

May 9, 2017

Mr. Michael J.B. Borja
Director
Department of Land Management
P.O. Box 2950
Hagatna, GU 96932

Dear Mr. Borja:

In planning and performing our audit of the financial statements of the Guam Ancestral Lands Commission (GALC) as of and for the year ended September 30, 2016 (on which we have issued our report dated May 9, 2017), in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, we considered the GALC's internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the GALC's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the GALC's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over financial reporting. However, in connection with our audit, we identified, and included in the attached Appendix I, other matters related to the GALC's internal control over financial reporting as of September 30, 2016, that we wish to bring to your attention.

We have also issued a separate report to the Board of Commissioners, also dated May 9, 2017, on our consideration of the GALC's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters.

The definition of a deficiency is also set forth in the attached Appendix I.

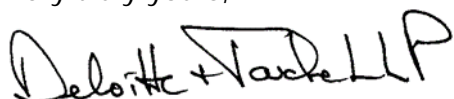
A description of the responsibility of management for establishing and maintaining internal control over financial reporting and of the objectives of and inherent limitations of internal control over financial reporting, is set forth in the attached Appendix II and should be read in conjunction with this report.

This report is intended solely for the information and use of the Office of the Public Accountability - Guam, management, and others within the organization, and is not intended to be and should not be used by anyone other than these specified parties.

We will be pleased to discuss the attached comments with you and, if desired, to assist you in implementing any of the suggestions.

We wish to thank the staff and management of the GALC for their cooperation and assistance during the course of this engagement.

Very truly yours,



SECTION I – OTHER MATTERS

Our observations concerning other matters related to operations and best practices involving internal control over financial reporting that we wish to bring to your attention are as follows:

(1) Security Deposit

On February 22, 2013, GALC with the Guam Economic Development Authority (GEDA), as the GALC's agent, entered into a Memorandum of Understanding for the lease of Land Bank Trust property known as Wettengel Junction. The MOU required a \$10,000 earnest deposit, of which 50% was to be retained by GALC and the remaining \$5,000 is considered a down payment for the security deposit upon entering into a lease agreement.

On December 20, 2013, GALC entered into a lease agreement for Wettengel Junction, which required a security deposit of \$27,197. A payment of \$17,197 was received from the lessee and, together with the \$5,000 down payment, the recorded security deposit amounted to \$22,197.

At September 30, 2016, lease security deposit was overstated by \$74,100. Management lacks timely update of security deposit balances held by GEDA in behalf of GALC to verify completeness of recordation.

We recommend that GALC, through GEDA, require compliance with the MOU and lease agreement and follow up with lessees as to the remaining \$5,000 security deposit payments. In addition, we recommend that management verify the completeness of recording of lease security deposits.

(2) Unearned Revenue

Management's calculation of unearned revenue as of September 30, 2016 was overstated by \$61,446. This was adjusted during the audit process. We recommend management perform adequate review of unearned revenue in accordance with GALC's accounting policy.

(3) Allowance for Doubtful Accounts

As of September 30, 2016, one tenant has an outstanding balance of \$184,000 or the equivalent of twenty-three months of unpaid rent. Management lacks adequate documentation evidencing an allowance assessment to ascertain collectibility of outstanding lease receivables. A provision of \$160,000 was recorded as an allowance for bad debts during the audit process.

We recommend management revisit long outstanding receivables and perform allowance assessments to ascertain collectibility.

SECTION II – DEFINITION

The definition of a deficiency is as follows:

A *deficiency* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A deficiency in design exists when (a) a control necessary to meet the control objective is missing or (b) an existing control is not properly designed so that, even if the control operates as designed, the control objective would not be met. A deficiency in operation exists when (a) a properly designed control does not operate as designed, or (b) the person performing the control does not possess the necessary authority or competence to perform the control effectively.

MANAGEMENT'S RESPONSIBILITY FOR, AND THE OBJECTIVES AND LIMITATIONS OF, INTERNAL CONTROL OVER FINANCIAL REPORTING

The following comments concerning management's responsibility for internal control over financial reporting and the objectives and inherent limitations of internal control over financial reporting are adapted from auditing standards generally accepted in the United States of America.

Management's Responsibility

The GALC's management is responsible for the overall accuracy of the financial statements and their conformity with generally accepted accounting principles. In this regard, management is also responsible for establishing and maintaining effective internal control over financial reporting.

Objectives of Internal Control over Financial Reporting

Internal control over financial reporting is a process affected by those charged with governance, management, and other personnel and designed to provide reasonable assurance about the achievement of the entity's objectives with regard to reliability of financial reporting, effectiveness and efficiency of operations, and compliance with applicable laws and regulations. Internal control over the safeguarding of assets against unauthorized acquisition, use, or disposition may include controls related to financial reporting and operations objectives. Generally, controls that are relevant to an audit of financial statements are those that pertain to the entity's objective of reliable financial reporting (i.e., the preparation of reliable financial statements that are fairly presented in conformity with generally accepted accounting principles).

Inherent Limitations of Internal Control over Financial Reporting

Because of the inherent limitations of internal control over financial reporting, including the possibility of collusion or improper management override of controls, material misstatements due to error or fraud may not be prevented or detected on a timely basis. Also, projections of any evaluation of the effectiveness of the internal control over financial reporting to future periods are subject to the risk that the controls may become inadequate because of changes in conditions, or that the degree of compliance with the policies or procedures may deteriorate.