

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

Resolution No. *52*-34 (LS)

Introduced by:

Therese M. Terlaje *TMT*

RELATIVE TO SUPPORTING THAT THE GOVERNMENT OF GUAM NOT ENTER INTO A CONSENT DECREE WITHOUT APPROVAL OF THE GUAM LEGISLATURE AND THE GOVERNOR OF GUAM REGARDING THE RECENT THREATENED LAWSUIT PROPOSED BY THE UNITED STATES DEPARTMENT OF JUSTICE OVER THE CHAMORRO LAND TRUST ACT.

2017 MAR -9 PM 4: 36

1 **BE IT RESOLVED BY *I MINA'TRENTAI KUATTRO NA***
2 ***LIHESLATURAN GUAHAN*:**

3 **WHEREAS**, the United States Department of Justice has stated in its January
4 13, 2017 letter to the governor of Guam, Governor Eddie B. Calvo, that in order to
5 defer filing of a complaint in federal district court against the Government of Guam,
6 the Chamorro Land Trust Commission (CLTC), and its Administrative Director
7 relative to allegations of discrimination on the basis of race or national origin in
8 violation of the Fair Housing Act (FHA), Guam must be “willing to enter into pre-suit
9 negotiations in an effort to resolve this matter expeditiously in the form of a consent
10 decree to be entered by the court”; and

11 **WHEREAS**, the people of Guam were not aware of this letter, but through
12 local media reports on March 9, 2017 that the United States Department of Justice will

1 defer a lawsuit against the government of Guam provided that relief “ ‘addressing the
2 specific violations and preventing future violations’ of federal housing laws, including
3 lease of land, that discriminate based on race or national origin”; and

4 **WHEREAS**, it has been the experience of the government of Guam with other
5 consent decrees that most of the people of Guam are only informed after the decrees
6 have been signed and when it is too late to object; and now, therefore, be it

7 **RESOLVED**, that the *I Mina'trentai Kuåttro Na Liheslaturan Guåhan* does
8 hereby, on behalf of *I Liheslaturan Guåhan* and the people of Guam, request the
9 Attorney General of Guam to fight the assertion made by the Department of Justice,
10 and does further support that the government of Guam not enter into a consent decree
11 or other stipulation as to the merits of the case, without approval of the Guam
12 Legislature and the governor of Guam regarding the recent threatened lawsuit
13 proposed by the United States Department of Justice; and be it further

14 **RESOLVED**, that the Speaker and the Legislative Secretary attest to, the
15 adoption hereof, and that copies of the same be thereafter transmitted to the Honorable
16 Elizabeth Barrett-Anderson, Attorney General of Guam; Mr. Michael J.B. Borja,
17 Director, Department of Land Management; Mr. Pascual V.A. Sablan, Board
18 Chairman, Chamorro Land Trust Commission; and to the Honorable Edward J.B.
19 Calvo, *I Maga'lahren Guåhan*.

DULY AND REGULARLY ADOPTED BY *I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN* ON THE ____ DAY OF MONTH YEAR.