

TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM 96910
U. S. A.
EXECUTIVE ORDER NO. 97-08

**RELATIVE TO ESTABLISHING A GOVERNOR'S
ANCESTRAL LANDS COMMISSION, AN ANCESTRAL
LAND CLAIMS OFFICE WITHIN THE DEPARTMENT
OF LAND MANAGEMENT, AND AN ANCESTRAL
LAND CLAIMS FACILITATION OFFICE WITHIN THE
GUAM ECONOMIC DEVELOPMENT AUTHORITY.**

WHEREAS, in the aftermath of World War II, documented history of defective land takings by the U. S. Government and the government of Guam has resulted in considerable legislation establishing a Guam land return policy but has produced little action to redress the harm done to landowners whose lands were taken; and

WHEREAS, the dream, determination, and persistence of indigenous Chamorros over the past fifty years to keep alive the issue of reclaiming their ancestral lands can finally be realized because of recently identified excess federal lands to be returned to local authority; and

WHEREAS, this Administration is committed to the people of Guam and original landowners to ensure that decisions regarding best use of returned excess federal lands are balanced between the needs of our community and the needs of original landowners; and

WHEREAS, this commitment is demonstrated by the Governor's proposal to the Twenty-Fourth Guam Legislature of comprehensive draft legislation, known as the "Guam Ancestral Lands Act" which would formally recognize ancestral property rights and establish a mechanism through which original landowners, heirs, and descendants may exercise valid claims to their ancestral property rights resulting in recordable land title; and

WHEREAS, an urgent need exists for the enactment of the Governor's proposal and for the implementation of the ancestral rights proposal at the earliest possible date; and

WHEREAS, prior to enactment of the Governor's "Guam Ancestral Lands Act", a "Governor's Ancestral Lands Commission" can be created to work on the procedures which can be implemented once the new legislation is passed, and to bring information and technical assistance to the Executive Branch and the Legislature relative to this issue; and


WHEREAS, the Department of Land Management and the Guam Economic Development Authority are the agencies which will facilitate the return of ancestral lands in the Governor's "Guam Ancestral Lands Act", and prior to the implementation of this legislation it would be very helpful to have these agencies work towards the aims and purposes of this legislation;

NOW, THEREFORE, I, CARL T. C. GUTIERREZ, Governor of Guam, by virtue of the authority vested in me by the Organic Act do order:



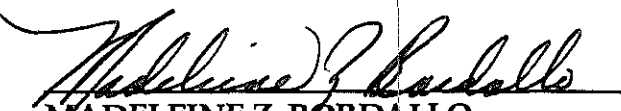
1. The "Governor's Ancestral Lands Commission" is hereby established to serve as the Governor's primary advocate in the passage of the Governor's "Ancestral Lands Act" proposed legislation and to provide interim coordination between the Executive and Legislative Branches regarding the formulation of this legislative measure.
2. The Governor's Ancestral Lands Commission is also granted oversight responsibility in the implementation of U. S. P. L. 103-339; and, is further granted additional oversight responsibility over any other activities that the Commission may deem necessary to advance land recovery.
3. The Governor's Ancestral Lands Commission shall be comprised of Seven (7) representatives appointed by the Governor from among original landowners as defined by the Governor's "Guam Ancestral Lands Act" legislative proposal.
4. The Governor shall appoint a Chairman, Vice-Chairman, and other Commission officers as may be appropriate.
5. Logistical and staff support for the Commission established in this Executive Order shall be provided by the Department of Land Management, Guam Economic Development Authority, Bureau of Planning, Department of Law, and Office of the Governor, or as otherwise designated by the Governor.
6. To facilitate the Administration's land recovery objectives, the Director of Land Management is instructed to create an office within the Department of Land Management to be known as the Ancestral Land Claims Office for the purpose of administering Guam Public Law Nos. 22-145, 23-23, and 23-141.
7. To further facilitate the Administration's land recovery objectives, the Administrator of the Guam Economic Development Authority is instructed to create an office within the Authority to be known as the Ancestral Land Claims Facilitation Office for the purpose of administering Guam Public Law Nos. 22-145, 23-23, and 23-141.

SIGNED AND PROMULGATED at Agana, Guam this 25th day of February, 1997.



CARL T. C. GUTIERREZ
Governor of Guam

COUNTERSIGNED:



MADELEINE Z. BORDALLO
Lieutenant Governor of Guam

ADDENDUM: GUAM TANF STATE PLAN

- Guam will require an Individual Responsibility Plan (IRP) from those individuals subject to mandatory job requirements. Guam will develop a policy requiring recipients to sign an IRP within 60 days of receipt of benefits.
- Guam does not have immediate plans to propose legislation to allow benefits for individuals who are convicted of possession, use, or distribution of a controlled substance.
- Except for families or individuals experiencing hardship or domestic violence, cash assistance will be temporary with a five (5) year lifetime limit.
- Guam will screen and identify families and individuals during the certification process, who are experiencing hardship situations and/or domestic violence and exempt them from the five (5) year lifetime limit. Hardship conditions include those who are aged, disabled, and those families with disabled children.
- Local funds will cover the cost for those exempted cases in excess of the 20% limit. Guam has no intention of providing any benefits for non-exempt families nor individuals.
- Guam will promote work and self sufficiency by working with private, public and community organizations to improve the employability of individuals by providing job preparation workshops and On the Job Training (OJT). Guam will provide support services such as child care, transportation and educational expenses, for families to enable parents/caretakers to participate in work activities. Guam will meet the required participation rate mandated by PRWORA.
- Determination for job readiness of a parent or caretaker will be contingent upon the fulfillment of the following conditions:
 1. Education, skills, and training;
 2. Physically, mentally, and medically ready for job available;
 3. Child Care and Transportation can be provided for; and,
 4. Emotional needs can be provided for.

This applies to all caretakers.

- Guam will incorporate the Child Care Services State Plan and the Support Services Plan in administering the TANF program.

- Guam will operate an employment placement program. This is addressed and provided for by the partnership with Guam's Department of Labor (DOL) and Guam's Agency for Human Resources Development (AHRD), via a Memorandum of Understanding.
- Guam will impose a sanction on a family that includes an adult who fails to ensure that the minor dependent children attend school. Guam will also impose a sanction on a family that includes an adult who is older than 20 and younger than 51, if the adult does not have and is not working toward a high school diploma, equivalency diploma, professional internship, or trait.
- Guam has no immediate intention to implement the requirement for noncustodial, non-supporting minor parents to fulfill community work obligations and/or attend parenting or money management classes. However, Guam will continue to require noncustodial parents to provide child support as a condition for eligibility for the caretaker and child under TANF. The IV-D requirements will continue to be implemented with the TANF program.
- Guam will offer bonuses or stipends to teen parents only who are participating in the Teen Parenting Program.
- Guam will not use TANF funding for beneficiaries to establish Individual Development Accounts (IDAs). This function is administered by the Guam Housing and Urban Renewal Authority (GHURA) and will not be duplicated by the Division of Public Welfare, Department of Public Health and Social Services. The IDA income however, will not be considered for TANF eligibility.
- Guam will develop standards and procedures to screen for, and identify domestic violence. Guam will develop a program to refer domestic violence victims for counseling and supportive services.
- Guam will not use TANF funds for the family preservation services program.
- Suitable child care for single custodial parents with a child under the age of 6 years will continue to be made available through the JOBS Supportive Services Plan and the Child Care Development Block Grant Plan.
- Guam's TANF benefits will become effective the first day of the month following authorized eligibility by the Division of Public Welfare, Department of Public Health and Social Services.