


I MINA 'TRENTAI KUATTRO NA LIHESLATURAN GUÅHAN
RESOLUTION STATUS

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Adopted
294-34 (COR)	Michael F.Q. San Nicolas	Relative to expressing the people of Guam's continuing support for the Guam Military Relocation and the United States military's promotion of peace and stability in the Asia-Pacific region.	11/14/17 2:19 p.m.		

I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUÁHAN
2017 (FIRST) Regular Session

Resolution No. 294-34 (COR)

Introduced by:

Michael F.Q. San Nicolas 

Relative to expressing the people of Guam's continuing support for the Guam Military Relocation and the United States military's promotion of peace and stability in the Asia-Pacific region.

BE IT RESOLVED BY *I LIHESLATURAN GUÁHAN*:

WHEREAS, in July 2005, Governor Felix P. Camacho led a delegation, including Congresswoman Madeleine Z. Bordallo, Senator Eddie B. Calvo, and Mr. Lee Webber, which expressed strong support for an increase in the Department of Defense presence in Guam before the Defense Base Closure and Realignment Commission; and

WHEREAS, in October 2005, the United States and the State of Japan made an agreement on relocating U.S. military bases from Okinawa and redistributing the Marine Corps crisis response capabilities among Hawaii, Guam, and Okinawa, providing more flexible response capabilities, including force reductions of approximately seven thousand (7,000) Marine officers and enlisted personnel, plus dependents from Okinawa; and

WHEREAS, the National Environmental Policy Act of 1969 ('NEPA') was signed into law by President Richard M. Nixon on January 1, 1970, NEPA as amended is appended as Exhibit 1; and

WHEREAS, section 102(2)(C) of NEPA requires all federal agencies to include in "every recommendation or report on proposals for legislation and other

2017 NOV 14 PM 2:19C.S.

1 major Federal actions significantly affecting the quality of the human environment,
2 a detailed statement by the responsible official on the environmental impact of the
3 proposed action;” and

4 **WHEREAS**, in addition to environmental impacts, the federal agencies are
5 required to provide an analysis of:

6 any adverse environmental effects that cannot be avoided should the
7 proposal be implemented,

8 alternatives to the proposed action,

9 the relationship between local short-term uses of man’s environment
10 and the maintenance and enhancement of long-term productivity, and

11 any irreversible and irretrievable commitments of resources that
12 would be involved in the proposed action should it be implemented; and

13 **WHEREAS**, in 1983, the United States Supreme Court clarified its
14 interpretation of the purpose of NEPA as follows:

15 “NEPA has twin aims. First, *it places upon an agency the obligation*
16 *to consider every significant aspect of the environmental impact of a*
17 *proposed action. Second, it ensures that the agency will inform the public*
18 *that it has indeed considered environmental concerns in its decision-making*
19 *process. Congress in enacting NEPA, however, did not require agencies to*
20 *elevate environmental concerns over other appropriate considerations.*
21 *Rather, it required only that the agency take a “hard look” at the*
22 *environmental consequences before taking a major action ... Congress did*
23 *not enact NEPA, of course, so that an agency would contemplate the*
24 *environmental impact of an action as an abstract exercise. Rather, Congress*
25 *intended that the “hard look” be incorporated as part of the agency’s*

1 *process of deciding whether to pursue a particular federal action.”*

2 (emphasis added); and

3 **WHEREAS**, when a proposed action of the United States Department of
4 Defense has the potential to significantly impact the quality of the human
5 environment, the Department of Defense prepares an Environmental Impact
6 Statement, which includes:

7 Public scoping, where the Department of Defense requests public
8 input on the proposed action before beginning its environmental analysis;

9 Preparation of a Draft Environmental Impact Statement, which is
10 made available for public review and comment;

11 Holding public meetings to provide information and answer questions
12 about the proposed action and its environmental effects;

13 Preparation of a Final Environmental Impact Statement, which
14 considers all public input and is released for public review; and then

15 Set forth a Record of Decision (ROD), which is a public document
16 which details the Department of Defense’s decision with regard to its
17 proposed action; and

18 **WHEREAS**, the United States Department of Defense must also comply
19 with the National Historic Preservation Act of 1966, the Endangered Species Act,
20 the Marine Mammal Protection Act, and the Migratory Bird Treaty Act; and

21 **WHEREAS**, the Joint Guam Program Office oversaw a systematic,
22 interdisciplinary approach to analyze the potential environmental impacts of the
23 proposed military build-up on Guam pursuant to NEPA, which ensured that the
24 Department of Defense considered environmental impacts of actions in planning

1 and decision-making and provided an opportunity for public input into the
2 decision-making process; and

3 **WHEREAS**, the Joint Guam Program Office hosted two (2) public scoping
4 meetings on Guam for the Environmental Impact Statement in April 2007; and

5 **WHEREAS**, in November 2009, the Joint Guam Program Office completed
6 the Draft Environmental Impact Statement, which proposed to “develop and
7 construct facilities and infrastructure to support approximately 8,600 Marines and
8 their 9,000 dependents relocated from Okinawa (Japan) to Guam,” “Develop and
9 construct facilities and infrastructure to support training and operations on Guam
10 and Tinian for the relocated Marines,” “Construct a new deep-draft wharf with
11 shoreside infrastructure improvements creating the capability in Apra Harbor,
12 Guam to support a transient nuclear powered aircraft carrier,” and “Develop
13 facilities and infrastructure on Guam to support relocating approximately 600
14 military personnel and their 900 dependents to establish and operate [a U.S. Army
15 Air and Missile Defense Task Force];” and

16 **WHEREAS**, the Joint Guam Program Office hosted four (4) public hearings
17 on Guam on the Draft Environmental Impact Statement from January 7-12, 2010;
18 and

19 **WHEREAS**, in January 2010, Governor Felix Camacho requested that
20 Secretary of the Navy Ray Mabus extend the period for relocating U.S. Marines
21 and their dependents to Guam from four (4) years to eight (8) years; and

22 **WHEREAS**, on February 17, 2010, the public comment period for the Draft
23 Environmental Impact Statement closed, with ten thousand three hundred twenty-
24 three (10,323) comments received as of that date; and

1 **WHEREAS**, in July 2010, the Joint Guam Program Office completed the
2 Final Environmental Impact Statement, which addressed each of the comments
3 received during the public comment period; and

4 **WHEREAS**, in September 2010, the Department of the Navy and the
5 Department of the Army entered the Record of Decision for Guam and CNMI
6 including relocating Marines from Okinawa, the transient nuclear aircraft carrier
7 berth, and the air and missile defense task force; and

8 **WHEREAS**, in January 2011, the Honorable Robert Work, Under Secretary
9 of the Navy outlined “four pillars” that will shape the strategy for the military
10 buildup on Guam, which include:

11 “One Guam: in which DoD acknowledges and addresses the strain the
12 buildup places on Guam’s infrastructure;

13 Green Guam: In which DoD understands, supports, and makes
14 accommodations relative to the emphasis the people of Guam place on
15 protecting environmental treasures;

16 Cultural Sensitivity: In which DoD agrees to ‘Round-the-Clock
17 unimpeded access to the ancient Chamorro *Pågat* Village and Cave cultural
18 and historical sites; and

19 ‘Net negative’ DoD footprint: In which DoD plans for better
20 utilization of the approximately 30% of Guam’s land now under their
21 control, so that they can return underutilized land to the Government of
22 Guam, and to have a smaller footprint than is now the case;” and

23 **WHEREAS**, in November 2010, the Guam Preservation Trust, We Are
24 *Guåhan* and the National Trust for Historic Preservation filed a suit in federal court
25 in Hawaii, challenging the planned firing range in *Pågat*; and

1 **WHEREAS**, in November 2011, the Joint Guam Program Office filed
2 notice with the federal court that the proposed firing range complex in *Pågat*
3 would be subject to a Supplemental Environmental Impact Statement on the
4 proposed firing range complex, which could result in the selection of another site
5 for the proposed firing range complex; and

6 **WHEREAS**, the Joint Guam Program Office hosted three (3) public scoping
7 meetings on Guam for the Supplemental Environmental Impact Statement in
8 November 2012; and

9 **WHEREAS**, in April 2014, the Joint Guam Program Office released the
10 Draft Supplemental Environmental Impact Statement, which identified the
11 Northwest Field, instead of *Pågat*, as the preferred alternative for the live fire
12 training range complex; and

13 **WHEREAS**, the Joint Guam Program Office hosted three (3) public
14 hearings on Guam on the Draft Environmental Impact Statement from May 17-20,
15 2014; and

16 **WHEREAS**, on July 2, 2014, the public comment period for the Draft
17 Supplemental Environmental Impact Statement closed, with nine hundred six (906)
18 comments received as of that date; and

19 **WHEREAS**, in July 2015, the Joint Guam Program Office released the final
20 Supplemental Environmental Impact Statement, which addressed each of the
21 comments received during the public comment period; and

22 **WHEREAS**, in August 2015, the Department of the Navy and the
23 Department of the Army entered the Record of Decision for the Final
24 Supplemental Environmental Impact Statement for Guam and Commonwealth of
25 the Northern Mariana Islands Military Relocation; and

1 **WHEREAS**, the Department of Defense has made efforts to accommodate
2 the culture and heritage of the people of Guam, including modifying the location of
3 the planned the firing range complex to protect the ancient Chamorro village of
4 *Pågat*; and

5 **WHEREAS**, the Guam military relocation is estimated in the Supplemental
6 Environmental Impact Statement to result in maximum temporary increases of six
7 hundred thirty-five (635) million 2012 dollars to Guam’s Gross Island Product, of
8 eighty-six (86) million 2012 dollars in revenue to the government of Guam, and of
9 seven thousand thirty-one (7,031) full-time equivalent jobs; and

10 **WHEREAS**, the Guam military relocation is estimated in the Supplemental
11 Environmental Impact Statement to result in permanent increases of seventy-five
12 (75) million 2012 dollars to Guam’s Gross Island Product, of forty (40) million
13 2012 dollars in revenue to the government of Guam, and of one thousand four
14 hundred thirty-eight (1,438) full-time equivalent jobs; and

15 **WHEREAS**, polling testimony transmitted to the Committee on Guam-U.S.
16 Military Buildup, Infrastructure, and Transportation indicated that eighty-two
17 percent (82%) believe the military buildup will increase jobs and tax revenues and
18 that sixty-nine percent (69%) of respondents support the military buildup, with
19 only fifteen percent (15%) opposed to the buildup, documented in the testimony of
20 the Guam Chamber of Commerce appended hereto as Exhibit 2; and

21 **WHEREAS**, from October 31st to November 3rd, 2017, the Carrier Strike
22 Group 9, including the aircraft carrier U.S.S. Theodore Roosevelt, made a port visit
23 to Guam with approximately six thousand (6,000) sailors and marines, similar in
24 scope to the buildup military forces which are to be located in Guam, documented

1 in the Pacific News Center Article “Aircraft carrier boosts local economy during
2 tourism slump” appended hereto as Exhibit 3; and

3 **WHEREAS**, the visit of Carrier Strike Group did not have any
4 unmanageable impacts, while providing an overall much needed boost to economic
5 activity; and

6 **WHEREAS**, the state of evidence conveys the following:

7 (1) that the United States Department of Defense has determined that
8 there is a need to realign military forces within the Asia-Pacific region and
9 that Guam is a highly favorable location for basing such military forces and
10 related facilities,

11 (2) that, with an expected investment of approximately eight billion
12 dollars (\$8,000,000,000) and substantial long-term increases in employment,
13 economic activity, and revenue to the local government, the Guam Military
14 Relocation is economically favorable to the people of Guam,

15 (3) that the United States Department of Defense has issued an
16 Environmental Impact Statement and Supplemental Environmental Impact
17 Statement, which involved substantial research, planning, and community
18 involvement, and has sought to accommodate concerns about the
19 environment, history, and cultural heritage of Guam, and

20 (4) that the community of Guam, which has among the highest rates
21 of military service in the United States, remains strongly supportive of the
22 Guam Military Relocation; now therefore be it

23 **RESOLVED**, that *I Mina'Trentai Kuattro Na Liheslaturan Guåhan* does
24 hereby, on behalf of the people of Guam, respectfully express its continuing

1 support for the Guam Military Relocation and the United States military's
2 promotion of peace and stability in the Asia-Pacific region; and be it further

3 **RESOLVED**, that the Speaker certify, and the Legislative Secretary attest
4 to, the adoption hereof, and that copies of the same be thereafter transmitted to the
5 Honorable Roderick R. Leon Guerrero, Adjutant General of the Guam National
6 Guard; the Honorable Shoshana Chatfield, Commander of the Joint Region
7 Marianas; the Honorable Heather Wilson, Secretary of the United States Air Force;
8 the Honorable Ryan McCarthy, acting Secretary of the United States Army; the
9 Honorable Richard V. Spencer, Secretary of the United States Navy; the Honorable
10 James Mattis, Secretary of the United States Department of Defense; the
11 Honorable Madeleine Z. Bordallo, Guam's Delegate to the United States Congress;
12 and the Honorable Eddie Baza Calvo, *I Maga'låhen Guåhan*.

DULY AND REGULARLY ADOPTED ON THE ___ DAY OF _____, 2017.

BENJAMIN J.F. CRUZ

Speaker

REGINE B. LEE

Legislative Secretary

Exhibit 1

The National Environmental Policy Act of 1969

The National Environmental Policy Act of 1969, as amended

(Pub. L. 91-190, 42 U.S.C. 4321-4347, January 1, 1970, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, and Pub. L. 97-258, § 4(b), Sept. 13, 1982)

An Act to establish a national policy for the environment, to provide for the establishment of a Council on Environmental Quality, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Environmental Policy Act of 1969."

Purpose

Sec. 2 [42 USC § 4321].

The purposes of this Act are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality.

TITLE I

CONGRESSIONAL DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

Sec. 101 [42 USC § 4331].

(a) The Congress, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

(b) In order to carry out the policy set forth in this Act, it is the continuing responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions,

programs, and resources to the end that the Nation may --

1. fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
2. assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
3. attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
4. preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity, and variety of individual choice;
5. achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
6. enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(c) The Congress recognizes that each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

Sec. 102 [42 USC § 4332].

The Congress authorizes and directs that, to the fullest extent possible: (1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in this Act, and (2) all agencies of the Federal Government shall --

(A) utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment;

(B) identify and develop methods and procedures, in consultation with the Council on Environmental Quality established by title II of this Act, which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decisionmaking along with economic and technical considerations;

(C) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on --

(i) the environmental impact of the proposed action,

(ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,

- (iii) alternatives to the proposed action,
- (iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and
- (v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

Prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies, which are authorized to develop and enforce environmental standards, shall be made available to the President, the Council on Environmental Quality and to the public as provided by section 552 of title 5, United States Code, and shall accompany the proposal through the existing agency review processes;

(D) Any detailed statement required under subparagraph (C) after January 1, 1970, for any major Federal action funded under a program of grants to States shall not be deemed to be legally insufficient solely by reason of having been prepared by a State agency or official, if:

- (i) the State agency or official has statewide jurisdiction and has the responsibility for such action,
- (ii) the responsible Federal official furnishes guidance and participates in such preparation,
- (iii) the responsible Federal official independently evaluates such statement prior to its approval and adoption, and
- (iv) after January 1, 1976, the responsible Federal official provides early notification to, and solicits the views of, any other State or any Federal land management entity of any action or any alternative thereto which may have significant impacts upon such State or affected Federal land management entity and, if there is any disagreement on such impacts, prepares a written assessment of such impacts and views for incorporation into such detailed statement.

The procedures in this subparagraph shall not relieve the Federal official of his responsibilities for the scope, objectivity, and content of the entire statement or of any other responsibility under this Act; and further, this subparagraph does not affect the legal sufficiency of statements prepared by State agencies with less than statewide jurisdiction.

(E) study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;

(F) recognize the worldwide and long-range character of environmental problems and,

where consistent with the foreign policy of the United States, lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment;

(G) make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining, and enhancing the quality of the environment;

(H) initiate and utilize ecological information in the planning and development of resource-oriented projects; and

(I) assist the Council on Environmental Quality established by title II of this Act.

Sec. 103 [42 USC § 4333].

All agencies of the Federal Government shall review their present statutory authority, administrative regulations, and current policies and procedures for the purpose of determining whether there are any deficiencies or inconsistencies therein which prohibit full compliance with the purposes and provisions of this Act and shall propose to the President not later than July 1, 1971, such measures as may be necessary to bring their authority and policies into conformity with the intent, purposes, and procedures set forth in this Act.

Sec. 104 [42 USC § 4334].

Nothing in section 102 [42 USC § 4332] or 103 [42 USC § 4333] shall in any way affect the specific statutory obligations of any Federal agency (1) to comply with criteria or standards of environmental quality, (2) to coordinate or consult with any other Federal or State agency, or (3) to act, or refrain from acting contingent upon the recommendations or certification of any other Federal or State agency.

Sec. 105 [42 USC § 4335].

The policies and goals set forth in this Act are supplementary to those set forth in existing authorizations of Federal agencies.

TITLE II

COUNCIL ON ENVIRONMENTAL QUALITY

Sec. 201 [42 USC § 4341].

The President shall transmit to the Congress annually beginning July 1, 1970, an Environmental Quality Report (hereinafter referred to as the "report") which shall set forth (1) the status and condition of the major natural, manmade, or altered environmental classes of the Nation, including, but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban and rural environment; (2) current and foreseeable trends in the quality, management and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation; (3) the adequacy of available natural resources for fulfilling human and economic requirements of the Nation

in the light of expected population pressures; (4) a review of the programs and activities (including regulatory activities) of the Federal Government, the State and local governments, and nongovernmental entities or individuals with particular reference to their effect on the environment and on the conservation, development and utilization of natural resources; and (5) a program for remedying the deficiencies of existing programs and activities, together with recommendations for legislation.

Sec. 202 [42 USC § 4342].

There is created in the Executive Office of the President a Council on Environmental Quality (hereinafter referred to as the "Council"). The Council shall be composed of three members who shall be appointed by the President to serve at his pleasure, by and with the advice and consent of the Senate. The President shall designate one of the members of the Council to serve as Chairman. Each member shall be a person who, as a result of his training, experience, and attainments, is exceptionally well qualified to analyze and interpret environmental trends and information of all kinds; to appraise programs and activities of the Federal Government in the light of the policy set forth in title I of this Act; to be conscious of and responsive to the scientific, economic, social, aesthetic, and cultural needs and interests of the Nation; and to formulate and recommend national policies to promote the improvement of the quality of the environment.

Sec. 203 [42 USC § 4343].

(a) The Council may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

(b) Notwithstanding section 1342 of Title 31, the Council may accept and employ voluntary and uncompensated services in furtherance of the purposes of the Council.

Sec. 204 [42 USC § 4344].

It shall be the duty and function of the Council --

1. to assist and advise the President in the preparation of the Environmental Quality Report required by section 201 [42 USC § 4341] of this title;
2. to gather timely and authoritative information concerning the conditions and trends in the quality of the environment both current and prospective, to analyze and interpret such information for the purpose of determining whether such conditions and trends are interfering, or are likely to interfere, with the achievement of the policy set forth in title I of this Act, and to compile and submit to the President studies relating to such conditions and trends;
3. to review and appraise the various programs and activities of the Federal Government in the light of the policy set forth in title I of this Act for the purpose of determining the extent to which such programs and activities are contributing to the achievement

of such policy, and to make recommendations to the President with respect thereto;

4. to develop and recommend to the President national policies to foster and promote the improvement of environmental quality to meet the conservation, social, economic, health, and other requirements and goals of the Nation;
5. to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;
6. to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;
7. to report at least once each year to the President on the state and condition of the environment; and
8. to make and furnish such studies, reports thereon, and recommendations with respect to matters of policy and legislation as the President may request.

Sec. 205 [42 USC § 4345].

In exercising its powers, functions, and duties under this Act, the Council shall --

1. consult with the Citizens' Advisory Committee on Environmental Quality established by Executive Order No. 11472, dated May 29, 1969, and with such representatives of science, industry, agriculture, labor, conservation organizations, State and local governments and other groups, as it deems advisable; and
2. utilize, to the fullest extent possible, the services, facilities and information (including statistical information) of public and private agencies and organizations, and individuals, in order that duplication of effort and expense may be avoided, thus assuring that the Council's activities will not unnecessarily overlap or conflict with similar activities authorized by law and performed by established agencies.

Sec. 206 [42 USC § 4346].

Members of the Council shall serve full time and the Chairman of the Council shall be compensated at the rate provided for Level II of the Executive Schedule Pay Rates [5 USC § 5313]. The other members of the Council shall be compensated at the rate provided for Level IV of the Executive Schedule Pay Rates [5 USC § 5315].

Sec. 207 [42 USC § 4346a].

The Council may accept reimbursements from any private nonprofit organization or from any department, agency, or instrumentality of the Federal Government, any State, or local government, for the reasonable travel expenses incurred by an officer or employee of the Council in connection with his attendance at any conference, seminar, or similar meeting conducted for the benefit of the Council.

Sec. 208 [42 USC § 4346b].

The Council may make expenditures in support of its international activities, including expenditures for: (1) international travel; (2) activities in implementation of international agreements; and (3) the support of international exchange programs in the United States and in foreign countries.

Sec. 209 [42 USC § 4347].

There are authorized to be appropriated to carry out the provisions of this chapter not to exceed \$300,000 for fiscal year 1970, \$700,000 for fiscal year 1971, and \$1,000,000 for each fiscal year thereafter.

The Environmental Quality Improvement Act, as amended (Pub. L. No. 91- 224, Title II, April 3, 1970; Pub. L. No. 97-258, September 13, 1982; and Pub. L. No. 98-581, October 30, 1984.

42 USC § 4372.

(a) There is established in the Executive Office of the President an office to be known as the Office of Environmental Quality (hereafter in this chapter referred to as the "Office"). The Chairman of the Council on Environmental Quality established by Public Law 91-190 shall be the Director of the Office. There shall be in the Office a Deputy Director who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) The compensation of the Deputy Director shall be fixed by the President at a rate not in excess of the annual rate of compensation payable to the Deputy Director of the Office of Management and Budget.

(c) The Director is authorized to employ such officers and employees (including experts and consultants) as may be necessary to enable the Office to carry out its functions ;under this chapter and Public Law 91-190, except that he may employ no more than ten specialists and other experts without regard to the provisions of Title 5, governing appointments in the competitive service, and pay such specialists and experts without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but no such specialist or expert shall be paid at a rate in excess of the maximum rate for GS-18 of the General Schedule under section 5332 of Title 5.

(d) In carrying out his functions the Director shall assist and advise the President on policies and programs of the Federal Government affecting environmental quality by --

1. providing the professional and administrative staff and support for the Council on Environmental Quality established by Public Law 91- 190;
2. assisting the Federal agencies and departments in appraising the effectiveness of existing and proposed facilities, programs, policies, and activities of the Federal Government, and those specific major projects designated by the President which

do not require individual project authorization by Congress, which affect environmental quality;

3. reviewing the adequacy of existing systems for monitoring and predicting environmental changes in order to achieve effective coverage and efficient use of research facilities and other resources;
4. promoting the advancement of scientific knowledge of the effects of actions and technology on the environment and encouraging the development of the means to prevent or reduce adverse effects that endanger the health and well-being of man;
5. assisting in coordinating among the Federal departments and agencies those programs and activities which affect, protect, and improve environmental quality;
6. assisting the Federal departments and agencies in the development and interrelationship of environmental quality criteria and standards established throughout the Federal Government;
7. collecting, collating, analyzing, and interpreting data and information on environmental quality, ecological research, and evaluation.

(e) The Director is authorized to contract with public or private agencies, institutions, and organizations and with individuals without regard to section 3324(a) and (b) of Title 31 and section 5 of Title 41 in carrying out his functions.

42 USC § 4373. Each Environmental Quality Report required by Public Law 91-190 shall, upon transmittal to Congress, be referred to each standing committee having jurisdiction over any part of the subject matter of the Report.

42 USC § 4374. There are hereby authorized to be appropriated for the operations of the Office of Environmental Quality and the Council on Environmental Quality not to exceed the following sums for the following fiscal years which sums are in addition to those contained in Public Law 91- 190:

- (a) \$2,126,000 for the fiscal year ending September 30, 1979.
- (b) \$3,000,000 for the fiscal years ending September 30, 1980, and September 30, 1981.
- (c) \$44,000 for the fiscal years ending September 30, 1982, 1983, and 1984.
- (d) \$480,000 for each of the fiscal years ending September 30, 1985 and 1986.

42 USC § 4375.

(a) There is established an Office of Environmental Quality Management Fund (hereinafter referred to as the "Fund") to receive advance payments from other agencies or accounts that may be used solely to finance --

1. study contracts that are jointly sponsored by the Office and one or more other Federal agencies; and

2. Federal interagency environmental projects (including task forces) in which the Office participates.

(b) Any study contract or project that is to be financed under subsection (a) of this section may be initiated only with the approval of the Director.

(c) The Director shall promulgate regulations setting forth policies and procedures for operation of the Fund.


[Back to Table of Contents](#) 

Exhibit 2

**Statement of the Guam Chamber of Commerce
At the Round Table on Status and Update of the Guam, U.S. Military Buildup
Committee on Guam, US Military Build-Up, Infrastructure and Transportation
I Mina' Trentai Kwarto Liheslaturan Guahan
October 5, 2017
Guam Congress Building**

**Presented by
CATHERINE CASTRO
President, Guam Chamber of Commerce**

Honorable Chairman Aguon and esteemed members of the Committee, my name is Catherine Castro, President of the Guam Chamber of Commerce. Thank you for the invitation to participate in today's round table discussion.

The Guam Chamber of Commerce exists to advance the general welfare of its members by promoting the economic, social and environmental well-being of the Territory of Guam; The Chamber seeks to develop, encourage, promote and protect the commercial, professional, financial, and general business interest of the Territory of Guam, to extend and promote trade and commerce, and foster, develop and protect the industries of the Territory; to endorse laws and regulations desirable for the benefit of business in general and the community as a whole.

The Guam Chamber Armed Forces Committee (AFC) is a voluntary group of dedicated individuals working together to promote Department of Defense investment on Guam, facilitate doing business with the Military and the development of related well-paying jobs.

The AFC's goals are:

- To foster goodwill and support the continuing military presence in Guam;
- To act as liaison to facilitate a stronger relationship between Guam's civilian and military communities;
- And to enhance public awareness of the important economic benefit of the military presence in Guam;

The AFC remains an adamant supporter of the Military Buildup's planned relocation of the over 5,000 Marines and dependents relocating from Okinawa, Japan to Guam. As part of an international agreement between the United States and Japan, nearly 10,000 Marines are to be redeployed from Okinawa throughout the Pacific theater. The most complex element of this agreement is the relocation of 5,000 Marines to Guam, which enables the U.S. military to remain forward deployed while training and operating on American soil. A programmatic agreement for this action was signed in 2011, and the Navy released the Record of Decision for the relocation in 2015 laying the legal and functional foundation. This effort includes the construction of a new Marine Corps base, a live fire training range complex, and numerous infrastructure investments to support the increased military presence on the island.

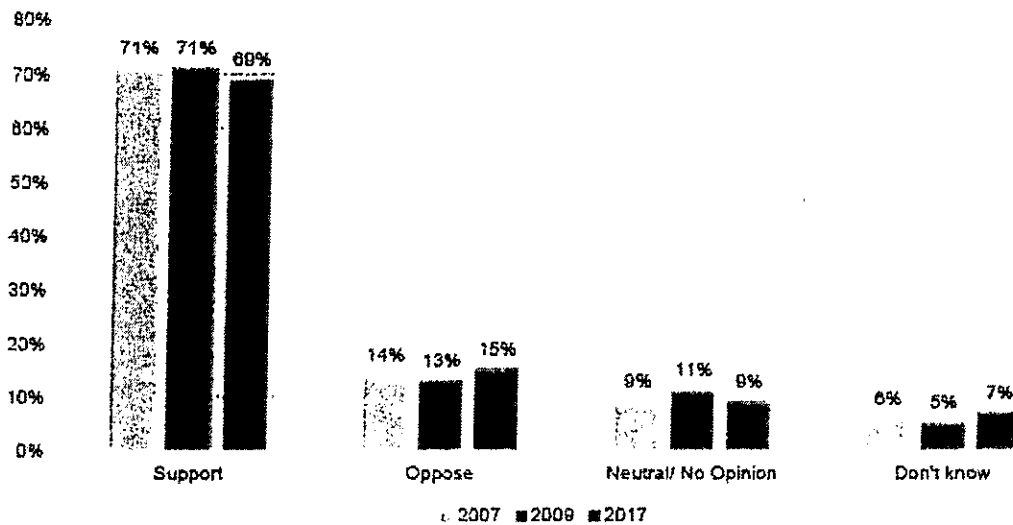
Our community enjoys an extraordinary standard of living compared to other islands our size. Capital infusion from outside of Guam has been the driver for economic expansion. The military buildup will be a major boost for growing our economy. To date, no other alternative for creating jobs has even been suggested or can come close. All told, the investment in Guam for the relocation will be over \$8 billion dollars. This translates to a lot of jobs for our residents and those who wish to come home. The majority of this investment will be in construction which is one of the best economic stimuli for our island economy before, during and after the actual buildup.

Construction investment provides many opportunities, both blue collar as well as white collar. It increases demand for many goods and services such as engineering, architectural and design, shipping, trucking, freight forwarding, equipment rentals and sales, infrastructure upgrades, landscaping/nursery, insurance sales, employee benefits, food, clothing, shelter, communications, construction materials and related logistics. With growth, cultural entrepreneurs have better opportunities to prosper. Employment and retirement security for government workers would be an additional added benefit.

Almost as important as jobs, this investment will also provide much needed tax revenues to the Government of Guam for the benefit of the community's health, safety and education systems which currently are indebted or are at maximum capacity. We understand that not everyone is in favor of the Buildup and for various reasons. Some reasons are factual, some emotional, some valid and some not. However, the reality of the situation is that **an overwhelming majority (nearly 70%) of our community are in favor of the buildup** as documented in the recent independent poll conducted in April of 2017 by Q-mark Research and polling:

GENERAL PERCEPTION

At the outset of the study Guam residents were asked for their general thoughts on the military buildup on Guam.



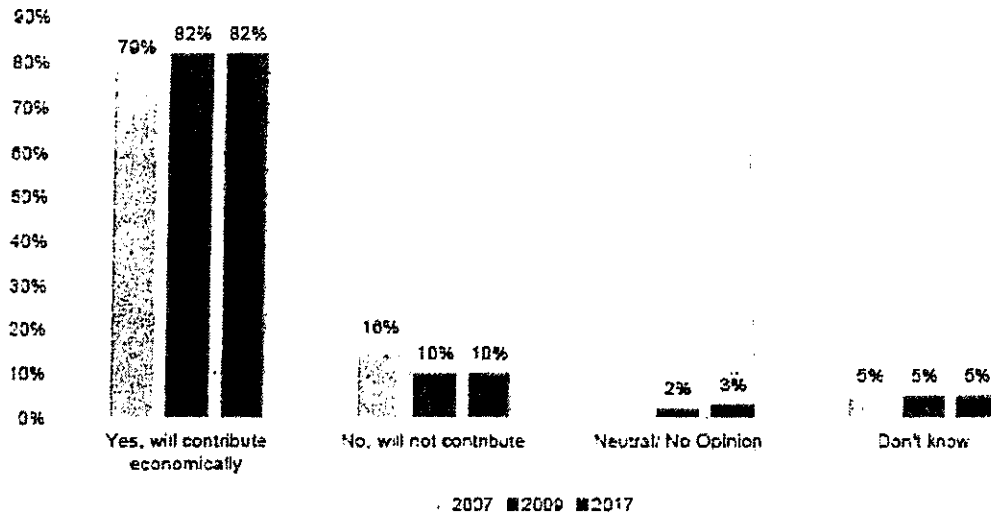
Overall, 69% of those polled support the increased military presence on Guam. Fifteen percent oppose it while nine percent have no opinion regarding the matter one way or the other. Seven percent are unsure how they feel.

When the results are tracked, we note virtually no change from eight years ago.

As you can see the support of the community has remained strong for the last 10 years with little or no change. In addition, when residents were asked if they felt the Buildup would contribute to more jobs and tax revenues **over 80% felt that it would**. See illustration below:

IMPACT ON EMPLOYMENT/ TAX REVENUE

Each respondent was asked if they felt the military buildup on Guam would contribute to more jobs and government tax revenues for local residents.



Eighty-two percent of those polled agree the increased military presence on the island will contribute to more jobs and greater tax revenue. One in ten (10%) believe it will have no effect in this area while the remainder are unsure how it will affect things.

The fact is that too many of our island people relocate to the Continental United States or elsewhere to seek opportunities and incomes that are not available on Guam. The buildup offers a chance to reverse this trend by providing skilled jobs to local residents as well as offering an alternative to those who have left island and would like to return. These new job possibilities would provide stable income for our families to grow as well as opportunities for our residents to learn new skills to enhance their ability to compete in the job market or create new ideas for products and services that will benefit all who live on Guam.

Our Government is in dire need of income to provide services our residents depend on. The increase in private investment and public revenues derived from buildup opportunities will only upgrade our ability to fund our education, healthcare, public safety, social and cultural programs. Aside from the large amounts of military spending to service its needs each year, the Federal Government alone contributes almost

\$1Billion into Guam's economy annually through a variety of means that include social welfare funding, healthcare, public housing assistance, highway projects, airport and port authority projects, public school assistance and higher education assistance to name a few.

Our local infrastructure has already benefited from buildup resources. Critical improvements in our roads and bridges over the past few years are directly related to the buildup. Over \$30M was invested in road and bridges between 2009 and 2011. \$50M was invested in the modernization of the Port Authority of Guam. This contribution to our economy injected much needed tax revenues and payroll for our local people hired to work on these projects. Additional road improvements scheduled for Routes 1 and 3, which is estimated to be a \$72M investment, have only just begun. In the past year, the Department of Defense has spent \$20.1M in environmental stewardship projects on Guam. Additionally, \$139.6M has been estimated to be awarded to improve the Northern District Wastewater Treatment Plant Upgrade as well as approximately \$66.5M for additional infrastructure improvements such as repair and expansion of the Northern Lens Aquifer (NGLA) monitoring system, the Guam Public Health Laboratory Biosafety Level 2/3 analytical testing and the Guam Waterworks Authority Interceptor Sewer Refurbishment project.

There are more than 10,000 Guamanians that choose to wear our military uniform. There are thousands of veterans who proudly defended our Nation and our island, many paid the ultimate sacrifice. Guam is home to a large number of military veterans who need better facilities and care. The opportunity for greater services to support them and their families would be a reality with the increase in the economies of scale with the presence of military service members and facilities that go hand in hand with the buildup.

We believe a continued approach to buildup issues moving forward should be based on the four pillars initially agreed upon in the Programmatic Agreement and the Record of Decision:

- 1: "One Guam" initiative which both the Department of the Defense and the Government of Guam agree to work together in improving the quality of life for the residents of Guam (inclusive of military personnel);
2. "Green Guam" initiative which establishes DoD's commitment to developing the most energy efficient infrastructure possible and supporting Guam's efforts to develop sustainable and renewable energy projects;
3. Commitment from the DoD to develop a repository for artifacts – something we really need - and providing unimpeded access to historical sites and sacred lands by local residents; and,
4. Pursue a net-negative strategy for DoD-owned land where the DoD will ultimately have a smaller footprint on Guam after the buildup than they currently hold.

In closing, the Guam Chamber of Commerce is committed to the expansion and the well-being of the Guam economy. We understand that we cannot have a healthy community without a healthy economy and the best way to achieve this goal is to promote investment in our island. The economic investment tied to the buildup will be unprecedented. It will improve our quality of life, bring business and job opportunities and infuse much needed tax revenues into our government for years to come. We believe the short-term issues, concerns and inconveniences will be far outweighed by the long-term benefits to our community, its economy and its defense.

Thank you for the opportunity to present our views on this issue today.

Aircraft carrier boosts local economy during tourism slump

By Clynt Ridgell - November 2, 2017



The USS Theodore Roosevelt aircraft carrier strike group is on Guam bringing with it approximately 6,000 people comprised of both sailors and marines.

Guam – Businessmen say the carrier strike group's visit brings a boost to the local economy during a time when tourism is slow.

"It's beautiful here. I love it here," said Navy Seaman Dylan Williams. "Is this your first time on Guam?" asked PNC "It is," said Williams. Roughly 6,000 sailors and marines are on Guam with the USS Theodore carrier strike group. While here many of them patronize local businesses.

"What have you and your buddies done so far since you've got to Guam?" asked PNC. "We've gone out to the beach a lot we've partaken. We've gone to the bars you know we've done everything, gone down to the strip had a bunch of great food. It's been good overall," said Navy Seaman Caleb Karnes. "Any other shopping?" asked PNC. "Yeah, a little bit down the strip malls and things like that, so, yeah it's great shopping too," said Karnes.

In fact, local businessman Mark Baldyga tells PNC this carrier visit has more than doubled the amount of business at both the Globe Nightclub and the Beach Bar for each day that they are here. "So far I've just checked out some of the local bars we went to the beach bar last night so it's a pretty cool place," said Williams.

Baldyga says this carrier visit is especially helpful now with the recent slump in tourism due to the North Korean threats. "How much do you think you've spent while your here?" asked PNC. "I don't even want to think about that. Ballpark probably around 200 to 400 bucks," said Karnes.

According to Joint Region Marianas Deputy Public Affairs Officer Greg Kuntz the sailors won't just be enjoying liberty they'll also be volunteering time towards various community services and doing community outreach in several schools.

The USS Theodore Roosevelt is a Nimitz class aircraft carrier with about 5,000 sailors. It's the flagship of the carrier strike group 9 which has a total of about 7,500 personnel. The strike group includes four other ships two of which are on Saipan namely, the Ticonderoga class guided missile cruiser USS Bunker Hill and the Arleigh Burke class destroyer USS Sampson. The other two ships are both Arleigh Burke class guided missile destroyers namely the USS Preble and the USS Halsey and they are both on Guam with the carrier. Their strike group left San Diego for a regular deployment on Oct. 6th and they arrived at their first stop on Guam on Oct 31st.

"What else are you looking to do before you leave?" asked PNC. Karnes replied saying, "Um well probably just go get some food you know have a few drinks with my buddies and just relax. Find the waterfalls that's what he said."

Baldyga tells PNC that because tourism is up and down. "It's really the local Guam resident and military business that gets us through the tough times and so we really appreciate not only the military business but local business as well."

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