



**COMMISSION ON DECOLONIZATION**  
**Regular Monthly Meeting Minutes**  
**February 4, 2025 | 3:00 p.m.**

- I. Call to Order:** 3:06 p.m.
- II. Roll Call**
  - 1. Hon. Lourdes Leon Guerrero**
  - 2. Hon. Frank Blas Jr. (Excused absence, represented by Andrew “Andy” Leon Guerrero)**
  - 3. Hon. Sabrina Salas Matanane (Excused absence, represented by Ryan San Nicolas)**
  - 4. Hon. Brian “BJ” Terlaje**
  - 5. Hon. Eddie Duenas (Absent)**
  - 6. Dr. Kenneth Gofigan Kuper (Excused absence, represented by Nolan Flores)**
  - 7. Dr. Michael Bevacqua**
  - 8. Victoria “Lola” Leon Guerrero**
  - 9. Dr. Mary Cruz**
  - 10. Natasha Suba**
  - 11. Victoria “Lola” Leon Guerrero**
  - 12. Anthony Charfaros**
  - 13. Other**
    - a. Hon. Sabina Flores Perez (38th Guam Legislature)
    - b. Ariana Millard (The Office of Senator Sabina Perez)
    - c. Caden Poblete (35th Guam Youth Congress)
    - d. Frank San Nicolas (Guam Daily Post)
    - e. Joe Taitano (Pacific Daily News)
- III. Approval of Minutes - Regular Monthly Board Meeting - October 1, 2024**
  - a. **Motion made by Governor Lou Leon Guerrero to approve minutes.**
  - b. **Seconded by Victoria “Lola” Leon Guerrero.**
  - c. **Motion passed by consensus.**

#### IV. Financial Report

- a. Account balances
  1. **Melvin Won Pat-Borja:** Reported account balances of non-encumbered funds for the political status taskforces as of February 4, 2025. The Statehood Task Force is at \$55,000. The Free Association Task Force is at \$53,101. The Independence Task Force is at \$43,000.
- b. Task force procurement updates
  2. **Melvin Won Pat-Borja:** Reported that COD met with the Independence Task Force on January 16 to discuss the task force's upcoming projects and procurement needs. COD will assist the task force and prepare Requests for Quotes (RFQs). COD is pending a scope of work and descriptions of services that the task force is seeking in support of their educational campaign. Asked co-chair of the Independence Task Force, Victoria "Lola" Leon Guerrero if the report is correct.
  3. **Victoria "Lola" Leon Guerrero:** Affirmed that report is correct.
  4. **Governor Lou Leon Guerrero:** Asked for clarification, if the account balances reported are for the fiscal year.
  5. **Melvin Won Pat-Borja:** Affirmed that the account balances reported are for the fiscal year. Reported that COD met with the Free Association Task Force on January 31. On February 3, COD sent out an RFQ for research consultancy services on behalf of the task force and responses from vendors are pending. The task force also requested equipment to support their educational campaign, which was delivered on January 29. Asked Free Association Task Force representative, Nolan Flores, if any pending requests have not been fulfilled.
  6. **Nolan Flores:** Reported that there are currently no other pending requests.
  7. **Melvin Won Pat-Borja:** Reported that COD has not received any requests to date from the Statehood Task Force.

#### V. Old Business

- a. Plebiscite Update & Strategy Discussion
  1. **Melvin Won Pat-Borja:** Reported that the crux of the issue for a political status plebiscite is the Ninth Circuit Court ruling on the *Davis v. Guam* case, which effectively set a moratorium on setting a date for the plebiscite, registration of voters in the Decolonization Registry, and has prohibited facilitation of the plebiscite under the current enacted law which has been ruled unconstitutional. Clarified that COD is still allowed to continue its educational mandate, where its focus has shifted in lieu of resolution at a policy level. Noted that there are two options in moving forward on a referendum. One calls for the Guam Legislature to repeal and replace the existing law in a way that fits the confines of the Ninth Circuit Court ruling, where voting eligibility would be open to all voting residents. The other option is to have the government take a step back, focusing on education, and allowing a non-governmental organization to facilitate a referendum. The role of the government would then be to coordinate United Nations observation of the

referendum as the ruling by the Ninth Circuit Court prohibited the use of public funds to facilitate a political status referendum in which voter eligibility is restricted in any way. Explained that the government argued that the definition of “Native Inhabitant” is time based. However, this was not held up in the case despite being held up in the Chamorro Land Trust Commission (CLTC) case. Explained that the next steps for a plebiscite are out of COD’s hands. It will be useful for board members to weigh in on the discussion with the Guam Legislature. Emphasized that to move forward on a government led plebiscite requires legislative action.

2. **Governor Lou Leon Guerrero:** Reiterated that the current law, which states that Native Inhabitants are eligible to vote, was declared unconstitutional. If we decide that only those who qualify as Native Inhabitants should be eligible for the plebiscite, then it has to be conducted by a non-government organization. If it is government supported or government run, then the vote must be open to everyone in Guam.
3. **Melvin Won Pat-Borja:** Added that the current law went through the full legal process, including public hearings, debate, and a vote. Compared this process to the Insular Cases. Elaborated that the Insular Cases have been challenged as being racist for many years, with the federal government maintaining that the cases are still good American law as it went through its own legal process.
4. **Governor Lou Leon Guerrero:** Asserted that an aggressive move must be made, as it has been difficult to find a non-governmental organization (NGO) to hold a plebiscite with the current Native Inhabitant eligibility. COD cannot be involved in that process. Explained that an NGO has to organize themselves to conduct and pay for the plebiscite. When a decision is made then the results can be sent to the Guam Legislature; who can introduce a resolution utilizing the results asserting that it represents the will of the people. After, the results can be presented to the U.S. Congress who may either approve or disapprove it.
5. **Victoria “Lola” Leon Guerrero:** Added that the Guam Legislature could create a new law or amend the existing law. Noted that there is currently no legislative action to do so. Neither action would occur at the COD Board level. The current task for the COD Board and office is education. Emphasized that whatever route is taken, it is important to ensure that the community is properly educated about the options they are going to choose from. Explained that a new law or amending the law to open the vote, are options to hold a plebiscite that is not challenged legally. The legislative process is important if that were to happen, we would want to ensure there would be public hearings and that our people are properly educated. For an NGO-led plebiscite, the government would only be responsible for the educational component.

6. **Governor Lou Leon Guerrero:** Asked about Sen. Sabrina Salas Matanane’s presence at the board meeting.
7. **Ryan San Nicolas (Office of Senator Sabrina Salas Matanane):** Identified himself as a representative from the Office of Senator Matanane.
8. **Victoria “Lola” Leon Guerrero:** Remarked on the new board composition. Asserted that the COD Board has had the same conversation regarding the plebiscite every time it has convened. The Independence Task Force will continue its role to educate about the possibilities of Independence, but it is difficult to engage the community without actual action on the horizon. Asked about ways to move forward so that the Board does not have to keep having the same conversation.
9. **Governor Lou Leon Guerrero:** Asked about the positions of representatives of board members who were not in attendance at the meeting.
10. **Ryan San Nicolas (Office of Senator Sabrina Salas Matanane):** Asked if the plebiscite results would be non-binding.
11. **Melvin Won Pat-Borja:** Affirmed that the results will be non-binding. Explained that the current law designates it as a non-binding referendum. Explained that having the plebiscite as non-binding was part of the frustration from people when the current law was challenged in court.
12. **Governor Lou Leon Guerrero:** The results will be sent to Congress for their approval. Guam did have a previous status plebiscite where the results were for the Commonwealth which had issues with Guam’s ask for mutual consent.
13. **Dr. Michael Bevacqua:** The results of a political status plebiscite will be considered by the United States federal government as nonbinding. If it comes under federal court scrutiny, then the issue of whether it’s binding or non binding does matter. In the past, there have been attempts through negotiations and there have been attempts through legislation. For Puerto Rico, the federal government has directly interfered, requiring that status quo be put on their plebiscite, amongst other issues. It is a difficult thing to discuss because we can come up with something that will satisfy our conversation, but there’s an entirely different conversation at the federal level.
14. **Governor Lou Leon Guerrero:** The federal government cares about the status quo. Even when the UN dictated that colonizing nations allow their colonized peoples to go through their decolonization processes. We are moving forward with the educational process and there has been activity with the United Nations in our plight for self-determination.

15. **Senator Sabina Flores Perez:** Noted that Guam is a strategic part of the U.S. Asked if there has been any attempts to negotiate Guam's strategic importance to include the island's decolonization.
16. **Melvin Won Pat-Borja:** Explained that there have been multiple engagements with the Department of Defense (DoD) regarding the impact they have on Self-determination. DoD has consistently asserted that Self-determination is not in their arena. However, many recognize the deepening dependency of Guam on the federal government only further entrenches the island into its Non-Self-Governing status. Asserted that at no point has DoD or the federal government agreed to weigh in on its impact. Noted that COD has tried to get the Rear Admiral to participate in its conference series to have a discussion on defense as it plays a huge role in the Self-determination and decolonization conversation.
17. **Governor Lou Leon Guerrero:** Explained that DoD's stance is that they are apolitical. DoD does not get involved with the politics of states and territories. They are there to do their mission to protect freedom and democracy, but no official statements have been made either way.
18. **Senator Sabina Flores Perez:** Asked if attempts have been made to bring the issue to a higher level, like to the State Department.
19. **Melvin Won Pat-Borja:** Explained that each time GovGuam participates in United Nations engagements, simultaneous engagement occurs with the United States Mission to the United Nations (USUN) which is the State Department's arm at the United Nations. Engagement with the USUN has been official, as they gave approval for a UN visiting mission to Guam. The UN recognizes as part of their mandate that if a Non-Self-Governing Territory (NSGT) requests for a UN visiting mission the Administering Power has to acknowledge and fulfill that request. The UN will not conduct a visiting mission without the permission of a territory's administering power. The challenge is that the UN Special Committee on Decolonization (C-24) has to figure out how to fund it.
20. **Melvin Won Pat-Borja:** Noted that another NSGT was approved for a visiting mission, Guam may be next on the list. Asserted that if funding is identified, Guam may be the next to be considered for a mission.
21. **Senator Sabina Flores Perez:** Asked about the cost for a visiting mission.
22. **Governor Lou Leon Guerrero:** Noted that the cost is dependent on the number of UN dignitaries and where they are coming from.
23. **Melvin Won Pat-Borja:** Explained that the mission would be led by the UN C-24, who will identify a team of UN representatives and will coordinate with the Administering power. It is assumed that the U.S. State Department or the Department of Interior would send their representatives. The cost will depend on the size of the team that the UN sends. A report with findings will be made after the mission.

## V. New Business

### a. Updates in COD Board Membership

1. **Melvin Won Pat-Borja:** Introduced the new members of the COD Board. Outlined the board's composition: the Governor of Guam (designated by law as the Chair), Speaker Frank Blas Jr. (Speaker Appointee); Senator Sabrina Sala Matanane (appointed by Senator Jesse Lujan, Chair of the Federal Affairs Committee); Yoña Mayor Brian Jess "BJ" Terlaje (Mayor's Council of Guam Appointee); Anthony Charfauros (GYC); Dr Kenneth Gofigan Kuper (previously a member-at-large, now the Chair of the Free Association Task Force), and Natash Suba (member-at-large). The Board also has a representative from the minority within the Guam Legislature, which has yet to be identified and remains open.

### b. Task force email accounts

1. **Melvin Won Pat-Borja:** Explained that COD was asked to create official email accounts for the task forces. COD has requested that OTECH create official email accounts for each task force. A response is pending. If approved, credentials will be sent or shared with task force leads. Then the leadership can determine how they will utilize these email accounts.

### c. FY 2025: Fanhita Conference

1. **Melvin Won Pat-Borja:** Highlighted that COD hosts an annual public conference for educational purposes. Explained that last year, a conference was not held due to difficulties accessing COD's rollover funds. Additionally, he was on leave during the time the conference is usually held. A proposal has been sent to the board members seeking their approval for the FY25 Fanhita conference. Asked board members to provide feedback, questions, or concerns regarding the conference proposal.

2. **Dr. Mary Cruz:** Asked if COD's budget and rollover funds can cover the conference's costs.

3. **Melvin Won Pat-Borja:** Confirmed that COD's budget is sufficient.

4. **Dr. Mary Cruz:** Asked about the conference's attendees as the proposal identifies Days 1 and 2 of the conference being for the community. Asked how people will be selected. Applied the same question for the identified day for stakeholders.

5. **Melvin Won Pat-Borja:** Explained that the conference attendees will be invited through a public invitation. Attendees will be registered on a first come, first serve basis that is based on space availability. For the stakeholders, COD has identified community groups and organizations that will be targeted that are primarily partners. Emphasized that COD is a small team and education is done through partnership with other organizations that allow COD to expand. Therefore the priority would be to invite organizations that give COD greater and wider access.

6. **Dr. Mary Cruz:** Asked about the toolkit outlined in the proposal and its availability for those who would not attend the conference.

7. **Melvin Won Pat-Borja:** Noted that included in the budget proposal is live streaming and recording services, so that the whole of the conference and discussions will be made available. All conference materials will also be posted in a digital format on COD's website.
8. **Victoria "Lola" Leon Guerrero:** Asked about engaging with dignitaries and officials from other territories, as was done in the first Fanhita conference.
9. **Melvin Won Pat-Borja:** Affirmed that if guests can attend virtually, COD is open to the idea. Explained that it was possible for the first Fanhita conference as it was funded through the Department of Interior grant, which was also utilized for the Self-determination study. This funding was sufficient to fund travel and per diem for guests from other territories. Since then, COD's budget has shrunk significantly. If participation can be created virtually, COD can work out a mechanism.
10. **Victoria "Lola" Leon Guerrero:** Asserted that it will be important to hear their perspectives. It might not have to be during the days of the conference, but it will be good to re-engage and strategize with other territories towards a solution.
11. **Melvin Won Pat-Borja:** If the proposal is approved, COD can work with board members to target participants from other territories and will be able to engage with them.
12. **Governor Leon Guerrero motioned to approve the proposal for the FY25 Fanhita Conference.**
  - a) **Melvin Won Pat Borja:** Asked for further questions.
  - b) **Dr. Mary Cruz:** Asked about marketing costs.
    - (1) **Melvin Won Pat Borja:** Explained that the cost is embedded in the Logistics Coordinator costs. Social media provides COD the most value as a marketing tool. Social media boosting and marketing can only be paid with a credit card, which COD does not have. COD has explored television, print, and radio advertising, but it is costly and cuts into operational expenses.
  - c) **Nolan Flores:** Asked if either Day 1 or 2 within the proposal are specifically targeting youth and if the task forces engage within the youth component.
    - (1) **Melvin Won Pat Borja:** COD has existing partnerships with a few youth organizations and has been active at both public and private institutions. COD will ensure that they will be a part of outreach and promotion for the conference. There will be opportunities for the task forces to engage, the concern is that if there will be good representation from task forces.
  - d) **Seconded by Anthony Charfauros**
  - e) **Motion passed by consensus.**
13. **Governor Lou Leon Guerrero motioned for COD to submit a budget proposal for traditional media advertisement to garner funding assistance from each task force.**
  - a) **Seconded by Natasha Suba.**

b) Motion passed by consensus.

## VI. COD Office Updates

### a. COD outreach

1. **Melvin Won Pat-Borja:** Reported that COD has continued its Public Information Program (PIP) through different mediums. COD premiered two short videos made in collaboration with Nihi Indigenous Media. Both videos got a lot of community engagement and helped to boost COD's social media presence. COD has continued its radio talk show spot, *Challenge the Status Quo*, hosted by COD in partnership with Glimpses Media on Wave 105.1 FM. The show is on every Monday from 10 AM-12PM. It was previously every Wednesday from 10AM-12PM. COD has sent notice to each political status task force for another appearance on the show. Additionally, COD piloted its first middle school-oriented presentation with Oceanview Middle School. This came as a request from a teacher from the school. Presentations were given to all grade levels with approximately 100 attendees per grade. Copies of COD's educational material were distributed to students along with copies for circulation at the school's library. COD has also contacted all of the senatorial offices including the newly elected senators, offering presentations for each office. For material distribution, COD is working to replenish existing distribution sites and expand to new sites for educational material distribution. COD has reached out to all of the mayor's offices, the Guam Public Library System, UOG, and GCC to inquire about their existing stock of materials. There are now less than 50 hard copies of *Giha Mo'na*. Finally, COD has carried out a "Back to the Basics" social media campaign to provide education on the basics for decolonization, Self-determination and the three status options.

## VII. Task Force Updates

### a. Statehood

1. No updates.

### b. Independence

1. **Victoria "Lola" Leon Guerrero:** Reported that the Independence Task Force, in collaboration with several community groups, hosted its annual Lukao Fuha last week Saturday, February 1. Almost 150 participants hiked up to Fouha Rock and reflected on the origins of Guam's creation story. The task force has a full slate of events planned for the year to include its annual concert as well as some planned mural projects. The task force will continue with direct community outreach and engagement through different educational discussions. The Fanachu podcast is still going strong.

### c. Free Association

1. **Nolan Flores:** Reported that the Free Association Task Force continues to work on getting established. Thanked COD for assisting with equipment procurement and in the release of the RFQ for research contract services.



- d. **Melvin Won Pat-Borja:** Asked the task forces to be aggressive with their budget appropriations. Appropriations have decreased significantly, with a big part in reduction stemming from inactivity and spending across to the board. It is not to say that none of the task forces were using the resources, but there needs to be consistency for all three.

**VIII. Open Floor**

- a. No discussion.

**IX. Adjournment**

- a. Motion made by Dr. Mary Cruz.
- b. Seconded by Anthony Charfauros.
- c. Adjourned meeting at 4:14 p.m.