



# The Vigilance Committee

GCIC, Inc. 414 West Soledad Avenue, Hagåtña, GU. 96910

---

May 18, 2021

Transmitted via Electronic Mail  
[speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)

Honorable Therese M. Terlaje  
Speaker, 36th *I Liheslaturan Guåhan* [Guam Legislature]  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

Ref: TVC 21-091

**Subject: NOTICE OF VIOLATION OF THE OPEN GOVERNMENT LAW**

Hafa Adai Speaker Terlaje:

We are in receipt of your May 17 response to our Freedom of Information Act (FOIA) request. After thorough review of your response, you are in violation of the Open Government Law.

The Open Government Law states:

§ 8105. Exception. A chance meeting of two or more members of a public agency shall not be considered a public meeting. No chance meeting, informal assemblage or electronic communication shall be used to decide or deliberate public business in circumvention of the spirit or requirements of this Chapter.

Madam Speaker, the meeting held on Tuesday, May 11, 2021 at Adelup with the Governor and members of the 36<sup>th</sup> Guam Legislature was an informal assemblage. Whether or not a decision was made, the public will never know. Based on the governor's invitation and the multiple statements in the media, it is evidently clear that the intent of the informal assemblage with members of the 36<sup>th</sup> Guam Legislature and the governor was to deliberate public business, specifically, the '*plans for expenditure of the American Rescue Plan (ARP) funds*'.

It is clear the spirit of the Open Government Law, whether intentional or not, was trampled on and circumvented by you and the members of the 36<sup>th</sup> Guam Legislature.

The spirit of the Open Government Law states:

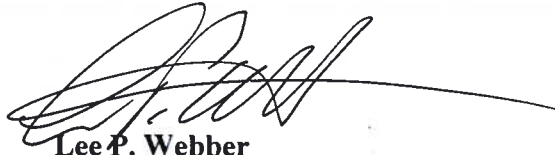
§ 8102. Policy. The Legislature declares it is the policy of this Territory that the formation of public policy and decisions is public and shall not be conducted in secret. The people of Guam do not yield their individual rights to the public agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

[www.stayvigilant.org](http://www.stayvigilant.org)  
Email: [stayvigilantguam@gmail.com](mailto:stayvigilantguam@gmail.com)

It is this same spirit and declaration that carries this notice of violation. The people of Guam, in delegating their authority, do not give you and the senators of the 36<sup>th</sup> Guam Legislature the right to decide what is good for them to know and what is not good for them to know. The people of Guam demand to be informed and assert their right over the government they have created.

Madam Speaker, the discussions of public business in an illegal meeting has the potential to taint any legislation that could be traced back to your illegal meeting. Therefore, I am asking you to email me by May 24, 2021, all public documents which would show your plan to remediate the harm that this illegal meeting may have caused.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. Webber', with a long horizontal line extending to the right.

**Lee P. Webber**

President, The Vigilance Committee, Inc.

Attached: Speaker Terlaje's Response to FOIA



Vigilance Committee &lt;stayvigilantgu@gmail.com&gt;

---

**Demand of Public Records pursuant to the Sunshine Reform Act**

---

**Speaker Therese M. Terlaje** <speaker@guamlegislature.org>  
To: Vigilance Committee <stayvigilantgu@gmail.com>  
Cc: Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Mon, May 17, 2021 at 12:18 PM

Håfa adai Mr. Webber,

Thank you for your email. There was no legislative meeting held on May 11, 2021 at 2:30pm. I have no documents in my possession in response to your request for items 1) and 2). I have attached all documents in my possession relative to the invitation from the Governor.

It was my hope in meeting with the Governor to receive and compare her detailed plans for expenditure of the American Rescue Plan (ARP) funds with the Legislature's, and to urge her to act immediately in prioritizing the RISE Act payments upon receipt of the \$553 M in cash in the next few days. We have not yet received the Governor's detailed plans for the ARP funds.

In fact, there was no decision on the expenditures of the American Rescue Plan (ARP), no bill pending on the ARP, and no quorum required regarding action on the ARP. In my official capacity as the Speaker of the Guam Legislature, I accepted an invitation to meet with the Governor of Guam.

Sincerely,  
Therese Terlaje

**Office of Speaker Therese M. Terlaje**

Committee on Health, Land, Justice and Culture

*I Mina'trentai Sais na Liheslaturan Guåhan*

36th Guam Legislature

Office Location: Ada Plaza Center, Suite 207, [173 Aspinall Avenue](#), Hagåtña, Guam 96910Address: Guam Congress Building, [163 Chalan Santo Papa](#), Hagåtña, Guam 96910T: (671) 472-3586 F: (671) 989-3590 Email: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)website: [www.senatorterlaje.com](http://www.senatorterlaje.com)

On Wed, May 12, 2021 at 1:52 PM Vigilance Committee <stayvigilantgu@gmail.com> wrote:

[Quoted text hidden]

**Documents related to Governor invitation to May 11, 2021 meeting.pdf**

6490K