

**I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
(2010) Second Regular Session**

Resolution No. 312-30(25)

Introduced by:

v. c. pangelinan  
Judith T. Won Pat, Ed.D.

*Handwritten notes and signatures:*  
From 11/19/10  
11/19/10  
-De

**Relative to requesting *I Maga'Låhen Guåhan* to request the Secretary of Interior to reprogram Fiscal Year 2010 and prioritize Fiscal Year 2011 Compact Impact Funds for the lease of a temporary school facility for the students of John F. Kennedy High School.**

**Be it resolved by *I Liheslaturan Guåhan*:**

1           **Whereas**, the United States Congress committed and promised  
2 to appropriate sums to offset costs incurred by the Territories inclusive of  
3 Guam due to increased demand placed on educational and social services by  
4 immigrants from the Freely Associated States; and

5           **Whereas**, the Compact of Free Association Amendments Act  
6 of 2003, authorizes the appropriation of Thirty Million dollars (\$30,000,000)  
7 for each fiscal year from 2004 to 2023 to reimburse the affected jurisdictions  
8 to aid with services due to the residence from the Freely Associated States;  
9 and

1           **Whereas**, the basis for the reimbursement is the increased  
2 demand on educational, social, or public sector services or infrastructure  
3 related to such services due to the residence of qualified non-immigrants  
4 from the Republic of the Marshall Islands, the Federated States of  
5 Micronesia, or the Republic of Palau; and

6           **Whereas**, the Guam Department of Education operates schools  
7 with student populations that exceed legislatively mandated capacity  
8 limitations; and

9           **Whereas**, John F. Kennedy High School was condemned and  
10 closed in June 2008 forcing over 5000 students to utilize George  
11 Washington High School; and

12           **Whereas**, in June 2009, Honorable Felix P. Camacho, *I*  
13 *Maga'lahaen Guåhan* entered into a long term lease agreement to temporarily  
14 house John F. Kennedy High School students subject to the availability of  
15 funds during the construction of a new permanent facility located on the old  
16 Tumon campus as mandated by *I Mina'Bente Nuebi Na Liheslaturan*  
17 *Guåhan*; and

18           **Whereas**, the procurement of construction for the new John F.  
19 Kennedy High School is delayed by multiple bid award protests; and

1           **Whereas**, the existing lease for the temporary John F. Kennedy  
2 High School is desired by the Guam Department of Education for school  
3 years 2010 and 2011; and

4           **Whereas**, the Guam Department of Education desires capital  
5 improvements to the temporary John F. Kennedy High School for school  
6 years 2010 and 2011 which will increase the cost of said lease; and

7           **Whereas**, the Executive Budget request for Fiscal Year 2011  
8 did not include any tax credits, rebates or offsets used for the purposes of  
9 funding the temporary John F. Kennedy High School for school years 2010  
10 and 2011 as mandated by Section 6 of Public Law 30-37; and

11           **Whereas**, the Executive Budget request for the Department of  
12 Education for Fiscal Year 2011 is same as the DOE's appropriation levels in  
13 the Fiscal Year 2010 budget; and

14           **Whereas**, the Executive Budget request for the Department of  
15 Education for Fiscal Year 2011 is silent about the funding of the temporary  
16 John F. Kennedy High School; and

17           **Whereas**, in the Fiscal Year 2011 Executive Budget request,  
18 either the temporary John F. Kennedy High School is not funded or the  
19 operations budget for the Department of Education is reduced from Fiscal  
20 Year 2010 levels; and

1           **Whereas**, in the interest of harmony for the people of *Guåhan*  
2 it is prudent for *I Maga'lahi* and *I Liheslatura* to prioritize the Fiscal Year  
3 2010 and 2011 allocation of Compact Impact Funds first to our obligation to  
4 fund the Lease Back commitment for the construction of school facilities for  
5 the Department of Education; and

6           **Whereas**, in the interest of avoiding double sessions for John F.  
7 Kennedy and George Washington students, the next highest priority  
8 allocation of Compact Impact Funds should be the lease for the temporary  
9 John F. Kennedy High School inclusive of any additional leasehold  
10 improvements; and now therefore be it

11           **RESOLVED**, that *I Mina Trenta Na Liheslaturan Guåhan* does  
12 hereby request that the Honorable Felix P. Camacho, *I Maga'lahen Guåhan*  
13 submit for consideration an amended Fiscal Year 2010 allocation of  
14 Compact Aid Funds to include the lease cost of the temporary John F.  
15 Kennedy High School to the Secretary of Interior; and be further

16           **RESOLVED**, that *I Mina Trenta Na Liheslaturan Guåhan* does  
17 hereby request that the Honorable Felix P. Camacho, *I Maga'lahen Guåhan*  
18 include the lease cost of the temporary John F. Kennedy High School in his  
19 annual request for Fiscal Year 2011 allocation of Compact Aid Funds to the  
20 Secretary of Interior; and be further

1           **RESOLVED**, that the Speaker certify and the Legislative  
2 Secretary attests to, the adoption hereof and that copies of the same be  
3 thereafter transmitted to Mr. Anthony Babauta, Deputy Assistant Secretary  
4 of the United States Department of Interior's Office of Insular Affairs; the  
5 Honorable Madeleine Z. Bordallo, Guam's Congressional Delegate, U.S.  
6 House of Representatives; and the Honorable Felix P. Camacho, I  
7 Maga'lahaen Guåhan.

8           **DULY AND REGULARLY ADOPTED ON THE 19<sup>TH</sup> DAY OF**  
9           **MARCH, 2010.**

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Judith T. Won Pat  
Speaker

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Tina Rose Muña-Barnes  
Senator and Legislative Secretary