



**ISLAND OF GUAM  
OFFICE OF THE GOVERNOR  
HAGÁTÑA, GUAM 96932  
U.S.A.**

**EXECUTIVE ORDER NO. 2005-22**

**RELATIVE TO ESTABLISHING A COMMISSION ON  
NATIONAL AND COMMUNITY SERVICE,  
HEREINAFTER REFERRED TO AND KNOWN AS THE  
SERVE GUAM COMMISSION.**

**WHEREAS**, under the National and Community Service Act of 1990, as amended (hereinafter "NCSA, or the Act," 42 U.S.C. 12501 *et seq.*), the Corporation for National and Community Service ("Corporation") makes grants to help establish, operate and expand national service programs such as AmeriCorps. In addition, the Corporation, through the National Service Trust, provides education awards to and certain interest payments on behalf of AmeriCorps participants who successfully complete a term of service in an approved national service position. Further, AmeriCorps provides training and technical assistance to national service programs;

**WHEREAS**, on February 27, 2004, President Bush issued Executive Order (E.O.) 13331 aimed at making national and community service programs better able to engage Americans in volunteering, more responsive to State and local needs, more accountable and effective, and more accessible to faith-based and grassroots organizations. The E.O. directed the Corporation to review and modify its policies as necessary to accomplish the goals of the E.O.;

**WHEREAS**, on August 30, 2004, the National Director of AmeriCorps informed Guam that Guam was encouraged to establish a Commission on National and Community Service as Guam's vehicle to apply for and manage national service programs, to include AmeriCorps programs;

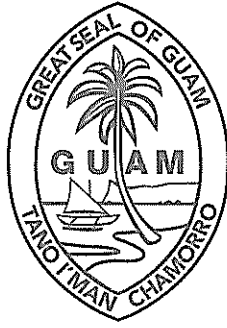
**WHEREAS**, presently Guam AmeriCorps administers four (4) program sites around Guam. In total, these programs involve forty-eight (48) members and receive nearly \$500,000.00 annually in federal funding. Guam AmeriCorps has received over \$3.1 million in federal funding over the course of its 10 years on Guam;

**WHEREAS**, *I Maga'låhen Guåhan*, Governor of Guam, seeks to meet Guam's pressing human, educational, environmental and public safety needs through service and to reinvigorate the ethic of civic responsibility on Guam; and

**WHEREAS**, the Commission will build on the enthusiasm, dedication and combined expertise of individual citizens and public and private systems to expand civic participation and engagement in solving challenges which Guam faces today and in the future; and

**WHEREAS**, the Commission is necessary to advise and assist the Office of the Governor of Guam in the development of a comprehensive, island-wide service plan for promoting volunteer involvement and civic responsibility.

**NOW, THEREFORE, I, FELIX P. CAMACHO**, *I Maga'låhen Guåhan*, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, and the laws of Guam, and to strengthen the ability of programs authorized under the national service laws to build and reinforce a culture of service, citizenship, and responsibility throughout our island and to institute reforms to improve accountability and efficiency in the administration of those programs, it is hereby ordered as follows:



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**Section 1. Commission to Serve Guam.** (a) Purpose of commission is to engage people of Guam of all ages and background in community based service and volunteerism as a means of addressing urgent community needs in our island and to promote participation in national service programs.

(b) **Commission.** (1) There is hereby established a commission not less than fifteen (15) member, not to exceed twenty-five (25), to be known as the “**SERVE GUAM COMMISSION.**”

(2) The Serve Guam Commission (“Commission”) is hereby authorized to create duties as necessary, and defined, to carry out this executive order.

(3) Commission Members shall comply with standards concerning any conflict of interest and other standards of conduct.

(4) The Commission shall be housed at the Department of Labor.

(c) **Composition Requirements.** The members of the Commission are to be appointed by *I Maga'låhen Guåhan*, Governor of Guam, within sixty (60) day of the effective date of this Executive Order.

(d) **Executive Director.** The Commission shall recommend and *I Maga'låhen Guåhan*, Governor of Guam, shall appoint an individual to serve as Executive Director who shall serve at the pleasure of the Governor.

(e) **Required voting members on the State Commission.** A member must represent, one, or more than one category, but each of the following categories must be represented:

- (1) A representative of a community-based agency or organization;
- (2) The head of the Department of Education or his or her designee;
- (3) The president of the Mayors Council of Guam;
- (4) A representative of local labor organizations in the Guam;
- (5) A representative of a locally owned business;
- (6) An individual between the ages of 16 and 25, inclusive, who is a participant or supervisor of a service program for school-age youth, or of a campus-based or national service program;
- (7) A representative of a national service program;
- (8) An individual with expertise in the educational, training, and development needs of youth, particularly disadvantaged youth;
- (9) An individual with experience in promoting the involvement of older adults (age 55 and older) in service and volunteerism; and

(f) **Appointment of other voting members.** Any remaining voting members of the Commission are appointed at the discretion of the Governor, however, although this list should not be construed as exhaustive, suggests the following types of individuals:

- (1) Educators, including representatives from institutions of higher education and local education agencies;
- (2) Experts in the delivery of human, educational, environmental, or public safety services to communities and persons;



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- (3) Out-of-school or at-risk youth; and
- (4) Representatives of programs that are administered or receive assistance under the Domestic Volunteer Service Act of 1973, as amended (DVSA) (42 U.S.C. 4950 *et seq.*).
- (g) **Appointment of ex officio, non-voting members.**
- (1) The Governor may appoint as ex officio, non-voting members of the Commission officers or employees of the government of Guam (agencies operating community service, youth service, education, social service, senior service, or job training programs.)
- (2) **The role of the Corporation representative.** This individual must be included as an ex officio member on the Commission, which the Corporation may designate one of its employees to serve as a representative to the Commission.
- (h) **Other composition requirements.** To the extent possible, the Governor of Guam shall ensure that the membership of the Commission is balanced with respect to race, ethnicity, age, gender, and disability characteristics. Not more than fifty percent (50%) plus one of the members of the Commission may be from the same political party. In addition, the number of voting members of the Commission who are officers or employees of the government may not exceed 25% of the total membership of the Commission.
- (i) **Selection of Chairperson.** The voting members of the Commission shall elect the chairperson. To be eligible to serve as chairperson, an individual must be an appointed, voting member of the Commission.
- (j) **Vacancies.** If a vacancy occurs on the Commission, a new member must be appointed by the Governor to serve for the remainder of the term for which the predecessor of such member was appointed. The vacancy will not affect the power of the remaining members to execute the duties of the Commission.
- (k) **Compensation of Commission members.** A member of the Commission may not receive compensation for his or her services, but may be reimbursed for travel expenses in the same manner as employees intermittently serving the government.
- (l) **Terms of Service.**
- (1) The Commission members shall serve for a terms of three (3) years, provided, however that the first appointments shall be staggered for a term of three years as follows from date of appointment:
- (i) Five (5) members shall serve a term of one year from the date of appointment;
- (ii) Five (5) members shall serve a term of two (2) year from the date of appointment; and
- (iii) Five (5) members or more shall serve a term of three (3) years from the date of appointment.
- (2) **Attendance.** Any commission member missing more than two (2) consecutive meetings are subject for termination and shall be replaced within 30-days, appointed by the Governor.



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**Section 2. Duties of Commission.** Functions described in paragraphs (a) through (d) of this section require policymaking paragraphs, (e) through (j) of this section are non-policymaking and may be delegated to another government agency or nonprofit organization. The duties are as follows:

(a) **Development of a three-year comprehensive national and community service plan and establishment of Territorial priorities.** The commission must develop and annually update an Island wide plan for national service that is consistent with the Corporation's broad goals of meeting human, educational, environmental and public safety needs and that meets the following minimum requirements:

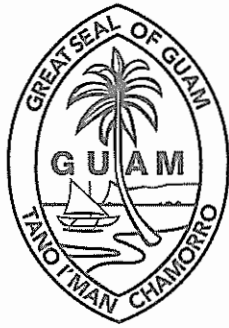
- (1) The plan must be developed through an open and public process (such as through island forums or hearings) that provides for maximum participation and input from national service programs within the island, and from other interested members of the public.
- (2) The outreach process must, to the maximum extent practicable, include input from representatives of established service programs, representatives of diverse, broad-based community organizations that serve underserved populations, and other interested individuals, including young people; the Territory entity should do so by creating territorial networks and registries or by utilizing existing ones.
- (3) The plan may contain such other information, as the Commission considers appropriate and must contain such other information as the Corporation may require.
- (4) The plan must be developed within 180 days after the final appointment of the Commission members.

(b) **Pre-selection of AmeriCorps subtitle C programs and preparation of application to the Corporation.** Commission to Serve Guam must:

- (1) Administer a competitive process to select national service programs to be included in any application to the Corporation for funding; and
- (2) Prepare an application to the Corporation to receive funding and/or educational awards for the programs selected pursuant to paragraph (b)(1) of this section.

(c) **Preparation of Service Learning applications.**

- (1) The Commission is required to assist education agencies in preparing the application for AmeriCorps subtitle B school-based service learning programs.
- (2) The Commission may apply to the Corporation to receive funding for community-based subtitle programs after coordination with educational agencies.



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(d) **Administration of the grants program.** After AmeriCorps subtitle C and community-based AmeriCorps subtitle B funds are awarded, commission will be responsible for administering the grants and overseeing and monitoring the performance and progress of funded programs.

(e) **Evaluation and monitoring.** Commission, in concert with the Corporation, shall be responsible for implementing comprehensive, non-duplicative evaluation and monitoring systems.

(f) **Technical assistance.** The Commission will be responsible for providing technical assistance to local nonprofit organizations and other entities in planning programs, applying for funds, and in implementing and operation high quality programs. Commission should encourage proposals from underserved communities.

(g) **Program development assistance and training.** The commission must assist in the development of AmeriCorps subtitle C programs; such development might include staff training, curriculum materials, and other relevant materials and activities; A description of such proposed assistance must be included in the Island wide comprehensive plan referred to in paragraph (a) of this section. The commission may apply for additional AmeriCorps subtitle C programs training and technical assistance funds to perform these functions. The Corporation will issue notices of availability of funds with respect to training and technical assistance.

(h) **Recruitment and placement.** The Commission, as well as the Corporation, will develop mechanisms for recruitment of people interested in participating in national service programs.

(i) **Benefits.** The Commission shall assist in the provision of health and child care benefits to AmeriCorps subtitle C program participants, as will be specified in the regulations implementing the subtitle C programs.

(j) **Activity ineligible for assistance.** The Commission may not directly operate or run any national service program receiving financial assistance, in any form, from the Corporation.

(k) Make recommendations to the Corporation with respect to priorities within the island for programs receiving assistance under DVSA.

(l) **Coordination.**

(1) *Coordination with other Departments.* The Commission must coordinate its activities with the activities of other Government of Guam Departments that administer Federal financial assistance programs under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.) or other appropriate Federal financial assistance programs.



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(2) *Coordination with volunteer service programs.* In general, the Commission shall coordinate its functions (including recruitment, public awareness, and training activities) with such functions of any division of ACTION, or the Corporation, that carries out volunteer service programs in the island. Specifically, the commission may enter into an agreement with a division of ACTION or the Corporation to carry out its functions jointly, to perform its functions itself, or to assign responsibility for its functions to ACTION or the Corporation.

(3) In carrying out the activities under paragraphs (1) and (2) of this section, the parties involved must exchange information about the programs carried out in the island by the commission, a division of ACTION or the Corporation, as well as information about opportunities to coordinate activities.

**Section 3. Rules, Regulations and Standards of Conduct.** The Commission shall promulgate its rules, regulations and standards of conduct pursuant to 5 G.C.A. §9108 and 45 CFR Chapter XXV.

**Section 4. Report.** The commission shall submit an annual report to the Governor on its programs and activities and proposals it plans to undertake to accomplish the objectives set forth in this Executive Order.

**Section 5. Judicial Review.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, or other entities, its officers or employees, or any other person.

SIGNED AND PROMULGATED at Hagåtña, Guam this 2nd day of June 2005.

A handwritten signature in cursive script, reading "F. Camacho", written over a horizontal line.

FELIX P. CAMACHO  
*I Maga'lahañ Guåhan*  
Governor of Guam