



GUAM ETHICS COMMISSION
Kumision i Ginihan Areklamenton Guåhan

134 West Soledad Avenue, Suite 406 BOH Building, Hagatna GU 96910
Tel: (671) 969-5625 | Fax: (671) 969-5626
Email: info@ethics.guam.gov

Transmitted Via Electronic Mail

May 13, 2026

Honorable Lourdes A. Leon Guerrero
Governor of Guam
Office of the Governor
513 W. Marine Corps Drive
Hagåtña, Guam 96910

Honorable Frank F. Blas, Jr.
Speaker, 38th Guam Legislature
I Mina 'trentai Ocho Na Liheslaturan Guåhan
Guam Congress Building
Hagåtña, Guam 96910

Honorable Benjamin J.F. Cruz
Public Auditor
Office of Public Accountability
238 Archbishop Flores Street
Suite 401, DNA Building
Hagåtña, Guam 96910

Re: Reporting Requirements for Boards and Commissions – May 2026

Håfa Adai, Governor Leon Guerrero, Speaker Blas, and Public Auditor Cruz,

On behalf of the Guam Ethics Commission, respectfully transmitted herewith are the reporting requirements of 5 GCA Chapter 8 § 8113.1 regarding the Guam Ethics Commission's regular meeting held on May 7, 2026.

If I can provide further assistance or clarification, please feel free to contact me through email at nico.fujikawa@ethics.guam.gov.

Si Yu'os Ma'ase!

NICO A.C. FUJIKAWA,
Executive Director

Enclosure: Guam Ethics Commission May 7, 2026 Meeting Packet



GUAM ETHICS COMMISSION

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GUAM ETHICS COMMISSION

MEETING PACKET

May 7, 2026

12:00 PM

GUAM ETHICS COMMISSION Regular Board Meeting

Date: May 7, 2026

Time: 12:30 PM

Location: Guam Ethics Commission Conference Room/Zoom

AGENDA

- I. Call to Order / Roll Call of Members**
- II. Approval of Minutes**
 - i. March 25, 2026 – Regular Meeting
- III. Executive Director’s Report**
- IV. Closed Proceedings 4 GCA 15 §15401**
 - i. Complaints:
ETH-26-001-UT-202, AN-26-003-UT-202, ETH-26-002-UT-202, ETH-26-004-UT-202
 - ii. Advisory Opinions:
AO-26-001-COI, AO-26-002-PE
- V. New Business**
 - i. **Commission Action on the following:**
 - 1. Complaints**
ETH-26-001-UT-202, AN-26-003-UT-202, ETH-26-002-UT-202, ETH-26-004-UT-202
 - 2. Advisory Opinions**
AO-26-001-COI, AO26-002-PE
- VI. Announcements**
- VII. Adjournment**

Call to Order @ 12:04 PM BY Presider, Chairwoman Daphne M. Leon Guerrero

Roll Call of Members

- i. Members Present
 - 1. Chairwoman Daphne M. Leon Guerrero (left at 12:45 PM)
 - 2. Vice Chairman Dr. Robert Jack
 - 3. Margaret E.R. Tyquiengco, Commissioner (Arrived at 12:19 PM)
 - 4. Christopher A. Cruz, Commissioner
 - 5. Genevieve P. Rapadas
- ii. Staff Present
 - 1. Nico Fujikawa, Executive Director
 - 2. Kristin C. D. James, Program Coordinator
 - 3. Chellsea Anderson, Program Coordinator
 - 4. Vanessa Camacho, Administrative Assistant
- iii. Community Present
 - 1. Jonah Benavente, Guam Post
 - 2. Uriah Aguon, PDN (online)

AGENDA ITEM	INFORMATION	DECISION	MOTION	ACTION ITEM
Approval of Minutes	March 25, 2026 – Regular Meeting	Approved	<p>Motion to Approve March 25, 2026 minutes.</p> <p>Motion: C. Cruz Second: R. Jack</p> <p>No discussion.</p> <p>Unanimously approved by the commission</p>	N/A
Executive Directors Report	At the Chairperson’s request, Ex.D. report moved to the end of the agenda to allow for more discussion in Closed Proceedings.	N/A	N/A	N/A
Closed Proceedings	COMPLAINTS ETH-26-001-UT-202, AN-26-003-UT-202, ETH-26-002-UT-202, ETH-26-004-UT-202	Approved	<p>Motion to move into Closed Proceedings at 12:09.</p> <p>Motion: R. Jack Second: C. Cruz</p> <p>No discussion.</p> <p>Unanimously approved by the commission</p>	N/A
	ADVISORY OPINIONS AO-26-001-COI, AO-26-002-PE	N/A	N/A	N/A

AGENDA ITEM	INFORMATION	DECISION	MOTION	ACTION ITEM
New Business	COMMISSION ACTION ON THE FOLLOWING: COMPLAINTS – ETH-26-001-UT-202	Approved	Motion to exit out of Closed Proceedings and into New Business at 12:38 PM.	Commissioners to sign Resolution No. 2026-003.
			Motion: M. Tyquiengco Second: R. Jack	
			No discussion.	
			Unanimously approved by the commission	
		Approved	Motion to further investigate ETH-26-001-UT-202.	
			Motion: C. Cruz Second: M. Tyquiengco	
			No discussion.	
			Unanimously approved by the commission	

AGENDA ITEM	INFORMATION	DECISION	MOTION	ACTION ITEM
	COMPLAINTS – AN-26-003-UT-202	Approved	<p>Motion to dismiss AN-26-003-UT-202</p> <p>Motion: R. Jack Second: G. Rapadas</p> <p>No discussion.</p> <p>Unanimously approved by the commission</p>	Commissioners to sign Order of Dismissal for AN-26-003-UT-202.
	COMPLAINTS – ETH-26-002-UT-202	Approved	<p>Motion to dismiss ETH-26-002-UT-202</p> <p>Motion: G. Rapadas Second: C. Cruz</p> <p>No discussion.</p> <p>Unanimously approved by the commission.</p>	Commissioners to sign Order of Dismissal for ETH-26-002-UT-202.

AGENDA ITEM	INFORMATION	DECISION	MOTION	ACTION ITEM
	COMPLAINTS – ETH-26-004-UT-202	Approved	<p>Motion to dismiss ETH-26-004-UT-202</p> <p>Motion: G. Rapadas Second: R. Jack</p> <p>No discussion.</p> <p>Unanimously approved by the commission.</p>	Commissioners to sign Order of Dismissal ETH-26-004-UT-202.
	ADVISORY OPINIONS – AO-26-001-COI	Approved	<p>Motion to accept AO-26-001.</p> <p>Motion: R. Jack Second: M. Tyquiengco</p> <p>No discussion.</p> <p>Unanimously approved by the commission.</p>	Commissioners to sign AO-26-001.

AGENDA ITEM	INFORMATION	DECISION	MOTION	ACTION ITEM
	ADVISORY OPINIONS – AO-26-002-PE	Approved	Motion to accept AO-26-002. Motion: R. Jack Second: G. Rapadas No discussion. Unanimously approved by the commission.	Commissioners to sign AO-26-002.
Announcements	Welcome Genevieve Rapadas to Guam Ethics Commission as newly appointed Commissioner. She will have her swearing in Ceremony tomorrow, May 8, 2026, 2:00 PM at the Governor’s Office.	N/A	N/A	N/A
	Recruitment for new commissioners is ongoing as Vice-Chairman Dr. Robert Jack and Commissioner Christopher Cruz’s terms end this year.	N/A	N/A	N/A
Executive Director’s Report	Operational Updates Operational updates included continued coordination with the Office of Public Accountability (OPA) on the Government of Guam ethics training compliance audit, with all requested documents submitted on April 23, 2026. The Ethics in Government Program provided training to over 1,000 government employees in FY2026, averaging 145 participants monthly, while also receiving requests for specialized ethics trainings. The office is currently reviewing seven complaints, responding to two advisory opinion requests, and conducting consultations with government employees and community members to provide guidance on ethics-related matters.	N/A	N/A	N/A

AGENDA ITEM	INFORMATION	DECISION	MOTION	ACTION ITEM
	<p>Commission Update The Commission officially welcomed Atty. Genevieve Rapadas, who was confirmed by the 38th Guam Legislature on March 27, 2026, to serve on the Guam Ethics Commission. Her swearing-in ceremony is scheduled for May 8, 2026, at Adelup. The Commission currently has five of seven commissioner seats filled, with two commissioners expected to term out this year and additional appointments under consideration.</p>	N/A	N/A	N/A
	<p>Legislative and Policy Developments An update was provided on Bill 214-38, which was passed by the Legislature on March 27, 2026, and became Public Law 38-122 on April 9, 2026, without the Governor’s signature. The Governor issued a letter expressing concerns regarding administrative penalties, vague language, and due process protections. The new law revises several provisions of the Guam Ethics Commission, including appointment procedures, quorum requirements, commissioner removal authority, public access to hearings and records, and the establishment of administrative penalties of up to \$5,000 per violation following a hearing conducted in accordance with applicable law.</p>	N/A	N/A	N/A
	<p>GECOM – Trust Meter An update was provided on the GECOM Trust Meter project, including completion of the April 16, 2026 kickoff meeting with New Data Solutions to discuss project milestones and responsibilities. Survey design and questionnaire development are underway, with a draft framework expected for review during the week of May 4–8, 2026. Fieldwork is targeted for June 2026, including CATI operations through call centers in Fiji and Australia, development of a public landing page, and preliminary cognitive testing scheduled for May 22, 2026. New Data Solutions also plans to conduct an initial survey with Commissioners to assist with framing and anticipated outcomes of the Trust Meter initiative.</p>	N/A	N/A	N/A

AGENDA ITEM	INFORMATION	DECISION	MOTION	ACTION ITEM
Adjournment	N/A	Approved.	Motion to adjourn at 12:59 PM Motion: M. Tyquiengco Second: C. Cruz No Discussion Unanimously approved by the commission.	N/A

Meeting Adjourned at 12:59 PM

Prepared By:



Vanessa Camacho
Administrative Assistant

I certify that the record above is true and correct.

Attested By:



Nico A. C. Fujikawa
Board Secretary, Executive Director





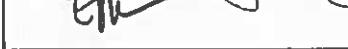


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Regular Board Meeting May 7, 2026

Commissioner	Title	Signature
Daphne Leon Guerrero	Chairwoman	
Dr. Robert Jack	Vice Chairman	
Christopher Cruz	Commissioner	
Margaret Tyquiengco	Commissioner	
Genevieve Rapadas	Commissioner	



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COMMISSIONERS

Daphne M. Leon Guerrero
Chairwoman

Robert S. Jack, MD
Vice-Chairman

Margaret E.R. Tyquiengco

Christopher A. Cruz

Genevieve P. Rapadas

COMMISSION STAFF

Nico A.C. Fujikawa
Executive Director

Kristin C.D. James
Ethics Program Coordinator I

Chellsea L. Anderson
Ethics Program Coordinator I

Vanessa E. Camacho
Ethics Administrative Assistant

Regular Meeting

May 7, 2026

12:00 PM

Zoom Link:

<https://us06web.zoom.us/j/8767330322?pwd=Yjg0Q0p6a0RhSmdvS1hLSVNkSldaZz09&omn=83414261010>

Meeting ID: 876 733 0322

Passcode: ethics

AGENDA

- I. Call to Order / Roll Call of Members
- II. Approval of Minutes
 - i. March 25, 2026 – Board Meeting
- III. Executive Director's Report
- IV. Closed Proceedings 4 GCA 15 §15401
 - i. Complaints:
ETH-26-001-UT-202, AN-26-003-UT-202,
ETH-26-002-UT-202, ETH-26-004-UT-202
 - ii. Advisory Opinions:
AO-26-001-COI, AO-26-002-PE
- V. New Business
 - i. Commission Action on the following:
 1. Complaints
ETH-26-001-UT-202, ETH-26-002-UT-202, ETH-26-004-UT-202
 2. Advisory Opinions
AO-26-001-COI, AO-26-002-PE
- VI. Announcements
- VII. Adjournment

GUAM ETHICS COMMISSION Regular Board Meeting

Date: March 25, 2026

Time: 12:00 PM

Location: Guam Ethics Commission Conference Room/Zoom

AGENDA

- I. Call to Order / Roll Call of Members**
- II. Approval of Minutes**
 - A. January 27, 2026 – Regular Meeting
- III. Executive Director’s Report**
- IV. Closed Proceedings 4 GCA 15 §15401**
 - A. Complaints:
 - ETH-26-001-UT-202, ETH-26-002-UT-202, ETH-26-004-UT-202
 - B. Advisory Opinions:
 - AO-26-001-COI, AO-26-002-PE
- V. Old Business**
- VI. New Business**
 - A. GECOM-RFP-26-001 - Motion to authorize the Executive Director to enter into contract with the highest qualified bidder for Research Services: Development of the Guam Ethics Commission Trust Meter.
- VII. Announcements**
- VIII. Adjournment**

Call to Order @ 12:31 PM by Vice Chairman Dr. Robert Jack

Roll Call of Members

A. Members Present

1. Chairwoman Daphne M. Leon Guerrero
2. Vice Chairman Dr. Robert Jack
3. Margaret E.R. Tyquiengco, Commissioner (online)
4. Christopher A. Cruz, Commissioner (online)

B. Staff Present

1. Nico Fujikawa, Executive Director
2. Kristin C. D. James, Program Coordinator
3. Chellsea Anderson, Program Coordinator
4. Vanessa Camacho, Administrative Assistant

AGENDA ITEM	INFORMATION	DECISION	MOTION	ACTION ITEM
Approval of Minutes	January 27, 2026 – Regular Meeting	Approved	Motion: R. Jack Second: M. Tyquiengco No discussion. Unanimously approved by the commission	N/A
Executive Director's Report	Operational Updates The executive director reported publication of the meeting notice, training delivery statistics for FY26 (over 600 trainees, 23% in-person/77% online), demand for specialized trainings, cumulative training totals (~13,000), and the status of agency compliance reports (21 of 65 submitted).	N/A	N/A	N/A
	Commission Update The Committee on Finance and Government Operations held a public hearing for the appointment of Atty. Genevieve P. Rapadas to the board of Commissioners for the Guam Ethics Commission. She is anticipated to be confirmed in the March Session which began on Monday, March 23, 2026 and may run until the end of the week.	N/A	N/A	N/A
	Legislative and Policy Development Bill 214-38 the Legislature continues to deliberate on the Bill in the March Session which began on Monday, March 23, 2026 and may run until the end of the week. <ul style="list-style-type: none"> Senators continued deliberations on the board's composition without reaching consensus. The bill, which failed yesterday, March 24, 2026, was reconsidered and passed today, returning to the third reading file for a possible final vote later this week. Key changes include standardizing the quorum to four members for all actions and removing commissioner stipends (previously \$50). Commissioners generally indicated stipends are not a priority, but feedback was requested on whether eliminating them is equitable compared to other boards. 	N/A	N/A	N/A

AGENDA ITEM	INFORMATION	DECISION	MOTION	ACTION ITEM
	<p>Budget The director presented FY26 appropriation and continuing appropriation figures, identified available contract funds (including \$156,000) to support the Trust Meter, recapped the RFP timeline and evaluation process, and requested authorization to negotiate with the highest-rated proposer.</p>	N/A	N/A	N/A
	<p>Procurement The RFP for a Trust Meter produced two qualified offers, and sent a notice of award to the highest qualified bidder.</p>	N/A	N/A	N/A
Closed Proceedings	<p>ETH-26-001-UT-202 4 GCA Ch15 §15401 a4 - Due to lack of 5th Commissioner for Quorum for investigations.</p>	Chairwoman D. Leon Guerrero Tabled Item	N/A	Item tabled to next meeting.
	<p>ETH-26-002-UT-202 4 GCA Ch 15 §15401 a4 - Due to lack of 5th Commissioner for Quorum for investigations.</p>	Chairwoman D. Leon Guerrero Tabled Item	N/A	Item tabled to next meeting.
	<p>ETH-26-004-UT-202 4 GCA Ch 15 §15401 a4 - Due to lack of 5th Commissioner for Quorum for investigations.</p>	Chairwoman D. Leon Guerrero Tabled Item	N/A	Item tabled to next meeting.
	<p>AO-26-001-COI 4 GCA Ch 15 §15401 a4 - Due to lack of 5th Commissioner for Quorum for investigations.</p>	Chairwoman D. Leon Guerrero Tabled Item	N/A	Item tabled to next meeting.
	<p>AO-26-002-PE 4 GCA Ch 15 §15401 a4 - Due to lack of 5th Commissioner for Quorum for investigations.</p>	Chairwoman D. Leon Guerrero Tabled Item	N/A	Item tabled to next meeting.
New Business	<p>GECOM-RFP-26-001 - Motion to authorize the Executive Director to enter into contract with the highest qualified bidder for Research Services: Development of the Guam Ethics Commission Trust Meter.</p>	Approved	<p>Motion: C. Cruz Second: M. Tyquiengco</p> <p>No discussion.</p> <p>Unanimously approved by the commission</p>	Executive Director to enter into contract with the highest qualified bidder.
Announcements	N/A	N/A	N/A	N/A

AGENDA ITEM	INFORMATION	DECISION	MOTION	ACTION ITEM
Adjournment	N/A	N/A	Motion: R. Jack Second: C. Cruz No Discussion Unanimously approved by the commission.	N/A

Meeting Adjourned at 12:55 PM

Prepared By:



Vanessa Camacho
 Administrative Assistant

I certify that the record above is true and correct.

Attested By:



Nico A. C. Fujikawa
 Board Secretary, Executive Director

Executive Director's Report
5/7/2026

Operational Updates

- On April 3, 2026 the Office of Public Accountability contacted our office to initiate an audit of Government of Guam employee's ethics training compliance. After review of the documents and information request our team met with the Public Auditor on April 10, 2026 to discuss current operations and potential issues regarding this audit topic. On April 23, 2026 our team have submitted all requested information and will continue to work with the OPA should they need anything further from the Commission on this.

- Ethics In Government Program Training:
 - Ethics Training Compliance Report 4 GCA Chap 15. §15410 (d) Reports Received as of May 5, 2025 –23 out of 65 - 35% Compliance
 - As of May 5, 2026, we have provided training to 1000+ Government Employees for Fiscal Year 2026.
 - In addition, we have been receiving feedback for more specialized trainings to include:
 - Ethics In Accounting
 - Ethics in Human Resources
 - Ethics in Customer Service
 - Ethics in Management

FY2026 Ethics in Government Training Program	
Month	Total
October	76
November	39
December	64
January	149
February	150
March	220
April	319
Total	1017
<i>(FY26 Monthly avg. - 145 Employees)</i>	
<i>Average</i>	<i>145.29</i>

- Complaints and Investigations: (7 complaints filed)

We continue to prepare all case files and will present to the Commission as we work on filling the vacant seats as well as on our new legislation enhancements to ensure we provide a clear pathway for cases going forward. We will be informing all complainants about our process as well as the 3-year statute of limitations that our current law allows for.

- Advisory Opinions: (2 Request for Advisory Opinions)

The Commission continues to field calls and inquiries regarding potential complaints and violations of the Ethics Code and have advise members of the community on the proper agencies to engage based on their circumstances and events as well as next steps with the Commission. I have asked our team to ensure we assist members of the community to the fullest extent possible and avoid simple referrals.

- Consultations:(6 in person/phone consultations)

We have seen an increase in request for consultations from various employees in the government regarding specific issues they have encountered. This is proving to be a beneficial step in enhancing awareness as well as providing more technical assistance for government officials and the general public

Commission Update

- I would like to officially welcome Atty. Genevieve Rapadas to the Guam Ethics Commission. On March 27,2026 the 38th Guam Legislature voted to confirm Ms. Genevieve P. Rapadas to the board of the Guam Ethics Commission. In addition, The Office of the Governor has notified us that her Swearing in Ceremony will be held on May 8,2026 at 2pm in the Large Conference Room in Adelup.
- Our Commission now has a total of 5 of 7 Commissioners, however 2 commissioners will be termed out this year, so additional Commissioners are being considered.

Legislative and Policy Developments

- UPDATE: Bill 214-38 – On March 27, 2026 the Legislature voted to pass Bill 214-38 and sent to the Governor’s Office for signature into law.
- On April 9,2026 the bill lapsed into now Public Law No. 38-122, without the governor’s signature. Her office instead shared an official letter regarding this law citing her reservations around the need for administrative penalties as well as vague language around the imposing of such fees and due process rights. A copy of her letter can be found on the Guam Legislature’s website.

Summary of changes:

Provision	Previous Law	Public Law 38-122
Commission Appointment	(7) Members appointed from the Governor	(7) Members appointed by the Governor, confirmed by the Legislature.

		<p>The Governor shall seek and consider recommendations on appointments from community organizations to include:</p> <ul style="list-style-type: none"> • Guam Bar Association • Society for Human Resources Management (SHRM) • Association of Government Accountants • Guam Chamber of Commerce <p>Chairperson shall be elected by a vote of (4) of more members</p>
Term	Original Members 2 members for 2 years 2 members for 3 years 1 member for 4 years	4 years
Quorum	4 members for administration, 5 members for Complaints, Investigations and Decisions	4 members for all actions
Stipend <i>*Note: Commissioners expressed the desire for parity with similar boards.</i>	\$50.00 Stipend per regular meeting	No Stipend
Removal	Governor may remove Commissioner for cause	Vote of 4 from the Commissioners
Hearings / Proceedings	Closed to the public (unless the accused party requests for an open hearing)	Open to Public, and records shall be available for public review.
Administrative Penalties	None	Up to \$5000.00 per violation after a Commission convenes a hearing in accordance with §15401, and compliance with the Administrative Adjudication Law

GECOM - Trust Meter

- Project Planning – Kick off Meeting was held on April 16, 2026 with New Data Solutions and GECOM staff to discuss key milestones, deadlines, work responsibilities and expectations.
- Survey Instrument Design – Survey design and questionnaire being drafted by NDS with a draft framework expected to be delivered to GECOM for approval this week (May 4-8 2026).
- Fieldwork Planning – Overall fieldwork targeted for June 2026. NDS confirmed two call centers (Fiji and Australia) for the CATI approach. In addition, work on a landing page to incorporate FAQs and registration data for the Trust meter has commenced. A preliminary survey cognitive testing of participants will take place on May 22,2026 prior to general public release, to evaluate respondents’ comprehension to survey questions and identify any phrasing or ambiguous questions and statements. This will assist in improving survey design and ensure quality responses.
- Commissioners Feedback- New Data Solutions, would like to conduct an initial survey with our commissioners to obtain information on proper framing of the trust meter as well as anticipated outcomes.

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
214-38 (COR) As amended by the Committee on Finance and Government Operations; and further amended on the Floor.	Eulogio Shawn Gumataotao Joe S. San Agustin Tina Rose Muña-Barnes	AN ACT TO <i>AMEND</i> ARTICLE 3, § 15401(a)(6), § 15401(b), § 15401(d), § 15401(e), AND § 15403, ALL OF CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE INDEPENDENCE AND EFFECTIVENESS OF THE GUAM ETHICS COMMISSION.	10/28/25 1:37 p.m. ^11/6/25 4:52 p.m.	11/7/25	Committee on Finance and Government Operations.	Request: 11/7/25 11/12/25	2/12/26 9:00 a.m.	3/12/26 As Amended.	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	LAPSED	NOTES	
	3/23/26	AN ACT TO <i>AMEND</i> §§ 15401(a)(6), 15401(b), 15401(d), 15401(e), AND 15403, ALL OF ARTICLE 3, CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE INDEPENDENCE AND EFFECTIVENESS OF THE GUAM ETHICS COMMISSION.	3/27/26	3/27/26	4/8/26	38-122	4/9/26	Received: 4/9/26 Mess and Comm. Doc. No. 38GL-26-2190	

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

Transmitted via Email to: speakerblas@guamlegislature.org

38GL-26-2190

OFFICE OF THE SPEAKER
FRANK F. BLAS JR.

April 8, 2026

THE HON. FRANK BLAS, JR., *Speaker*
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

APR 08 2026

Time: 4:22pm
Received: desha collan

Re: Bill No. 214-38 (COR), "AN ACT TO AMEND §§ 15401(a)(6), 15401(b), 15401(d), 15401(e), AND 15403, ALL OF ARTICLE 3, CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE INDEPENDENCE AND EFFECTIVENESS OF THE GUAM ETHICS COMMISSION."

Håfa Adai Mr. Speaker,

Bill No. 214-38 (COR) would amend 4 GCA § 15403(c) in a manner that would require the Guam Ethics Commission (GECOM) to issue an administrative fine of up to \$5,000 per non-criminal violation of the code of ethics. The Legislature says these changes are needed to enforce ethics in the Government even though the Executive Director for the Ethics Commission testified on February 12, 2026, that there were only three cases referred to them in 2025. Disregarding the fact that there does not appear to be a need for this change, there are still fundamental issues with its language.

First, the Legislature claims to be strengthening the independence of GECOM by imposing a requirement on them to issue a fine in all cases that the Commission finds a violation occurred. GECOM will have no discretion as to whether or not to assess a fee when resolving the violation. Dictating to the Commission how they will resolve ethical violations does not increase their independence, it weakens it.

Second, the fines the Legislature is mandating GECOM to impose lack procedural due process rights. Nowhere in this bill did the Legislature provide an employee with an avenue to contest or appeal the required fine. The omission of an administrative or judicial remedy is significant. In Guam, we believe in the rule of law, and that principle requires that individuals affected by government action have a meaningful opportunity to be heard before penalties are imposed.

Third, the bill does not define what this "code of ethics" referred to in section 15403(c)(2) even is and Chapter 15 is silent in the definition section. Presumably, the Legislature is referring to Chapter 15 as a whole given the language found in 4 GCA § 15401(b). The law should make it clear to employees what conduct would result in a mandatory fine.

To: The Hon. Frank Blas, Jr., *Speaker*
Fr: The Hon. Lourdes A. Leon Guerrero, *Governor of Guam*
Date: April 8, 2026
Re: Bill No. 214-38 (COR)

Page 2 of 2

Finally, the violation language itself is vague. The Legislature mandates GECOM to impose this fine for *each* violation. How is the Legislature calculating a violation? Is it a single act? Each day the conduct occurred? Does the intent of the employee matter? For example, if an employee reasonably believed they were being ethical but the Commission later determined they were not, then this employee would be subjected to at least one mandatory fee for their violation, if not more, depending on how the violation is calculated. Furthermore, as stated above, said employee would have no remedy on challenging such a finding by the Commission. No employee of the Government, serving the people of Guam, should be subjected to a vague statute in which it is unclear what conduct is prohibited and when there are no procedural due process rights as I discussed above.

Despite my foregoing reservations, I am allowing Bill No. 214-38 (COR) to lapse into law without my signature as **Public Law No. 38-122**. It aligns GECOM's quorum and decision-making standards with that of the Civil Service Commission (CSC). Under current law, GECOM requires five of its seven members in order to take action. The CSC, like GECOM, has seven members of which only four are required for quorum and to cast an affirmative vote when taking action. This bill would bring parity to GECOM in its ability to oversee ethics complaints by changing its requirement from five members to four.

As part of implementing the new administrative fines, the bill requires GECOM to develop and enact regulations under the Administrative Adjudication Law. I ask the Commission to consider fairness and due process when drafting the regulations.

Senseramente,



LOURDES A. LEON GUERRERO
I Maga'hågan Guåhan
Governor of Guam

Enclosure(s): Bill No. 214-38 (COR) nka P.L. 38-122
cc via email: *Honorable* Joshua F. Tenorio, *Segundo Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws



38GL-26-2190
Messages and Communications
RECEIVED
COMMITTEE ON RULES
April 9, 2026
2:44 p.m.
Marie Crisostomo



COMMISSIONERS INPUT TO DEVELOPMENT OF THE GUAM TRUST METER SURVEY TOOL

Client	GUAM ETHICS COMMISSION (GECOM)
Project	GUAM TRUST METER
Date	4 May 2026

Dear Commissioner,

As a result of RFP-26-001 GECOM has engaged New Data Solutions to deliver the Guam Trust Meter Program/Report.

The intent of this Program/Report is threefold:

- Firstly, to measure the level of trust that Guam’s citizens have in its elected officials, government and public institution.
- Secondly, to identify the underlying drivers of those levels of trust, mistrust and distrust.
- Thirdly, to provide an evidence base that can be used to inform future initiatives and policy development and to monitor progress over time.

With these to be collated at the overarching level and in respect to individual agencies and institutions.

To ensure that the Guam Trust Meter survey tool both measures what matters and leads to actionable outcomes we are seeking your responses to five key questions.

Q1. To what extent do you feel that the citizens of Guam trust it’s elected officials, government and public institution to do what is right?

Q2. What do you see to be the underlying drivers of citizen trust, mistrust or distrust in its elected officials, government and public institution?

Q3. And what, if any, challenges do you/your department face in the fulfilling of your duties due to citizen mistrust or distrust of the Guam Government?



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- Q4.** How do you envision that you/your department will use the outcomes of the Guam Trust Meter survey? What if any decisions, initiatives or policy development will it/would you like it to inform?

- Q5.** What if any sub-groups or cohorts within the Guam population are either of particular interest or relevance to the work that you do? Alternatively, are there any segments of the population that you believe may have lower levels of trust in Guam's elected officials, government and public institution?