "Dyke" Coleman, C/S, AS
Mr. Tim Bruce, CNMI

From: Jerry B. Norris

SUBJECT: INSULAR PACIFIC REGIONAL MARINE RESEARCH BOARD (RMRB)



The purpose of this Action Memorandum is to determine if all of the Governors received a similar letter to the one received by Governor Waihee? A copy is enclosed.

Governor Waihee's staff indicate that they are prepared to thank the NOAA Administrator for his concern, but to again emphasize that these are gubernatorial appointments and that while balance is an important element, the appointments, according to the federal law are those of the Governors and not the national administration. I have enclosed the Administrators letter of August 14th and Governor Waihee's reply of September 18th.

Governor Waihee's staff also feel that it is important to have consensus on this matter and will be making a recommendation to his fellow Governors once you have responded.

While I know this is the Christmas season and we are all busy, your immediate attention to this matter would be appreciated.

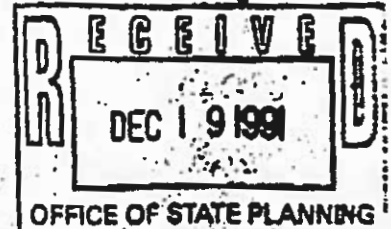
ACTION MEMORANDUM #64-91

December 24, 1991

Page 2

Happy Holidays!!!

JBN4/pn
REGMARINE.1224
ENCLOSURES

002 703
HSM/nw/14/KP-fileDirector, OSPPLEASE COORDINATE WITH DLNE
DOH

- Comment/Recommendation (required)
- Appropriate attention
- Direct reply (cc/bcc: Governor)
- Your information/file
- Direct reply for Governor's signature
- Follow up/report
- Submit copy of response (if any)
- Add enclosure(s)
- Return enclosure(s)
- Other



UNITED STATES DEPARTMENT OF COMMERCE
The Under Secretary for
Oceans and Atmosphere
Washington, D.C. 20230

JN COPY

DEC 11 1991

E seven working days from DEC 17 1991
if delay is encountered in meeting suspense
th. please advise by telephone (immediately)
early, please refer to: 91-667-79

Honorable John Waihee
Governor, State of Hawaii
Honolulu, Hawaii 96813

Dear Governor Waihee:

Thank you for your letter regarding my request for identification of candidates to serve as representatives on the Insular Pacific Regional Marine Research Board (RMRB) authorized under Public Law 101-593. As you have correctly pointed out in reference to the RMRBs, "Six members shall be appointed by the Governors of the States located within the region."

Our suggestions with respect to the process for appointing the members of the RMRBs were intended to help ensure that the marine research boards and marine research plans developed in each region could have equal access to the resources to be provided under this legislation and receive these funds as expeditiously as possible.

While this legislation calls for a broad spectrum of research, it is specific as to the quality of work expected. The National Oceanic and Atmospheric Administration (NOAA) is charged both with the overall administration of this regional marine research program and with assuring that standards for quality are met through approval of the marine research plans, review and approval of project proposals, and by developing appropriate peer review systems.

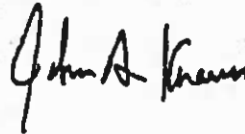
The balance of expertise and representation on each board will largely determine the appropriateness and quality of the plan and the projects. The process of appointing board members in regions with more than one state participating may make it difficult to achieve this balance. In recognition of these factors, it seemed appropriate for NOAA to suggest a process to help the Governors, as well as NOAA and the Environmental Protection Agency, assemble a slate of nominees which could best meet the specifications of the legislation. This process was recently endorsed by the Chairs of the RMRBs (letter enclosed).

2

Both the Chairs and I believe such a process is needed to ensure that each region will be able to continue to stand on equal footing, both in terms of obtaining access to the resources available to regions with approved research plans and to compete for funds allocated to support "the most needed and highest quality research" identified in the legislation. It is on this basis that I offer our services in the selection process.

I have received responses from several Governors regarding this proposed board appointments process which have encouraged me to believe that this approach will assist the respective participants in making their appointments. I would hope you can also endorse this appointments process and that you will respond to my request for identification of your preferred candidates for board membership so that we can proceed with organizational efforts required to initiate board activities for the Insular Pacific region. The final appointments for States' board members will, of course, be subject to the joint Governors' approval.

Sincerely,



John A. Knauss

Enclosure



UNITED STATES DEPARTMENT OF COMMERCE
The Under Secretary for
Oceans and Atmosphere
Washington, D C. 20230

DEC 24 1991

Honorable John Waihee
Governor of Hawaii
Honolulu, Hawaii 96813

Dear Governor Waihee:

Public Law 101-593 (Enclosure 1), establishes nine Regional Marine Research Boards and directs the National Oceanic and Atmospheric Administration (NOAA), in conjunction with the Environmental Protection Agency (EPA), to implement this research program. The purpose of each Board is to develop a long-term, comprehensive regional marine research plan and to implement a program of high quality, peer-reviewed research in support of efforts to safeguard the water quality and ecosystem health of each region. Although the Public Law does not now have appropriations, I believe we should proceed with establishing the Boards.

As prescribed by law, a National Sea Grant College Program state director is to be chairman of the board in each of the regions. I have appointed Dr. Jack R. Davidson, to be chairman of the board of your region, the Insular Pacific. He is located at the University of Hawaii and can be reached at (808) 956-7031. The full list of regions and the various chairmen I have appointed are listed in Enclosure 2. Criteria are being developed by NOAA and EPA to select the other members from each agency. Please take this opportunity to contact the chairman of the board of your region to begin working together to carry out this legislation.

The nine Sea Grant Directors who will serve as chairmen of the regional boards have met and proposed a process for appointing the other Board members. EPA and I endorse the proposed appointment process, as I hope you will. The procedure they recommend is that NOAA, EPA, and the Governors nominate individuals who are qualified and willing to serve. From this pool of candidates, we will work with the chairmen to assemble a slate of nominees for each Board that meet the specifications of the legislation and provide a balance of expertise and representation. When there is a consensus on the makeup of each Board, the appropriate authorities will make their appointments. With this letter, I am asking you to nominate as many candidate Board members as you may choose in accordance with the enclosed



THE ADMINISTRATOR

2

criteria (Enclosure 3), and send the names to me. Each name submitted should be accompanied by a one-to-two page resume. As soon as I learn there is an appropriation for this program, I will proceed with the selection process so you can appoint members from your state.

Sincerely,



John A. Knauss

Enclosures

September 18, 1991

John A. Knauss, Ph.D.
Administrator
National Oceanic and Atmospheric Administration
U.S. Department of Commerce
Washington, D.C. 20230

Dear Dr. Knauss:

Thank you for your August 14, 1991, letter concerning appointments to the Insular Pacific Regional Marine Research Board under Public Law 101-593.

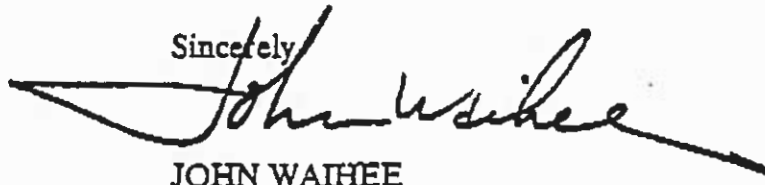
Having reviewed the federal legislation, I do not concur with the proposed appointment process outlined in your letter which calls for federal agency screening of the Governors' nominees to the Board. I believe that section 403(b)(1) provides for direct appointment of Governors' choices by the Governors themselves. In the insular Pacific region, the Governors of Hawaii, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands will decide upon their six appointees and so inform Dr. Jack Davidson, Chairman of our Board. The Governors will then proceed to make their appointments.

I have requested that this matter be placed on the agenda for the November meeting of the Pacific Basin Development Council for discussion and action by the four Governors. We will, of course, keep your office apprised of our progress in this regard.

I am pleased that this important research program has been established by Congress, and I hope that sufficient appropriations will be forthcoming to support this worthy effort. I look forward to working with your office to ensure that the program's goals are realized.

With kindest regards,

Sincerely,



JOHN WAIHEE

cc: The Honorable Lorenzo I. DeLeon Guerrero
The Honorable Joseph F. Ada
The Honorable Peter Tali Coleman
Dr. Jack Davidson

bcc: Hon. William W. Paty
Hon. John C. Lewin
Mr. Harold S. Masumoto

✓Mr. Jerry Norris, Pac Basin Development Council

Mr. Phil Shimer
Mr. Mufi Hannemann
Ms. Norma Wong

PRELIMINARY

IMPACT OF THE COMPACT OF FREE ASSOCIATION ON THE TERRITORY OF GUAM - FY 1989, FY 1990, and FY 1991

	<u>FY 1989</u>	<u>FY 1990</u>	<u>FY 1991 *</u>	<u>Total</u>
GOVERNMENT OF GUAM TOTAL	\$ 6,975,151	\$ 9,523,826	\$ 11,462,594	\$ 27,961,571
EDUCATION:	\$ 4,842,260	\$ 5,899,600	\$ 6,151,431	\$ 16,893,291
1. Department of Education	3,015,796	2,738,754	3,728,820 /a	9,483,370
2. Guam Community College	1,224,181	2,270,764	1,042,454	4,537,399
3. University of Guam	602,283	890,082	1,380,157	2,872,522
PUBLIC SAFETY:	\$ 1,480,747	\$ 1,903,561	\$ 1,946,676	\$ 5,330,984
1. Guam Police Department	578,764	669,451	1,085,681	2,333,896
2. Department of Corrections	197,194	535,757	242,092 /b	975,043
3. Department of Law	181,496	224,960	N/A	406,456
4. Public Defender Services Corporation	N/A	N/A	N/A	
5. Superior Court of Guam	N/A	N/A	N/A	
6. Department of Youth Affairs	8,193	- 0 -	N/A	8,193
7. Department of Commerce	197,538	126,478	48,929	372,945
8. Guam Fire Department	307,432	333,534	555,148	1,196,114
9. Civil Defense/Guam Emergency Services Office	10,130	13,381	14,826	38,337
HEALTH, WELFARE AND HOUSING:	\$ 629,503	\$ 1,671,453	\$ 2,915,104	\$ 5,216,060
1. Department of Public Health and Social Services	355,581	883,326	1,160,804 /c	2,339,711
A. Medicaid Program			42,792	
B. Medically Indigent Program			633,313	
C. Public Assistance Programs (AFDC, APTC, GA, OAA, AB)			167,052	
D. Food Stamps			317,647	
2. Department of Mental Health and Substance Abuse	8,655	9,607	40,501	58,763
3. Guam Memorial Hospital	N/A	33,610	56,698 /d	56,698
4. Department of Vocational Rehabilitation	1,120	6,459	74,175	81,754
5. Guam Housing Corporation / Guam Rental Corporation	- 0 -	- 0 -	1,623	1,623
6. Guam Housing and Urban Renewal Authority	264,147	738,451	1,581,303	2,579,901
A. Low-income Public Housing			725,249	
B. Section 8 Housing			856,054 /e	

**IMPACT OF THE COMPACT OF FREE ASSOCIATION
ON THE TERRITORY OF GUAM – FY 1989, FY 1990, and FY 1991**

-- continued --

	<u>FY 1989</u>	<u>FY 1990</u>	<u>FY 1991 *</u>	<u>Total</u>
EMPLOYMENT:	\$ 22,641	\$ 49,212	\$ - 0-	\$ 71,853
1. Agency for Human Resources Development	6,405	11,186	- 0 -	17,591
2. Department of Labor	16,236	38,026	N/A	54,262
 REVENUE DEFICIT:			\$ 449,374 ^f	\$ 449,374

-
- Preliminary
 - N/A Not available or not applicable
 - a Partial
 - b Excludes Rosario Detention
 - c Includes only direct benefits for major public health and welfare programs from Government of Guam appropriations above federal ceilings
 - d Outstanding accounts receivable as of January 1992
 - e Section 8 expenditures represents displacement of local families from the program
 - f Difference between taxes paid and amount of refunds, plus Earned Income Credit received

Total tax paid	\$ 659,756
Total refunds	- 1,109,130
Total revenue deficit	\$ - 449,374

**IMPACT OF THE COMPACT OF FREE ASSOCIATION
ON THE TERRITORY OF GUAM -- FY 1989, FY 1990, and FY 1991**

Notes on Reporting Methods and Calculations

EDUCATION:

1. Department of Education

FY 1989: includes FY 87 and FY 88 as well as FY 89
FY 1990: as reported
FY 1991: based on FY 1990 Department of Defense cost
(current figures not available)

2. Guam Community College

FY 1989: slight difference with reported value due to use of
BOP formula versus GCC formula; includes CIP funds
FY 1990: slight difference with reported value due to use of
BOP formula versus GCC formula; includes SY 86-87,
SY 87-88, and SY 89-90
FY 1991: slight difference with reported value due to use of
BOP formula versus GCC formula

3. University of Guam

FY 1989: excludes federally funded research units
FY 1990: includes federally funded research units
FY 1991: excludes federally funded research units

PUBLIC SAFETY:

1. Guam Police Department

FY 1989: based on FY budget as reported and the percent of
FAS population on Guam; includes Rosario Detention
FY 1990: based on FY budget as reported and the percent of
FAS population on Guam
FY 1991: based on FY budget as reported and the percent of
FAS population on Guam

2. Department of Corrections

FY 1989: calculations based on percent of FAS inmate-days to
total inmate-days
FY 1990: calculations based on percent of FAS inmate-days to
total inmate-days; may have included Palauans in
the data (latest report indicates 3 FAS citizens
serving 677 inmate-days at a cost of \$70,761 using
FY 91 cost methodology)
FY 1991: calculations based on average cost per day; budget
figure seems low

3. Department of Law

FY 1989: based on case by case basis (allocation of time and resources)

FY 1990: based on case by case basis (allocation of time and resources)

FY 1991: N/A

4. Public Defender Services Corporation

FY 1989: N/A

FY 1990: N/A

FY 1991: N/A

5. Superior Court of Guam

FY 1989: N/A

FY 1990: N/A

FY 1991: N/A

6. Department of Youth Affairs

FY 1989: cost based on average daily client number

FY 1990: no clients

FY 1991: no clients

7. Department of Commerce

FY 1989: cost based on 80% of primary inspections needing secondary inspections for FAS arrivals

FY 1990: cost based on 80% of primary inspections needing secondary inspections for FAS arrivals; data indicates that the actual percentage of secondary inspections of FAS arrivals is 27%

FY 1991: cost based on FY 1990 inspection cost figures (FY 91 not available) extrapolating the total from the first six months of data for FY91; secondary inspection rate for FAS arrivals is 11%

8. Guam Fire Department

FY 1989: based on reported FY budget and FAS percent of total population of Guam

FY 1990: same as FY 1989

FY 1991: same as FY 1989

9. Civil Defense/Guam Emergency Services Office

FY 1989: based on reported FY budget and FAS percent of total population of Guam

FY 1990: same as FY 1989

FY 1991: same as FY 1989

HEALTH, WELFARE AND HOUSING:

1. Department of Public Health and Social Services

FY 1989: includes amount of federal subsidy to FAS citizens; excludes revenue generated; not all divisions reported
FY 1990: includes amount of federal subsidy to FAS citizens; excludes revenue generated
FY 1991: excludes programs with federal subsidies for which there is no information on the Government of Guam expenditures; includes only Government of Guam payments; excludes revenue generated

2. Department of Mental Health and Substance Abuse

FY 1989: in-patient and out-patient only
FY 1990: in-patient and out-patient only
FY 1991: as reported

3. Guam Memorial Hospital

FY 1989: arrears balance carried forward to FY 1991
FY 1990: arrears balance carried forward to FY 1991
FY 1991: arrears balance to date (January 1992)

4. Department of Vocational Rehabilitation

FY 1989: as reported
FY 1990: as reported
FY 1991: includes one client with major medical expenses

5. Guam Housing Corporation / Guam Rental Corporation

FY 1989: no FAS clients
FY 1990: no FAS clients
FY 1991: as reported

6. Guam Housing and Urban Renewal Authority

FY 1989: as reported
FY 1990: as reported; displacement information reported
FY 1991: as reported; displacement information reported; there is a large unserved clientele due to the high cost of rental housing

EMPLOYMENT:

1. Agency for Human Resources Development

FY 1989: Government of Guam expenditures based on percentage participation in program
FY 1990: Government of Guam expenditures based on percentage of participation in program
FY 1991: no local funds expended

2. Department of Labor

FY 1989: covers from April 1989 on only
FY 1990: covers January to December 1990
FY 1991: N/A

REVENUE AND TAXATION:

1. Department of Revenue and Taxation

FY 1989: N/A
FY 1990: N/A
FY 1991: as reported; loss of revenue to Government of Guam

DEMOGRAPHIC CHARACTERISTICS USED:

FY 1989: Number of FAS citizens living on Guam - 4,070
Population of Guam - 139,364 (includes average daily visitor count)
FY 1990: Number of FAS citizens living on Guam - 4,200
Population of Guam - 132,726
FY 1991: Number of FAS citizens living on Guam - 6,000
Population of Guam - 135,600

Pete's Copy

**COMPACT IMPACT VERIFICATION GRANT MOU G-54
IMPACT OF THE COMPACT OF FREE ASSOCIATION
(U.S. PUBLIC LAW 99-239, SECTION 104(E))**

EXPENDITURES UNDER MOU G-54

	<u>Appropriation</u>	<u>Expenditure</u>	<u>Balance</u>
Department of Commerce	\$ 32,000.00	\$ 0	\$32,200.00
Department of Labor			
Bureau of Labor Statistics	35,300.00	28,876.14	6,423.86
Guam Employment Service	13,000.00	4,500.00	8,500.00
Guam Police Department	10,700.00	10,700.00	0
<u>Parent Account</u>	<u>48,700.00</u>	<u>7,445.01</u>	<u>41,254.99</u>
TOTAL	\$138,000.00	\$51,621.15	\$86,378.85

REQUEST FOR ADVANCE

The Bureau of Budget and Management Research (BBMR) submitted a Request for Advance or Reimbursement (Standard Form 270 (7-76) including an advance for \$138,000 on November 15, 1989 (Attachment 1). To-date, the advance funds have not been received from the Department of Interior.

STATUS OF PROJECT TO DATE:

1. Entry/Exit Card Program

- P.L. 99-239 mandates the Immigration and Naturalization Service (INS) to provide the President with information on Compact immigration for his required annual report to the Congress.

Because INS has been unable to fulfill the requirements of P.L.99-239, the Grant proposes to collect information essential for inclusion in the President's annual report.

A memorandum of agreement and work request transferred \$30,200 to the Department of Commerce to develop a database of Compact citizens entering Guam since Compact implementation.

- The Government of Guam has expended considerable staff resources to the project for the following activities:

A computerized database of the names and country of citizenship of all Compact citizens who entered Guam through the Guam International Airport between 1986 and December 31, 1989, has been compiled.

A Committee of concerned Government of Guam agencies has met regularly to discuss and pretest a new Customs form to collect the data.

Several opinions from Guam's Attorney General have been sought to clarify the legal ability of the Government of Guam to collect and process the data.

A scanner and computer hardware and software have been identified for Customs form data input and moneys have been appropriated by the Legislature to fund two (2) staff positions to operate the scanner.

- Issues of confidentiality raised by the Guam Attorney General have delayed the full implementation of the project.

The listing of all Compact citizens who entered Guam through the Guam International Airport between 1986 and December 31, 1989 cannot be shared with either the Federal government or other relevant Government of Guam agencies until issues of legality and constitutionality are resolved. *(Pete, As far as I can tell, such a memo never materialized from the AG. The conversation you had with Joe Bradley was apparently regarding what the AG would be assumed by Commerce to say on the subject. This is my most recent information from Cindy Naval.)*

Legal interpretations by the Guam Attorney General stipulate that the Customs Forms may not be removed from Department of Commerce premises for processing by a private vendor. *(Pete, All the AG's opinions have been verbal only. The only writing I have from the AG is an "Informational Memorandum" that doesn't say much.)*

- The Technical Assistance Grant does not provide for hiring local Government personnel, requiring the Guam Department of Commerce to request additional staff positions and funds in its 1992 budget.

The Department of Commerce will hire 2 additional personnel to work exclusively on this project. *(Pete, I requested the Commerce budget, staffing pattern, and position descriptions for staff involved with this project, but only received the narrative budget impact statement. I haven't been able to find out exactly how much money is involved.)*

- The Department of Commerce has expended none of its Grant funds for this project to-date. However, when the issues of confidentiality have been resolved, the Department will expend their grant funds on a computer and scanner, and on printing

of Customs Declaration forms. The scanner will enable all information except for names and social security numbers to be input directly into a computer file. The names and social security numbers will be manually keyed.

2. Migration and Demographic Surveys

- \$35,400 was transferred to the Department of Labor to collect information on Compact migration through its locally funded Current Population Survey.
- To date, BLS has expended \$28,876.14. The following has been accomplished:

Conducted a housing universe survey to update its housing frame.

Continuously updates the housing frame through an arrangement with the Department of Public Works to supply occupancy permits to the Bureau of Planning on a monthly basis. Because of a lack of street addresses, the occupancy permit is attached to a sketch map to the site.

Worked with a consultant from the Census Bureau hired through funds in the parent account to review existing survey methodology and make recommendations for improvement of the data (Attachment 2).

Designed a survey instrument to capture information on households regarding parental place of birth, and year of migration to Guam. The Census Bureau consultant recommended that four quarters of survey data be added together to enlarge the sample size, increase the statistical reliability, and decrease the variability that may occur between quarters.

Attended on-island training in the use of the computer software program Integrated Microcomputer Processing System for data entry, editing, and tabulation sponsored by the Department of Interior.

Received IMPS programming and data entry support from Bureau of Planning staff.

3. Evaluation of Impact Assessment Capabilities

This portion of the grant requested the assistance of OTIA to coordinate reviews from various relevant Federal agencies. The agencies include the Bureau of Justice Assistance, the U.S. Department of Education, the U.S. Department of Health and Human Ser-

vices, the U.S. Department of Housing and Urban Development, and the U.S. Department of Agriculture's Farmers Home Administration.

Thus far, reviews have been conducted by the Search Group (for the Bureau of Justice Assistance), the National Center for Education Statistics (U.S. Department of Education), and the U.S. Department of Health and Human Services.

There has been no word whether the U.S. Department of Housing and Urban Development or the U.S. Department of Agriculture's Farmers Home Administration will conduct the requested reviews.

4. Analyses of Probable Impact Data

- a. Crime Data: A memorandum of agreement and work request transferred \$10,700 to the Guam Police Department. GPD hired a Research and Statistics Analyst I for a 6 month period to work exclusively with collecting and analyzing police statistics concerning Compact immigrants. (Attachment 3)
- b. Employment Data: A memorandum of agreement and work request transferred \$13,000 to the Department of Labor, Guam Employment Service. GES is still in the process of installing and implementing a new computer system.

PLAN OF ACTION FOR USE OF REMAINING FUNDS

The following projects may require additional Department of Interior funding.

1. Entry/Exit Card Program

Grant funds will be used to print replacement copies of the new Customs Form and purchase of computer hardware, software and a scanner. (\$30,200.00)

2. Migration and Demographic Surveys

Additional Grant funds will be work requested to the Department of Labor to continue data entry for previous quarters, to conduct the March 1992 survey, and to purchase a computer to replace the computer being used for data entry that is on loan from the Bureau of Planning. (\$15,000.00)

3. Employment Data

Internal policy decisions have been made to modify several other components of the Department of Labor's information systems. Therefore, the migration portion of the GES project is being

delayed so that all changes will be compatible. It is not likely that all funds can be expended before March 31, 1992.

4. Tax and Income Study

The Department of Revenue and Taxation has agreed to conduct a taxpayer profile. The profile will serve two purposes: 1) to determine the average amount of income tax paid by the average Compact citizen tax payer, and 2) to provide a secondary piece of administrative data that will help determine the total number of employed Compact citizens and the number of dependents per employed tax payer. (\$10,000).

5. Superior Court of Guam

The Superior Court has experienced a large increase in the number of Compact citizen cases they handle. However, the Court does not have the computer capability to generate automated reports on actual numbers. The Court has been asked to submit a scope of work and estimated cost for conducting a Court utilization study. (Estimated cost \$75,000).

A Hadant 1 0

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
GOVERNMENT OF GUAM

MICHAEL J. REIDY
DIRECTOR

NOV 15 1989

Ms. Rosie Babel
Deputy Budget Director
Office of Territorial and
International Affairs
Department of the Interior
Main Interior Building, Rm. 4328
18th and C St., N.W.
Washington, D.C. 20240

Dear Ms. Babel:

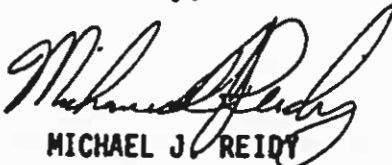
Enclosed please find Standard Form 269 (7-76) covering the financial status of thirty-five (35) Technical Assistance Programs for the Quarter ending September 30, 1989. Of these programs, the Government of Guam is seeking reimbursement for expenditures/encumbrances and an advance, in the amount of Five Hundred Sixty Eight Thousand Nine Hundred Seventy Eight Dollars (\$568,978) incurred by the following programs:

1. Financial Management and Management Information Systems: GMHA (MOU-G-40)
2. Consultant Services: GMHA (MOU-G-42)
3. U.S. Business and Investment Round Table (MOU-G-47)
4. Upgrading of Facilities/Operating Efficiency of the Guam Aquaculture Development and Training Center (MOU-G-48)
5. Police Investigative Program Consultant (MOU-G-51)
6. Procurement and Training Materials/Management Training (MOU-G-52)
7. Relational Data Base Software and Training for Revenue and Taxation's Computerized System (MOU-G-53)
- 8. Compact Impact Verification (MOU-G-54)

In support of this request, enclosed is Standard Form 270 (7-76) covering Government of Guam's request for funds for the aforementioned programs.

Your response to this request will be greatly appreciated.

Sincerely,


MICHAEL J. REIDY

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Enclosure

REQUEST FOR ADVANCE OR REIMBURSEMENT

(See instructions on back)

1. FEDERAL SPONSORING AGENCY AND ORGANIZATIONAL ELEMENT TO WHICH THIS REPORT IS SUBMITTED
DEPARTMENT OF INTERIOR
TECHNICAL ASSISTANCE PROGRAM

2. EMPLOYER IDENTIFICATION NUMBER

3. RECIPIENT'S ACCOUNT NUMBER OR IDENTIFYING NUMBER

4. RECIPIENT ORGANIZATION

Name: DEPARTMENT OF ADMINISTRATION
GOVERNMENT OF GUAM

Number and Street:

City, State and ZIP Code: AGANA, GUAM 96910

Approved by Office of Management and Budget, No. 80-RO183

1. TYPE OF PAYMENT REQUESTED
a. ☒ ADVANCE ☐ REIMBURSEMENT
b. ☐ FINAL ☐ PARTIAL ☐ ACCRUAL

PAGE 1 OF 3 PAGES

2. BASIS OF REQUEST
☐ CASH

3. FEDERAL GRANT OR OTHER IDENTIFYING NUMBER ASSIGNED BY FEDERAL AGENCY

4. PARTIAL PAYMENT REQUEST NUMBER FOR THIS REQUEST

5. PERIOD COVERED BY THIS REQUEST
FROM (month, day, year) TO (month, day, year)

JULY 1, 1989 SEPT. 30, 1989

16. PAYEE (Where check is to be sent is different than item 4)

Name: DEPARTMENT OF ADMINISTRATION
GOVERNMENT OF GUAM

Number and Street:

City, State and ZIP Code: AGANA, GUAM 96910

11. COMPUTATION OF AMOUNT OF REIMBURSEMENTS/ADVANCES REQUESTED

PROGRAMS/FUNCTIONS/ACTIVITIES ▶	(a) MOU G-40 FINANCIAL MGMT & MGMT. INFO SYSTEM	(b) MOU G-42 CONSULTANT SERVICES GMA	(c) MOU G-47 U.S. BUSINESS INVESTMENT - ROUND TABLE	SUBTOTAL
a. Total program outlays to date (As of date) 9-30-89	\$ 3,875	\$ 250,000	\$ 848	\$ 254,723
b. Less: Cumulative program income	-0-	-0-	-0-	-0-
c. Net program outlays (Line a minus line b)	3,875	250,000	848	254,723
d. Estimated net cash outlays for advance period	-0-	-0-	-0-	-0-
e. Total (Sum of lines c & d)	3,875	250,000	848	254,723
f. Non-Federal share of amount on line e	-0-	-0-	-0-	-0-
g. Federal share of amount on line e	3,875	250,000	848	254,723
h. Federal payments previously requested	-0-	1,157	-0-	1,157
i. Federal share now requested (Line g minus line h)	3,875	248,843	848	253,566
j. Advances required by month, when requested by Federal grantor agency for use in making prescheduled advances	1st month			
	2nd month			
	3rd month			

12. ALTERNATE COMPUTATION FOR ADVANCES ONLY

a. Estimated Federal cash outlays that will be made during period covered by the advance	\$
b. Less: Estimated balance of Federal cash on hand as of beginning of advance period	
c. Amount requested (Line a minus line b)	\$

13. CERTIFICATION

I certify that to the best of my knowledge and belief the data above are correct and that all outlays were made in accordance with the grant conditions or other agreement and that payment is due and has not been previously requested.	SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	DATE REQUEST SUBMITTED
	 TYPED OR PRINTED NAME AND TITLE MICHAEL J. REIDY DIRECTOR BUREAU OF BUDGET & MANAGEMENT RESEARCH	11/14/89 TELEPHONE (AREA CODE, NUMBER, EXTENSION) (671)472-2285

This space for agency use

REQUEST FOR ADVANCE OR REIMBURSEMENT

(See instructions on back)

3. FEDERAL SPONSORING AGENCY AND ORGANIZATIONAL ELEMENT TO WHICH THIS REPORT IS SUBMITTED
DEPARTMENT OF INTERIOR
TECHNICAL ASSISTANCE PROGRAM

4. EMPLOYER IDENTIFICATION NUMBER
5. RECIPIENT'S ACCOUNT NUMBER OR IDENTIFYING NUMBER

6. RECIPIENT ORGANIZATION

DEPARTMENT OF ADMINISTRATION
GOVERNMENT OF GUAM

Number and Street
City, State and ZIP Code

AGANA, GUAM 96910

Approved by Office of Management and Budget, No. 80-RO183

PAGE 2 OF 2

1. TYPE OF PAYMENT REQUESTED
a. "X" one, or both items
☒ ADVANCE ☐ REIMBURSEMENT
b. "X" the applicable fee
☐ FINAL ☒ PARTIAL

2. BASIS OF REQUEST
☐ CASH ☐ ACCRUAL

4. FEDERAL GRANT OR OTHER IDENTIFYING NUMBER ASSIGNED BY FEDERAL AGENCY

5. PARTIAL PAYMENT REQUEST NUMBER FOR THIS REQUEST

8. PERIOD COVERED BY THIS REQUEST

FROM (month, day, year) TO (month, day, year)
JULY 1, 1989 SEPT. 30, 89

10. PAYEE (Where check is to be sent if different than item 6)

Name DEPARTMENT OF ADMINISTRATION
GOVERNMENT OF GUAM

Number and Street
City, State and ZIP Code

AGANA, GUAM 96910

11. COMPUTATION OF AMOUNT OF REIMBURSEMENTS/ADVANCES REQUESTED

PROGRAMS/FUNCTIONS/ACTIVITIES	(a) MOU G-48 UPGRADE FAC/ OPER. EFF.	(b) MOU G-51 POLICE INVEST. CONSULTANT	(c) MOU G-52 PROCUREMENT & TRAINING MATER MGMT. TRAINING	SUBTOTAL
a. Total program outlays to date (As of date) 9/30/89	\$ 5,333	\$ 20,177	\$ 4,034	\$ 29,544
b. Less: Cumulative program income	-0-	-0-	-0-	-0-
c. Net program outlays (Line a minus line b)	5,333	20,177	4,034	29,544
d. Estimated net cash outlays for advance period	-0-	-0-	-0-	-0-
e. Total (Sum of lines c & d)	5,333	20,177	4,034	29,544
f. Non-Federal share of amount on line e	-0-	-0-	-0-	-0-
g. Federal share of amount on line e	5,333	20,177	4,034	29,544
h. Federal payments previously requested	111	2,195	-0-	2,306
i. Federal share now requested (Line g minus line h)	5,222	17,982	4,034	27,238
j. Advances required by month, when requested by Federal grantor agency for use in making prescheduled advances	1st month			
	2nd month			
	3rd month			

12. ALTERNATE COMPUTATION FOR ADVANCES ONLY

a. Estimated Federal cash outlays that will be made during period covered by the advance	\$
b. Less: Estimated balance of Federal cash on hand as of beginning of advance period	
c. Amount requested (Line a minus line b)	\$

13. CERTIFICATION

I certify that to the best of my knowledge and belief the data above are correct and that all outlays were made in accordance with the grant conditions or other agreement and that payment is due and has not been previously requested.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

Michael J. Reidy

TYPED OR PRINTED NAME AND TITLE

Michael J. Reidy

DIRECTOR

BUREAU OF BUDGET & MANAGEMENT RESEARCH

DATE REQUEST SUBMITTED

11/1/89

TELEPHONE CODE NUMBER EXTENSION

(671)472

This space for agency use

REQUEST FOR ADVANCE OR REIMBURSEMENT

(See instructions on back)

1. AGENCY AND ORGANIZATIONAL ELEMENT TO WHICH THIS REPORT IS SUBMITTED

DEPARTMENT OF INTERIOR

TECHNICAL ASSISTANCE PROGRAM

2. EMPLOYER IDENTIFICATION NUMBER

3. RECIPIENT'S ACCOUNT NUMBER OR IDENTIFYING NUMBER

Approved by Office of Management and Budget, No. 80-RO183

PAGE 3 OF 3

1. TYPE OF PAYMENT REQUESTED

a. "X" one, or both boxes

☒ ADVANCE ☐ REIMBURSEMENT

b. "X" the applicable box

☐ FINAL ☒ PARTIAL ☐ ACCRUAL

2. BASIS OF REQUEST

☒ CASH

☐ OTHER

4. FEDERAL GRANT OR OTHER IDENTIFYING NUMBER ASSIGNED BY FEDERAL AGENCY

5. PARTIAL PAYMENT REQUEST NUMBER FOR THIS REQUEST

6. PERIOD COVERED BY THIS REQUEST

FROM (month, day, year)

JULY 1, 1989

TO (month, day, year)

SEPT. 30, 1989

10. PAYEE (Where check is to be sent is different than item 9)

Name: DEPARTMENT OF ADMINISTRATION
GOVERNMENT OF GUAM

Number and Street

City, State and ZIP Code: AGANA, GUAM 96910

11. COMPUTATION OF AMOUNT OF REIMBURSEMENTS/ADVANCES REQUESTED

PROGRAMS/FUNCTIONS/ACTIVITIES	(a) MOU G-53 RELATIONAL DATA BASE SOFTWARE & TRAINING	(b) MOU G-54 COMPACT IM- PACT VERIFI- CATION	(c) M SUB-TOTAL	TOTAL
a. Total program outlays to date (As of date) 9-30-89	\$ 150,174	\$ -0-	\$ 150,174	\$ 434,441
b. Less: Cumulative program income	-0-	-0-	-0-	-0-
c. Net program outlays (Line a minus line b)	150,174	-0-	150,174	434,441
d. Estimated net cash outlays for advance period	-0-	138,000	138,000	138,000
e. Total (Sum of lines c & d)	150,174	138,000	288,174	572,441
f. Non-Federal share of amount on line e	-0-	-0-	-0-	-0-
g. Federal share of amount on line e	150,174	138,000	288,174	572,441
h. Federal payments previously requested	-0-	-0-	-0-	3,463
i. Federal share now requested (Line g minus line h)	150,174	138,000	288,174	568,978
j. Advances required by month, when requested by Federal grantor and for use in making pre-scheduled advances	1st month			
	2nd month			
	3rd month			

12. ALTERNATE COMPUTATION FOR ADVANCES ONLY

a. Estimated Federal cash outlays that will be made during period covered by the advance	\$ 138,000
b. Less: Estimated balance of Federal cash on hand as of beginning of advance period	-0-
c. Amount requested (Line a minus line b)	\$ 138,000

13. CERTIFICATION

I certify that to the best of my knowledge and belief the data above are correct and that all outlays were made in accordance with the grant conditions or other agreement and that payment is due and has not been previously requested.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

Michael J. Reidy

TYPED OR PRINTED NAME AND TITLE

MICHAEL J. REIDY
DIRECTOR,
BUREAU OF BUDGET & MANAGEMENT RESEARCH

DATE REQUEST SUBMITTED

11/14/89

TELEPHONE (AREA CODE, NUMBER, EXTENSION)

(671)472-2285

Use space for agency use

FINANCIAL STATUS REPORT

(Follow instructions on the back)

1. RECIPIENT ORGANIZATION (Name and complete address, including ZIP code)

1. FEDERAL AGENCY AND ORGANIZATIONAL CLIENT TO WHICH REPORT IS SUBMITTED
Department of Interior
Technical Assistance Program

2. FEDERAL GRANT OR OTHER IDENTIFYING NUMBER

OMB Approved No. 50-R0150

PAGE 1 OF 1

4. EMPLOYER IDENTIFICATION NUMBER
PROJECT/GRANT PERIOD (See instructions)
FROM (Month, day, year) TO (Month, day, year)
7/1/89 9/30/89

5. RECIPIENT ACCOUNT NUMBER OR IDENTIFYING NUMBER
6. FINAL REPORT YES NO
7. BASIS CASH ACCTUAL

PERIOD COVERED BY THIS REPORT
FROM (Month, day, year) TO (Month, day, year)

10. PROGRAMS/FUNCTIONS/ACTIVITIES -	HOU-G-51	HOU-G-53	STATUS OF FUNDS	HOU-G-47	HOU-G-52	(f) Sub-Total	Grand TOTAL (g)
a. Net outlays previously reported	\$ 2,195	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ 2,195	\$ 736,872
b. Total outlays this report period	17,982	12,184	-0-	848	4,034	35,048	101,887
c. Less: Program income credits	-0-	-0-	-0-	-0-	-0-	-0-	-0-
d. Net outlays this report period (Line b minus line c)	17,982	12,184	-0-	848	4,034	35,048	101,887
e. Net outlays to date (Line a plus line d)	20,177	12,184	-0-	848	4,034	37,243	838,759
f. Less: Non-Federal share of outlays	-0-	-0-	-0-	-0-	-0-	-0-	-0-
g. Total Federal share of outlays (Line e minus line f)	20,177	12,184	-0-	848	4,034	37,243	838,759
h. Total undisputed obligations	-0-	137,990	-0-	-0-	-0-	137,990	329,060
i. Less: Non-Federal share of undisputed obligations shown on line h	-0-	-0-	-0-	-0-	-0-	-0-	-0-
j. Federal share of undisputed obligations	-0-	137,990	-0-	-0-	-0-	137,990	329,060
k. Total Federal share of outlays and undisputed obligations	20,177	150,174	-0-	848	4,034	175,233	1,167,819
l. Total committed amount of Federal funds authorized	72,000	200,000	138,000	1,000	5,600	416,600	1,671,020
m. Unobligated balance of Federal funds	51,823	49,826	138,000	152	1,566	241,367	1,003,201

11. TYPE OF FUND: ☐ FEDERAL ☐ NON-FEDERAL ☐ OTHER

12. SOURCE OF FUND: ☐ BUDGETARY ☐ NON-BUDGETARY

13. AUTHORITY: ☐ STATUTE ☐ EXECUTIVE ORDER ☐ OTHER

14. SIGNATURE OF AUTHORIZED OFFICIAL: _____

15. DATE: _____

MON DATE 11/11/00
 RUN TIME 1:21:07.36

PROGRAM
 NUMBER
 5101HSC9C0C0136

CLVTRAP UNIT GUAM
 CCA TRAILING PROGRAM REPORT

JUN 00, 1 00043904
 PAGE NO. 1 593
 DATE 11-09/30/99
 FEDERAL
 GRANT NO.
 MOD-G-54

CUJ	INITIAL APPROPRIATION	PRIOR FY EXPENDITURES	CARRY OVER BALANCE	OUTSTANDING ENCUMBRANCE	CURR. MONTH EXPENDITURES	CURR. YEAR EXPENDITURES	AVAILABLE FUNDS
111	9,314,000	0.00	9,364,000	0.00	0.00	0.00	9,304.00
112	0.00	0.00	0.00	0.00	0.00	0.00	0.00
113	1,396,000	0.00	1,396,000	0.00	0.00	0.00	1,396.00
220	25,500,000	0.00	25,500,000	0.00	0.00	0.00	25,500.00
230	45,700,000	0.00	45,700,000	0.00	0.00	0.00	45,700.00
240	1,800,000	0.00	1,800,000	0.00	0.00	0.00	1,800.00
250	0.00	0.00	0.00	0.00	0.00	0.00	0.00
260	300,000	0.00	300,000	0.00	0.00	0.00	300.00
300	0.00	0.00	0.00	0.00	0.00	0.00	0.00
450	4,000,000	0.00	4,000,000	0.00	0.00	0.00	4,000.00
PGN TOTAL	138,000,000	0.00	138,000,000	0.00	0.00	0.00	138,000.00
DEPT TOTAL	1,103,600,000	0.00	1,103,600,000	376,166.00	2,536.25	320,483.42	476,370.49

DRAFT
22 June 1990

AN EVALUATION OF THE GUAM CURRENT LABOR FORCE SURVEY

By: Harland Shoemaker
Statistical Methods Division
U.S. Bureau of the Census

I. INTRODUCTION

This report presents the results of an evaluation of the Guam Current Labor Force Survey (CLFS). The on-site review was conducted from June 11-22, 1990 at the request of the Bureau of Planning. The CLFS itself is the responsibility of the Bureau of Labor Statistics in the Department of Labor.

During the review I discussed current CLFS procedures and requirements with various members of the BLS and Bureau of Planning staffs. A list of persons contacted appears in Appendix 1.

Section II of this report is a description of the current survey requirements and procedures. Recommendations are given in Section III.

II. BACKGROUND AND DESCRIPTION OF THE CLFS

Goals and Objectives

- > Produce reliable estimates of labor force characteristics for the civilian noninstitutional population (16+) living off military bases in Guam. This includes permanent resident aliens.
- > Produce reliable demographic estimates for immigrant Micronesian subpopulation.

Reliability Requirements

Ten (10) percent relative error (coefficient of variation) on the quarterly level of unemployed in Guam, assuming a two (2) percent unemployment rate.

Frequency

The survey has been conducted with varying degrees of frequency since September 1974. Usually the survey is conducted quarterly - March, June, September, and December.

Sample Universe (Frame)

Aggregate of housing units on the island excluding military reservations, alien barracks, transient hotels and motels. Residential units under construction are included.

The frame is kept in a dBASE III file and is updated periodically. The file contains one record per structure. Each record consists of the following major items:

- indicator whether or not the structure is under construction
- number of housing units in the structure
- structure-use code

As of June 19, 1990 the file contained 23,890 records and 30,718 housing units.

Sampling Unit/Reporting Unit

The sampling unit is the housing unit. The reporting unit is everyone usually living in the household 16 years of age or older. Demographic information is collected on the control card for all members of the household. Some income data is collected in March.

Interviewer Assignments/Length of Survey

Interviewer assignments are ideally 50 - 60 housing units, but recent workloads have been larger due to a shortage of interviewers. Officially the data collection period lasts 2 weeks. The interviewer shortage has increased it to 3 to 4 weeks.

Rotation Pattern

Each selected unit is interviewed 4 consecutive quarters. Each quarter, one-fourth of the sample is replaced.

Sampling Procedure

A sample of about 1800 housing units is assigned for interview each quarter. The new units are selected systematically from the frame. As units are added to the frame, the sampling interval is adjusted to keep the sample size constant. All nineteen villages currently contain sample units.

Interviewer Training/Compensation

New interviewers are required to complete 28 hours of classroom training (over a 7-day period) in addition to a self-study course. Experienced interviewers attend a 3 to 4 hour refresher course each quarter.

Training covers the interviewer's manual, information booklet, instructions for completing the control card and questionnaire, and procedures for probing and gaining respondents' cooperation.

Interviewers are paid \$5.46 per completed interview (the hourly rate) and \$.30 per mile. They receive the equivalent of 10 minutes' salary for each noninterview.

Current economic conditions on island, the infrequent nature of the work, and low wages contribute to the difficulty BLS has in recruiting and retaining interviewers. There are also laws which prohibit current government of Guam employees from working as interviewers (e.g., teachers).

Data Collection

BLS staff prepares assignment folders for each interviewer. These folders contain control cards, questionnaires, interviewer assignment sheets, segment maps, and listing booklets.

The segment map shows the location and names of roads and other physical features of the area containing the sample units. The location and classification (commercial or residential) of all structures in the area are also shown. Sample units are highlighted. A series of these maps covers the entire island. The rapid growth on island makes keeping them up-to-date extremely difficult and time consuming.

The interviewer is also given a listing booklet for the segment. The booklet contains a page for each structure in the segment, showing its classification, the number of housing units it contains, and a physical description of the structure. This is important since addresses are not used in all areas.

Interviewing begins the week of the 19th. Interviewers hand-deliver letters to sample units during the week of prior to interviewing. Different versions of the letter are given to new and returning units. The reference week for the labor force questions is the week of the 12th.

Data Processing

As the interviews are completed, the interviewer codes items A-I from the control card and returns the completed forms to BLS. Industry and occupation coding is done in March. The data are edited by BLS staff, and then keyed at the University of Guam (UOG) computer facility. UOG processes the data using BMDP4F.

This package does range edits on three items (work status, age, and sex) and produces unweighted cross-tabulations by age, sex, and labor force status. A weighted table showing highlights of the employment situation is also produced.

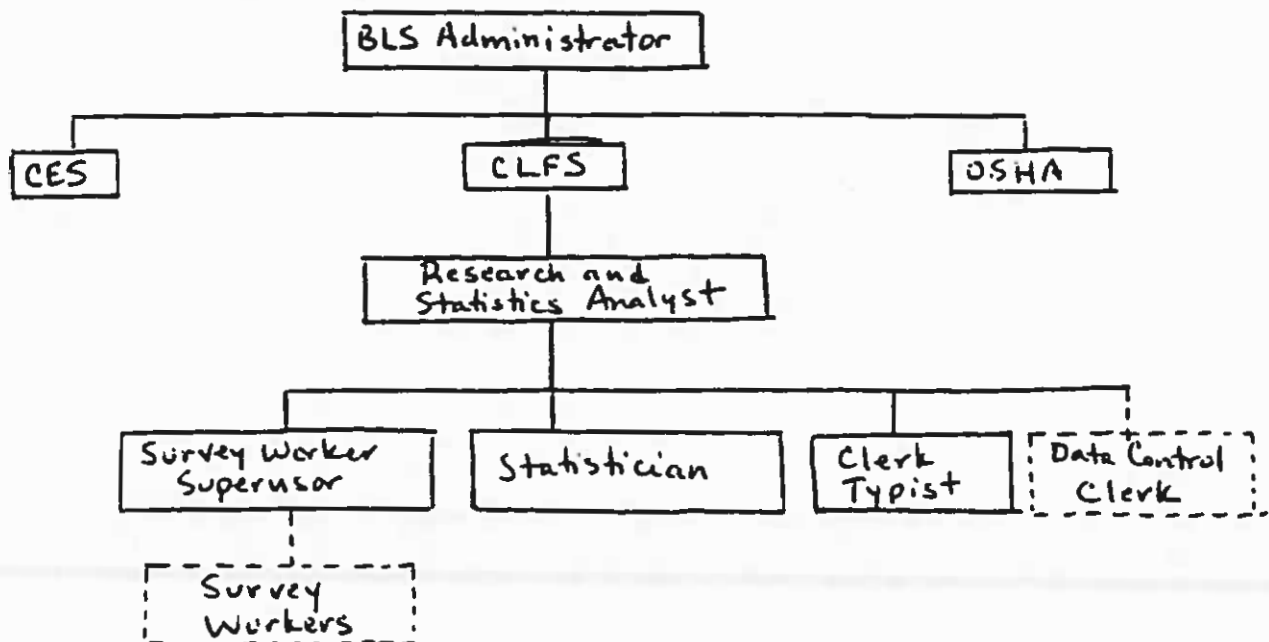
Much of the data collected is never or rarely published, since the cost and time involved in getting the university to modify its programs is prohibitive.

Publications

Survey results are published in a Guam Department of Labor BLS news release, usually 3 months after data collection. The release contains data for the current and two previous quarters. Results are compared with those from the previous quarter and a year earlier. However, statistics on the reliability of the data are not computed, so the statements in the report cannot be supported statistically.

Staffing

The chart below describes the current organization of the CLFS staff.



Duties and responsibilities of each position follow:

Administrator - Supervises Research and Statistics Analyst in charge of daily operation of CLFS. Incumbent also oversees persons in charge of CES (business establishment survey) and OSHA. Approves expenditures and budget requests for all three programs.

Research and Statistics Analyst - Currently occupied in an acting capacity. Requires college degree (bachelor's) or equivalent in experience working with statistics. Knowledge of sampling theory is not required. Responsibilities include overseeing daily activities of CLFS staff, training interviewers, and making decisions about survey-related issues.

Survey Worker Supervisor - Prepares materials for interviewers. Keeps maps and listing books up-to-date. Checks-in survey materials and offers solutions to field problems encountered by interviewers.

Statistician - Currently vacant. Analyzes the CLFS data and prepares quarterly reports. Position does not require any knowledge of sampling theory.

Clerk Typist - Handles typing requests from survey staff. Keeps track of interviewer hours and prepares payroll forms.

Data Control Clerk - Temporarily assigned to CLFS staff. Edits and codes questionnaires. Keys in data at UOG computer center. Manually tabulates survey results.

Survey Workers - Ideally, 25 survey workers are hired each quarter to do the interviewing. These are temporary positions and report directly to the Survey Worker Supervisor.

Nonresponse Rate

Historically, the nonresponse rate for the CLFS is around 10 percent. The majority of these are vacant or demolished units. The refusal rate is very low (less than 1 percent).

III. RECOMMENDATIONS

Overall the BLS staff is doing a commendable job completing an increasingly difficult task with limited resources. Survey procedures are sound and well-documented. The questionnaire and control card are well-designed. Interviewer training procedures and materials

are satisfactory and are currently being updated. The staff are constantly looking for ways to improve the survey's efficiency and keep costs down.

The current sample design, though perhaps not optimal given current resources, is statistically sound. Reliability of the data could be estimated if the computing environment were more flexible. A rough estimate of the current coefficient of variation on the quarterly unemployment rate is 10 percent. This means that a 95-percent confidence interval on an unemployment rate of 2 percent would go from 1.6 to 2.4 percent.

With the exception of data processing and the sample design, we are not recommending extensive changes to current CLFS materials or procedures. We are however suggesting some changes that will allow the survey to operate more efficiently.

Our recommendations are:

- > Modify the sample design to cluster sample units in a subset of villages. Increase the sample size to improve the reliability of certain subpopulation estimates. For estimates dealing with very small subpopulations, publish data on an annual or bi-annual basis. Further details of the suggested sample design are given in Appendix 2.
- > Begin using telephone interviews for returning households. The interviewing could be centralized (from the BLS office) or decentralized (from the interviewers' homes). Information to allow this is already being collected on the control card.
- > Procure the necessary hardware, software, and training to allow in-house processing of the CLFS data. This includes the Integrated Microcomputer Processing System (IMPS) developed by the U.S. Bureau of the Census and PCCARP, a statistical software package developed and distributed by the Census Bureau and Iowa State University.
- > Fill the Research and Statistics Analyst and Statistician positions with people who have some knowledge of survey and sampling methodology. The Research Analyst should have at least a Master's degree in statistics (or a related field) or the equivalent in sample survey experience.

The Statistician should have a bachelor's degree in mathematics and at least two statistics courses. Alternatively, they would have the equivalent in sample survey experience.

Create a permanent, full-time position for a Data Control Clerk as part of the CLFS staff. This person would be trained in IMPS and would enter and edit the data, and produce tables for the Statistician to analyze.

Transform the Survey Worker Supervisor position to a Statistical Clerk. This person would maintain and update the sample universe, maps, and listing booklets. Transform the Clerk-Typist position to and create an additional permanent, full-time position for BLS Survey Worker. These two positions could be jointly funded with other BLS survey agencies. They could serve as the CLFS Survey Worker Supervisors. The Clerk-Typist duties could be handled by existing BLS staff.

- > Appropriate staff at the Census Bureau review the CLFS control card and questionnaire and recommend modifications to allow the control card to be keyed with the questionnaires. This would allow the demographic data on the control card to be processed and provide a first step towards the ability to publish demographic estimates, similar to those published in the Bureau's Current Population Reports from the CPS.

Advice is also needed on how best to design a CLFS supplement to collect specific information on immigrant Micronesians. Combined with the 1990 Census results, this supplement should provide some of the information needed. We do not recommend any further tailoring of the CLFS to produce estimates for specific subpopulations on the island. It may be more economical to conduct a special one-time survey for these purposes.

Appendix 1. List of Contacts

Bureau of Planning

Susan Ham, Planning Information Program Supervisor
Calvin Saruwatari, Planner III

Bureau of Labor Statistics

Edward Guerrero, Director, Department of Labor
Alan Wang, Administrator for BLS
Gary Hiles, Economist
Kathy Taijeron, Acting Research and Statistics Analyst, CLFS
Antonio Eclavea, Survey Worker Supervisor, CLFS

DRAFT
22 June 1990

Appendix 2. Proposed Sample Design for Guam CLFS

Introduction

The major difference between the current CLFS sample design and the one proposed here is the geographical grouping or stratification of the nineteen villages and the selection of certain villages within each group. This clustering of the sample will allow the interviewers to concentrate their efforts in a smaller area. It should not significantly affect the reliability of the sample estimates.

The major drawback of this design is that no estimates will be available for villages not in sample. However, village-level estimates have never been published and there are no plans to do so in the foreseeable future. Estimates can be produced for the geographical regions of the island represented by the groups.

Stratifying Villages

Because reliable labor force data by village are not available, and because the CLFS may be used to estimate characteristics of the population other than labor force, we recommend grouping the nineteen villages by geography rather than by labor force items.

The suggested grouping is given below:

<u>Group (Stratum)</u>	<u>ID</u>	<u>Village Name</u>
I	07	Dededo
II	16	Tamuning
III	18	Yigo
	09	Mangilao
	06	Chalan Pago-Ordot
	05	Barrigada
	11	Mongmong/Toto/Maite
IV	03	Agat
	13	Santa Rita
	19	Yona
V	12	Piti

VI	04	Asan/Maina
	01	Agana
	02	Agana Heights
	14	Sinajana
	10	Merizo
	17	Umatac
	15	Talofofo
	08	Inarajan

Selecting the Sample Villages

To keep the weighting and estimation simple, we recommend selecting two sample villages from each of Groups III - VI. Dededo and Tamuning villages will automatically be in sample since they are in groups by themselves.

Select the sample with probability proportional to size with replacement (PPS-WR) as follows:

1. Let M_{gi} be the number of housing units in the i th village in Group g . Cumulate the number of housing units over all villages in that group.

For example, suppose Group I contains three villages: Village A, Village B, and Village C, with 350, 250, and 400 housing units, respectively. You would cumulate them as follows:

<u>Village</u>	M_{gi}	<u>Cum</u>	<u>Assigned Range</u>
A	350	350	0001-0350
B	250	600	0351-0600
C	400	$1000 = M_{g0}$	0601-1000

2. For each Group g , generate two random numbers between 0001 and M_{g0} . Select the village into whose assigned range the random numbers fall.

For example, suppose the random numbers are 0256 and 0849. Since 0256 is in Village A's assigned range, select Village A. Since 0849 is in Village B's assigned range, select Village B.

Since the sampling is being done with replacement, it's possible that the same village may be selected twice in a Group. If this happens, we will double the number of housing units selected in that village during the next stage of sampling.

NOTE: In the current version of this proposal, villages selected during this procedure will be in sample for the entire life of the sample design. That is, until an entirely new sample is selected. If this is not satisfactory, alternatives might be developed where the sample rotates among villages in the same Group. This would tend to introduce more variability into the time series, however and cause additional complications in weighting.

Selecting Sample Housing Units

We want to select housing units within each selected village so that the sample is self-weighting. That is, each sample unit will have the same basic weight regardless of the village it comes from.

To do this, the sampling rate within the selected villages will vary. To determine the sampling interval in each village, proceed as follows:

1. Let $SI = M_0/m$, where M_0 is the total number of CLFS eligible housing units on the frame, and m is the total number of housing units to be selected.
2. Let $z_{gi} = M_{gi}/M_{g0}$ be the probability of selecting village i from Group g . Let $SI_{gi} = M_{gi}/m_{gi}$ be the sampling interval for village i in Group g . Then, $SI_{gi} = 2z_{gi}SI$ (for villages in Groups III-VI). For Dededo and Tamuning, $SI_{gi} = SI$.

For our example, suppose $M_0 = 28,000$ and $m = 3600$.

Then $SI = 28000/3600 = 7.7778$. For our Village A, $z_{11} = 350/1000 = .3500$ and $z_{12} = 250/1000 = .2500$ for Village B.

So the sampling interval in the 2 villages would be:

Village A: $SI_{11} = 2(.3500)(7.7778) = 5.4445$

Village B: $SI_{12} = 2(.2500)(7.7778) = 3.8889$

3. Select the housing units systematically from each sample village using the appropriate sampling intervals. If a village is selected twice in its group, divide the within-village sampling interval by 2.

NOTE: Recommendations for sampling new construction and rotating the sample units will be provided later. Estimation and weighting will be addressed after these issues have been resolved.

With the signing of the *Compact of Free Association* the Freely Associated States gained a special immigration status allowing free access to the United States for citizens of the Federated States of Micronesia (including the island states of Pohnpei, Yap, Kosrae, and Chuuk). Their status (automatically granted them by the *Compact*) upon entry was that of "habitual resident", thus granting them the privilege of an indefinite stay without any restrictions regarding employment, and opening up a number of assistance programs. This "habitual resident" status was enhanced by *Compact* section 141(a) so that it was unnecessary for FSM citizens to have a passport or to fulfill any visa requirements. This anomaly in U.S. immigration law produced dramatic changes in Guam of both a positive and a negative nature.

This free access to Guam brought an influx of FSM nationals; it is estimated five thousand on Guam as of 1990. If the inflow (approximately seven to eight hundred a month) and the attrition rate remain constant, there will be around twenty thousand FSM citizens living on Guam by the end of the century. These numbers are trifling to the population of the United States; however, to the community of Guam the impact is significant (Coming to America, Rubinstein, pg.2).

Anticipating this, the Congress mandated in the *Compact of Free Association* the regions seriously impacted by the change of relationship between the United States and the Federated States of

Micronesia, would be analyzed over a period of time, and would ultimately be compensated federally.

The work that has been done by the Guam Police Department since 1986 when the *Compact* was signed, has primarily been merely the reporting of crime statistics involving citizens of the Federal States of Micronesia. The scope of this paper shall go beyond those reports previously written by addressing more than just what has occurred and will attempt to offer an understanding of why it has occurred and what might be done to minimize the negative effects of relaxed immigration policies. Though this examination has been controversial, it must continue, not only to ensure the just monetary compensation for the people of Guam, but more importantly to fully protect the welfare of all Micronesians among themselves and in relation to the rest of the world.

The islands of Micronesia, though sharing many similar cultural views, are each unique. It is these cultural differences along with different levels of development and westernization that cause difficulties when Micronesians enter the U.S. and in particular Guam. Motivated to come for economic, educational, and cultural incentives, they arrive ill equipped for the challenges and responsibilities that are part of Guam. Their lack of preparedness impacts on many of the Government of Guam departments; however, the area experiencing the most dramatic consequences is the police department. In the adjustment to the complexities of the U.S. legal system there is trauma to individuals, and to the communities of Guam and Micronesia, as well.

Between eight and nine of every ten FSM citizens on Guam has arrived since the signing of the *Compact*. These newcomers are no longer the students as were the typical *pre-Compact* arrivals; instead they are characteristic of early migrant groups, "young working age men between the age of twenty and forty" (Coming to America, Rubinstein, pg.2). The ratio of men to women coming to Guam has remained two to one though it does appear to be shifting now (Coming to America, Rubinstein, pg.2).

Presently it is estimated that 3 percent of Guam's residents are citizens from the FSM, the figure of 5000 individuals cited earlier. However these FSM nationals accounted for 6 percent of the total crime in 1989, double their representation of the population. Arrests of persons from the FSM have increased from 70 to 328, 382 percent, over the past four years.

Areas of criminal activity that are of particular concern include sex offenses and alcohol related violations. FSM nationals committed 55 percent of the sex offenses (excluding rape which is a separate offense) on the island last year (FY 89). Based on the identification provided all these were committed by the people of one island, Chuuk¹. No strong conclusions can be made from this one figure for several reasons (primarily the small number of sex offenses); nonetheless, it is a figure that can provide insight and understanding into other aspects of what is occurring.

The next three offenses attributed to FSM Micronesians in

¹ Refer to page 17 for more information regarding identification.

unusually large percentages are all alcohol related: drunkenness; liquor law violations; drunk driving. In fiscal year 1989 FSM citizens committed 35 percent of the drunkenness violations, 33 percent of the liquor law infractions, and comprised 25 percent of those involved in drunk driving. It has consistently been noted that alcohol has "been a major factor in crimes for which FSM citizens are arrested ... in 1988, 87 percent of all arrests of FSM citizens were alcohol related"(Impact of the Compact of Free Association - 1988, pg. 15).

Of the 328 FSM citizens arrested during FY'89 the majority were people from the island of Chuuk; 237 of the arrests, or 72 percent, were made against the nationals of this one atoll. People from Chuuk do make up a significant portion of the FSM residents of Guam, but the exact percentage is unknown; therefore, an attempt to label them as 'most troublesome' can not be sustained. The citizens of Pohnpei accounted for 56 of the arrests, or 17 percent; those of Yap accounted for 24 arrests, equating to 7 percent; the people of Kosrae had 11 arrests, or 3 percent. This breakdown according to ID provided². It is expected that the 1990 census figures will provide an accurate number of the Micronesians on Guam, along with a useful breakdown of island heritage.

There is a paucity of compilation and a lack of accurate information that prevents one from discussing with complete confidence what is happening in the local Micronesian community.

²Refer to page 17 for more information regarding identification.

This want of knowledge has occurred primarily for two reasons: an inability to identify individuals and the inaccessibility of information due to high dispersion or nonaccumulation.

The first, and more damaging, is that incoming FSM nationals have no standardized verifiable identification. This deficiency spreads havoc throughout any system with which they come in contact. This is a cultural peculiarity as names are treated differently in these islands. One can change names as one chooses, using different names in different circumstances. A person is not limited to having only one name. The spreading of disinformation thus is not necessarily intentional, but still produces the same chaotic effects.

A recently documented incident which gives an idea of the potential confusion came after a car accident. The victim's friends gathered at the hospital as the doctor worked diligently on his patient to no avail. The victim's death certificate was then made out using the identification on his person; but when his friends were told of the death of 'X', one gentleman stood up and informed them that he was 'X'. This points out another weakness associated with identification; because of this lack of concern about names, the switching of identification is considered trivial, and is a common practice amongst many Micronesians.

Another barrier to accumulating information regarding FSM Micronesians is that they live outside of the system. The result of this is that the normal paper work that U.S. governmental agencies generate on individuals living in their regions fails to

include FSM citizens.

Probably due to an unfamiliarity with the U.S. system, there is a reluctance to involve oneself with the government. "The process of [simply] obtaining a license, registering a vehicle ... are unfamiliar concepts" (Trust Territory Students Adjustments to the Complexities of the United States Legal System, pg. 16). By using a friend's documents when needed a person could live, work, and grow old without any record of his ever having existed. This situation was exacerbated in the past by INS lack of available data on those freely migrating between Guam and the FSM. Typically an individual is only forced to interact with the system after a problem has occurred, a problem often involving the law.

A penalty for this lack of information is paid by both the legal system and FSM nationals. When a police officer encounters a Micronesian, he can never be sure exactly with whom he is dealing; when an attorney or a law enforcement officer is attempting to put a case together it may be impossible because of the disinformation or lack of information.

For the visiting citizens from the FSM, the consequences are vividly reflected in the high pre-trial detention rate of Micronesians at the Rosario Detention Center. FSM Micronesians comprised twenty percent of those remanded to Rosario during FY 89. 8 GCA section 40.15 sets out the factors that must be weighed in determining if a defendant is a flight risk. Considerations such as length of residency, family ties and relationships, and the identity of responsible members of the community who will vouch for

their reliability typically do not work for their benefit due to their recent arrival. Further, a lack of information or apparent discrepancies in information undermines the credibility of any remaining factors such as character and leaves the perception of a higher risk of non-appearance.

Another effect of this shortage of information is that it makes any costing of the impact contestable. With limited information, the costing of a partial group for the services of the legal system forces one to utilize abstract methods, or alternatively to proceed using acceptable estimates. Each of these methods recognizes there is insufficient information, and compensates for this by placing a much greater reliance on the information that is available. However, if the veracity of the existing information is dubious, only limited faith can be placed in the results.

The households in which many of these new arrivals stay is also cause for concern. The men who arrive from the FSM often step off the plane with little more than the name of someone to contact. Typically they enter a household of bachelors around their own age. These households are culturally uncharacteristic of Micronesia not because of the communal living style but, rather because of the lack of societal authority structures that would normally surround it.

In the past on islands such as Chuuk young males would live together under the special attention of older males and also under the watch of all of society. There they learned the skills a man

needed and were permitted an opportunity to engage in behavior that was marginally unacceptable with the least damage. This tradition has continued on Guam but without supervision. The resultant households are unstable units with no authority structure(Coming to America. Rubinstein, pg.3-4).

On Guam, there is concern with that lack of authority because it leaves questions about responsibility and liability unanswered.

New members of these households are always arriving and other members are leaving. At any one time it is nearly impossible to say who does and does not live in one of these residences. Often there are fifteen or twenty individuals living in two rooms sometimes without power, water, and/or adequate sanitation. The reason for living in these households may be an understandable economic necessity, but this type of living invites problems.

From the FSM citizen's perspective there are a multitude of reasons to come to Guam. But upon arrival they face not opportunities, but instead serious challenges to survival.

Back in their home islands, these [FSM citizens] have been socialized into a legal system which is a mixture of the traditional and the newly adopted U.S. system. For example, in the district centers there are speed limits posted along the roads and policemen are around to enforce the traffic rules. It is common among the youth to ignore the regulations and speed along the roads, often under the influence of alcohol. Traffic violation tickets are not widely enforced and, if a youth is arrested while under the influence of alcohol, the penalty will be a night spent in a familiar jail, good food, and a place to sleep. If a youth gets into a fight, it is usually the relatives who handle the resulting problems. If the situation becomes too big, the police come in and, again, the consequences are not very serious. Large fines and long prison terms are not frequent in the [Federated States of Micronesia]; usually, the youth goes his merry way. Occasionally,

when the youth becomes a problem to his community, relatives will try to get the youth to make reparation.

-Sister Marcia M del Sobral

Once on Guam however the individual becomes part of a radically different system in which the laws not only embody unfamiliar concepts, the breaking of those laws carry consequences that are far graver than they anticipate (Sister Sobral, pg.17). If one considers it takes eighteen years of socialization to prepare one who is born in the United States for full legal accountability, the expectation of immediate acclimation by a young person who has been raised on and only recently left an island such as one discussed by the Sister, is unreasonable. These young men are unfamiliar not only with the formal U.S. legal system, but also with the cultural beliefs and mores upon which it was founded. Any orientation into Guam's legal system that is given is provided by the recently acquired peer group on Guam, and inevitably by trial and error. Again, both of these methods have severe consequences not only for the community but also for the individual.

One consequence of having the peer group serve as instructor to a new arrival is the passing on of the perception that the justice system is 'hunting down' Micronesians, automatically creating a relationship that is adversarial, and based on fear. The feeling exists among young male Micronesians that they are being singled out for harassment. Without dismissing the accusation lightly, it seems more likely that they have not adjusted to the more active role law enforcement takes in American

society.

Additionally, it is the peer group that introduces those newly arrived to the night life of Guam and, albeit unintentionally, often encourages the behavior that produces the negative consequences. Coming from their relatively entertainment barren islands, they are inundated with bars, strip joints, and discotheques. Within these establishments, there is an etiquette that must also be learned. Extreme drunkenness and the behavior associated with it, may be supported by their group, but will not be tolerated by an establishment or its patrons.

Alcohol use and abuse is a sensitive topic when discussing Micronesians and their culture. Any comment made is construed to be racially motivated, and makes the discussion of this topic precarious. Nonetheless it is essential to an understanding of the culture of Micronesia and the behavior of Micronesians on Guam. Any responsible discussion of their interaction with the legal system must include an analysis of this topic. FSM Micronesians alone make up a quarter of all drunk drivers caught last year, and the vast majority of all crimes these nationals were involved in last year were alcohol related.

Micronesian attitudes about alcohol are vastly different from those of western society. Alcohol plays an intricate role in many of the Pacific cultures. Unlike western society, alcohol abuse and alcoholism are not equatable forms of behavior, and therefore drunkenness can fulfill positive social functions. In his book *Weekend Warriors* Mac Marshall investigates the role of alcohol on

the FSM island of Chuuk. He wrote his book in the late 1970s after the imposing of a partial prohibition on then Truk. Though much of what he predicted never materialized, his writing provides ample insights into the drinking behavior of Micronesians.

Drinking, according to Marshall, serves as a legitimate means of expressing aggression on Chuuk. The island was once warlike, but when guns became available, the escalation of violence made it necessary to put aside these ways (Marshall, pg.40). The role of warrior that was given to young men became extinct, leaving them in malaise. The historical method of asserting ones maleness no longer existed.

This method was substituted though by combining the observed drinking behavior of their European and Japanese colonizers (Marshall, pg.45). Chuuk is one the few places in the world with no indigenous alcoholic beverage; this left a readily fillable gap for knowledge on appropriate behavior when intoxicated (Marshall, pg. 37). Marshall theorized that the islanders combined the Japanese attitude that a greater latitude of behavior is acceptable when drinking, with the fighting and violence that occurred when the Europeans drank (Marshall, pg.45).

The forces generating this aggression are rapid cultural changes. These societies are placing extremely high expectations on their young males, but simultaneously offering them only limited opportunity. Gaining status in their communities can be done through education and acquiring an important position, but with their limited educational resources, their population dilemma, and

a less than active economy, the means are not there to accomplish that end. Still, for these young island males, there endures that cultural need for success, all the while coupled with a profound fear of failure and embarrassment. Alcohol offers them a position in society in which they will not be reproached and allows them the opportunity to act out these other aggressions.

There are some less ethnocentric reasons for the drinking with which any one from the United States is familiar; in particular, the need of older children and young adults to be immediately identified as an adult. In these islands there are no specific rituals that distinguish the child from the man. In the absence of Barmitzvahs and Confirmations, these children imitate the behavior of those slightly older. This leads to both drinking and smoking.

Whatever the reasons for this drinking, the behavior resulting from it is not always acceptable particularly when on Guam. The observations of a Guam hotel manager are that her Micronesian employees, who admittedly work well when present, will frequently miss work after receiving a paycheck, and the explanation she gives is a candid "they are out drinking." Documents describing the drinking behavior of Micronesians will often mention this tendency to binge. Once the drinking begins it continues heavily sometimes for days. And possibly because of the insecurities of being in a foreign place or some learned behavior, the drinking leads to misunderstandings and violence.

Possibly the greatest reason for the disproportional

statistics in crime associated with Micronesians is the change of caliber of FSM citizens deciding to come to Guam since the signing of the *Compact*. Those deciding to emigrate from their primary society, where they are familiar with their surroundings and enjoy a developed support system, are individuals who feel either that they have a great deal to gain or nothing to lose. The difference between the two is that the first group is usually comprised of those seeking an education or who already possess skills in demand. The latter is made up of less fortunate individuals who often exist on the social fringe of their own culture.

As noted earlier, it was the first category that constituted the majority of Micronesians in Guam prior to the signing of the *Compact of Free Association*. Regulations were such that for extended residency in the USA (Guam) one must have been either a full time student, or be taking a position that was not fillable locally. These requirements inhibited most Micronesians in moving between Guam and their home islands; and those who were least able to make the move were individuals whose experiences least prepared them to be able to interact with western bureaucracy. However, the FSM approval of the *Compact*, emigration was open to anyone who could acquire the airfare.

The motivating factors for coming to Guam can be put into three categories: the positive prospects of Guam; the negative aspects of home; and reasons that are distinctly cultural. With the possible exception of Hawaii, Guam leads the Pacific region in development. The unemployment rate presently is at two percent,

a level below the normally accepted frictional quantity. There is money, investment, and opportunity in such abundance that even for those lacking in skills and education there are jobs. And for Micronesians Guam employment not only pays significantly better, but is also earned in a place where there is much more to spend it on.

Prior to the signing of the *Compact* the magnet drawing islanders from all of Micronesia to Guam was the University of Guam, and though for the citizens of the Federated States of Micronesia, the educational opportunities are no longer the primary attraction to Guam, it remains a resource of which many wish to take advantage. An education is highly desired culturally both because of the accomplishment it represents, and the prosperity that it can bring (Bank of Hawaii, pg.8).

The U.S. aid provided the FSM since 1955 has averaged about ninety million dollars a year. "distribution of the aid and its utilization has become government's predominant business" (Bank of Hawaii, pg.8). U.S. funds are the 'genesis' of their economy, the money is recycled in the form of employee wages and salaries. This money is then used to attain foreign goods and services.

There are several other aspects of the FSM economy that presently create incentives to leave. The FSM, while progressing economically, is still primarily a government economy rather than a manufacturing or service oriented one. As long as this is the case one can assume that expansion of the job market will be slow. This is not encouraging news when one considers that on some

islands, unemployment is estimated at twenty percent.

This problem is further exacerbated by the population dilemma facing the FSM. Half of their population is under the age of sixteen, and the growth rate of the islands is approximately three and a half percent meaning that the population should double in the next twenty years(Bank of Hawaii,pg.8).

Realistically though, it is not that the plight of those in the FSM is so bad, nor that Guam is so good; rather it is the relative difference in prosperity .

As noted earlier, most of the reasons given for coming to Guam are characteristic of all migrants, that is educational and economic opportunity. However, one aspect that makes their movement somewhat atypical is that their desire for adventure is a prime motivator. There is a cultural push to travel and experience life, "part of the Micronesian worldview is that personal success is measured, to some degree, by how far from home one has traveled"(Coming to America, Rubinstein, pg. 2).

The goal of the Guam Police Department is to eliminate or at least minimize the affect of all these problems. The action that would do the most in accomplishing this end would be the implementation of a standard identification card for all incoming FSM nationals.

No specified entry document is required by the *Compact* for travel between the United States and the FSM. The question is left unanswered as to what documents are unacceptable. The only stipulation for INS to follow is Section 101 which demands there

be a 'travel document' that can be given the 'I-94' stamp. "Accordingly INS is obliged to accept a variety of documents ranging from passports to 'Certificates of Identity' form letters" (Memorandum Re: FAS Identification, pg. 2).

A uniform identification card for all FSM citizens coming to Guam would not only enhance Guam's ability to assist the new arrivals from the FSM, it would also give local agencies a reliable information resource for gauging the impact of the immigration. It would first assist by providing an indicator of what the FSM population is on Guam. The reader will recall the present number usually given is 5000; however, it is not known how this number was derived.

The identification should include such information as distinguishing features or marks, and even a finger print to ensure that the ID card would be unusable by anyone else. Laminating the identification cards and using a seal to discourage tampering would -- assure their validity. The common practice of ID swapping among FSM citizens that has caused so much confusion could quickly be eliminated with this one move.

Additionally, there should be a list provided to U.S. and Guam agencies of those individuals certified to issue the IDs which must include copies of their signatures.

With the assistance of Mr. Harvey Seeley, the INS Area Port Director at Guam International Airport, a reliable ID may soon become a reality. INS may soon require that incoming FSM citizens seeking employment have an EAD (Employment Authorization Document)

card. This card will be laminated and will include finger prints. It has been agreed that the information gathered will be freely shared with GPD. It appears that an EAD card may become a requirement for all FSM nationals entering Guam.

A distinction in the crimes attributed to FSM nationals must be made between behavior that would be acceptable in their home islands, and behavior that would be equally heinous there. The first infers ignorance on the part of the perpetrator regarding the unacceptability of his behavior in this environment. Those acts could be lessened considerably through an orientation program for the individual on Guam's standards of right and wrong behavior. The latter type of crimes can be prevented best by recreating the perpetrators island authority structure.

The machinery for a pre-departure orientation should be federally funded, but should be run in collaboration with a government of Guam representative; perhaps a GPD designer. The local government should make it a precondition for departure to Guam. The program could include videos and lectures that would not try to explain the entire U.S. legal system, but instead would focus on areas of concern such as what is acceptable sexual and drinking behavior. It could inform them as to what they are expected to do if they are arrested or in a traffic accident(e.g. abandoning the vehicle and running away from an accident site compounds the offense). The program could detail what assistance programs would be available to them while on Guam.

All these areas of concern are obvious to one living on Guam,

but they are not so to many recently arrived from the FSM. In fact none of these topics arise until the young Micronesian is in the midst of a critical situation, when there is no time for adequate reflection, and where unfamiliarity turns a situation from bad to worse.

Beyond integrating arriving FSM citizens into the local information network and educating them on their rights and responsibilities while on Guam, there must be a move to increase the communication between the Government of Guam and FSM nationals. There are several methods that the Police Department feel could accomplish this, including the establishment of a 'Micronesian Desk'; the active recruitment of Micronesians for the department; and the development of an exchange program between Guam and the FSM.

The exact role of a 'Micronesian Desk' is still in formation, but it would certainly include police officers whose focus of work would be the development of positive lines of communication between the FSM government, FSM nationals on Guam, and the Guam police department. It will be their responsibility to bridge the gap between these two areas that share the common culture of Micronesia, but that have experienced extremely different levels of development and westernization. Their task would be to develop a rapport with all FSM organizations on Guam including church, social, and educational. They would use that ongoing relationship to foster mutual understanding and sensitivity between the groups, replacing the present sporadic contact which occurs only at times

of confrontation.

Each officer would hopefully be fluent in at least one of the FSM languages, and, if possible, be of FSM heritage. To acquire officers for this purpose the department is actively trying to recruit qualified FSM candidates.

Besides improving relations with FSM residents on Guam it is important to increase communication between the Guam and FSM police departments. An exchange program between these agencies could achieve this by allowing for one to actually see the problems the other faces rather than simply hearing about them, thus creating an understanding and sensitivity to the needs of the other. An incentive for FSM officers would be the opportunity to study the more advanced methods and technology used by Guam police.

Admittedly the problems are imposing, but by means of this three pronged attack of increasing information, providing education, and stimulating communication, much can be accomplished to drastically reduce the unlawful activities of some FSM citizens on Guam.

Additionally, facts suggest that the problem may soon be overtaken by the normal course of events. There is reason to hope that forces associated with migration may soon aid in reducing the impact on the justice system. In a recently presented paper, Doctor Donald Rubinstein examines the community organization that is developing among the Micronesian families on Guam. He describes the typical pattern of migration

First the young men arrive. After some time they find jobs and suitable housing, and begin to feel comfortable in the new place. Then they arrange for their wives and girlfriends and female relatives to come from home. The young couples start raising families, and as they have more children, they bring young sisters or nieces or cousins from home, to help with the kids. They also bring other male relatives who can work and provide additional income to the household. When the household achieves enough economic security to support more dependents, the couple might bring their elderly parents (Coming to America, Rubinstein, pg.3).

The evidence collected in his study indicates that this process is taking place on Guam at an accelerated rate, and that it appears Guam is entering the second stage of migration where more females arrive and families are begun (Coming to America, Rubinstein, pg.3).

The first stage primarily brought men between the ages of eighteen to thirty, a group which within any race has a high involvement in crime. Additionally, when these men left their islands they also left the authority structure that put bounds on their behavior. What has begun here now, is that a progressively truer cross-section of the FSM population is arriving, and with them they bring cultural standards and values concerning family. During the next few years ethnic societies for each of these islands will certainly form, evolving, and these social groups will do much to regulate the behavior of their own.

Belauans arriving on Guam had been associated with much of the same behavior as FSM citizens. Arriving en masse before the wave from the FSM, their family structure has strengthened and a true sense of community has formed as shown by the Belauan groups

on Guam. The result of this organization was that a rapidly growing crime problem in the mid-1980s dropped twenty percent in 1989, while alcohol related crimes attributed to Belauans dropped fourteen percent.

Time itself will provide solutions but it will also generate new areas of trouble that must be anticipated and resolved. The emergence of the family structure promises to be a positive step, however even this change may create problems. Presently there is no Micronesian juvenile problem on Guam but as families form there is a potential for difficulties. Already "six percent of the FSM residents now in Guam were born here after the *Compact*, which is remarkable considering the small proportion of woman among the FSM newcomers"(Coming to America, Rubinstein, pg.2). There are numerous examples of these potential problems, but the point is that the impact of *Compact* is an ongoing challenge with no foreseeable end at this time.

In summary, the goal of the Guam Police Department is to eliminate, or at least minimize the drain of its resources that occurs because of the *Compact of Free Association*. In this endeavor it will do whatever it can within the confines of United States law and the terms of the *Compact*. Still, though this problem developed quickly, the solution will require time to solve if one wishes to be properly sensitive to the welfare of individuals.

Presently many of the FSM Micronesians on Guam are living in a manner that is not acceptable in either Guam or their own island

culture. Their behavior often takes them outside the confines of the law. This creates heavier consequences for the FSM individual and the legal system than would the arrest of the average resident. This is due to FSM national's unfamiliarity with the U.S legal system, and the U.S. legal system's unfamiliarity with the culture of the FSM.

Solving these problems associated with the FSM nationals will require information, education, communication, and time. Specific actions that will hasten a resolution are a reworking of government forms to include needed information: a standardized ID card for FSM nationals; a pre-departure orientation program; a 'Micronesian desk'; and time.

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