



COMMISSION ON DECOLONIZATION
Regular Monthly Meeting Minutes
March 7, 2023 | 3:00 p.m.

I. Call to Order at 3:05 p.m.

II. Roll Call

- a. Hon. Lourdes Leon Guerrero
- b. Hon. Therese Terlaje
- c. Hon. Tina Muña-Barnes
- d. Hon. Frank Blas
- e. Hon. Jesse Alig (**excused**)
- f. Hon. Eddie Duenas (**absent**)
- g. Dr. Michael Bevacqua
- h. Adrian Cruz
- i. Dr. Mary Cruz
- j. Dr. Kenneth Gofigan Kuper
- k. Ty Whitaker (**excused**)
- l. Victoria “Lola” Leon Guerrero
- m. Dewey Huffer
- n. Others Present
 - a. Alan Cepeda (Office of Vice Speaker Tina Muña-Barnes)

III. Approval of minutes - December 6, 2022, and February 7, 2023

- a. **Motion by Adrian Cruz.**
- b. **Motion seconded by Hon. Frank Blas.**
- c. **Motion passed by consensus.**

IV. Old Business

- a. Plebiscite Update & Strategy Discussion
 - a. **Melvin Won Pat-Borja:** Reviewed the Board Inquiries Responses, answers to a set of questions posed during the last COD regular meeting. Question #1 provided examples of political categories that are eligible to vote in a plebiscite. Question #2 expanded on the CLTC (CHamoru Land Trust Commission) eligibility requirements and their criteria. Question #3 covered eligibility in other jurisdictions. He explained that in the United States framework, there is no other territory with a similar eligibility requirement. However, one similar example is Western Sahara.
 - b. **Adrian Cruz:** Added that an alternative route to achieve a plebiscite is through international treaties, which is equal to the Constitution of the United States. Suggested aligning Guam’s eligibility with the descendants of those covered in the 1898 Treaty of Paris. This would allow the eligibility to be tied to a timeframe.



- c. **Melvin Won Pat-Borja:** Added that for the CLTC settlement, a critical piece was being able to tie eligibility to the record of the acquisition of land by the federal government.
- d. **Adrian Cruz:** Brought up a concern with tying eligibility to land acquisition. One disadvantage is that the federal government may become very specific and only those who can provide loss of land may qualify. Added that an advantage of using a treaty is that the 1898 Treaty of Paris has been ratified and accepted by the U.S.. A list of those in Guam in 1898 is available.
- e. **Melvin Won Pat-Borja:** Explained that to make progress, a revised bill must be completed. The Commission will work with Vice Speaker Muña-Barnes' office. The Commission did attempt to draft a bill and it is under review by Legal Counsel. Once Legal Counsel has completed their review, it will be shared for review by the Board.
- f. **Governor Lou Leon Guerrero:** Explained that Legal Counsel understands that the purpose of the bill is to address the issues that were highlighted by the court in Davis v. Guam. If the bill is challenged again, we can show that the issues have been addressed and that the vote is non-discriminatory. Legal Counsel is reviewing the comments by the Attorney General.
- g. **Speaker Therese Terlaje:** Requested that the Board be able to review the draft to discuss parameters for the bill. Asked for the parameters of the bill.
- h. **Melvin Won Pat-Borja:** Addressed the inquiry on parameters. Reiterated that the focus of the bill is to address the assertion that ancestry is being used as a proxy for race. Explained that the CLTC settlement is comparable because they went to court under a similar premise, that potential applicants were being discriminated against by using ancestry as a proxy for race. Their solution used a time-based definition with a connection to land acquisition. We must create a time-based political definition that passes legal muster. For the Commission on Decolonization's bill, the criteria for eligibility was rooted in the 1898 Treaty of Paris and the 1950 Organic Act.
- i. **Speaker Therese Terlaje:** Inquired about the use of "native inhabitants" in the revised bill.
- j. **Melvin Won Pat-Borja:** Explained that a new term must be created because "native inhabitants" is tied to the current law. Currently, a placeholder is being used.
- k. **Governor Lou Leon Guerrero:** Noted that Congress also uses the term "native inhabitants" and explained that the concern of the court was the use of CHamoru. In the CLTC settlement, the only place "CHamoru" appears is in the title of the program.
 - a. Motion by Governor Lou Leon Guerrero to hold a special meeting to discuss the draft plebiscite bill once feedback is received from Legal Counsel.
 - b. Motion seconded by Adrian Cruz
 - c. Motion passed by consensus.
- b. Legislative Informational Hearing/ Community Roundtable
 - a. **Melvin Won Pat Borja:** Informed the Board that the Commission has begun to conduct teach-ins with senators and their office staff. However, COD aims to collaborate in planning a legislative-wide informational hearing that the community can participate in. COD is prepared to begin planning but a representative from the legislature must be identified.



V. United Nations Updates

a. UN C-24 Regional Seminar

- a. **Melvin Won Pat-Borja:** Notified the Board that the UN C-24 Regional Seminar will be held in Bali, Indonesia from May 24-26, 2023. The Commission intends to send correspondence to the new C-24 Chairwoman, H.E. Menissa Rambally (St. Lucia) to start building a new relationship with the Chair. Copies of *Giha Mo'na* will also be sent.

b. UN C-24 Substantive Session

- a. **Melvin Won Pat-Borja:** Informed the Board that the UN C-24 Substantive Session will be held in June 2023 in New York. However, the exact dates have not been announced.

c. UN C-4 Regular Session - October 3-7, 2023

- a. **Melvin Won Pat-Borja:** Notified the Board that the UN C-4 78th Regular Session will be held in New York from October 3-7, 2023. Reminded the Board that they can access both the C-24 and C-4 regular sessions as a petitioner. Petitioners must represent a community or non-profit organization. However, Senators may represent the Guam Legislature.
- b. **Speaker Therese Terlaje:** Requested an update on any new strategies to be used in the Commission's interactions with the C-24 and C-4 or if there will be additional items added to Guam's UN C-4 resolution.
- c. **Melvin Won Pat-Borja:** Confirmed that this item will be added to the next meeting agenda. Discussions will help prepare for the Regional Seminar.

d. USUN Letter

- a. **Melvin Won Pat-Borja:** Explained that the USUN recommended having the Governor draft a letter to address Guam's continued request for a plebiscite, recognition of the study, and authorization of a visiting mission and Guam's concerns around the inequity of our relationship with DoD. A letter has been drafted and is currently being edited. The letter is similar to a research paper as the Commission must establish a foundation for the USUN, who may not be familiar with the Commission's history of engagement at the UN. When the letter is complete, it will be sent to the Board.

VII. COD Office Updates

a. Educational outreach

- a. **Melvin Won Pat-Borja:** Updated the Board on the Commission's educational material supply. All paperback copies of *Giha Mo'na* (n=1,500) have been distributed. The Commission is conducting an assessment of their distribution sites to identify locations where the educational material can be redistributed. Suggested potentially printing additional paperback copies of *Giha Mo'na*. In addition to *Giha Mo'na*, the Commission has begun to distribute *Giha Mo'na: At a Glance*. A truncated version of the larger study that compiles the social media translations produced by PBS. This booklet will be distributed to COD's current distribution sites and is available digitally. A launch event will be planned after the material is given to the Commission's distribution sites. The Commission also began Mes CHamoru month by participating in the Fanohge Coalition's Decolonization Chesa event. The three task forces and



the Micronesian Climate Change Alliance were also present. This event was organized in a speed dating style and there was great engagement with community members. Finally, the Commission conducted presentations for the University of Guam's Critical Thinking course. They intend to continue presentations with UOG, Guam Community College, and various public high schools.

- b. **Governor Lou Leon Guerrero:** Inquired if the Commission is conducting outreach in collaboration with the Mayor's Council.
- c. **Melvin Won Pat-Borja:** Reported that the Commission is using the Mayor's offices to distribute educational material. They are currently focusing on educational material distribution and presentations in schools and are working with teachers. The Commission does plan to start village-level outreach. Added that the PNC Viewpoint has invited the Commission and Task Forces to film a segment. Filming can be done on site or that can meet the Task Forces at an agreed upon location and can be scheduled between 9:00 a.m. - 12:30 p.m. (on-location) or 1:30-3:30 p.m. (in studio) any day this week.
- d. **Melvin Won Pat-Borja:** Noted that the Commission has invested in being a sponsor for PBS during Mes CHamoru. PBS will re-air the Decol 101 documentary and ads. If the Task Forces are interested in PBS' sponsorship packages, please reach out to PBS.

VIII. Task Force Updates

a. Statehood

- a. **Dewey Huffer:** Reported that he and Former Senator Eddie Duenas are working with Shooting Star Production to create radio and television ads. The task force will own the ads when complete and push them through social media.

b. Independence

- a. **Michael Bevacqua:** Reported that the Independence task force joined in the Fanohge Coalition's Decolonization Chesa. The group was represented by Victoria Lola Leon Guerrero. The task force is working with Mighty Island on their Independent Sounds series, a series of music videos by six local artists. They recently received first drafts for two of the videos and are planning to release them via social media.

c. Free Association

IX. Open Floor

- a. **Melvin Won Pat-Borja:** Promoted the Department of CHamoru Affairs' upcoming Mes CHamoru Trivia Challenge Bowl, which will be held on March 24, 2023. There is limited seating, but an invitation to RSVP will be sent out. There will be a decolonization bonus round included in the challenge. The Commission will provide the educational insert to all participants to include in their study guide. All questions for the decolonization section will be derived from the educational insert.

X. Adjournment

- a. Motion by Governor Lou Leon Guerrero to adjourn.
- b. Motion seconded by Speaker Therese Terlaje.
- c. Motion passed by consensus.
- d. Meeting adjourned at 3:57 p.m.