
GUAM ETHICS COMMISSION

KUMISIÓN I GINIHAN AREKLAMENTON GUÅHAN



**SUMMARY
OF
OPINIONS**

THIRD EDITION

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WHERE WE ARE NOW

The Guam Ethics Commission was created through the enactment of Public Law 23-105, and became an active part of the government in 2019 with the promulgation of Executive Order 2019-06. Its enabling law, the Standard of Conduct for Elected Officers, Appointed Officers and Public Employees of the Government of Guam, codified at 4 GCA Ch. 15 (the “Ethics Standards”) provides for the organization of the Commission, its administrative authority, and its jurisdiction. In Fiscal Year 2021, the Guam Legislature dedicated funds for essential personnel enabling the Commission to begin operation and meet its objectives. Since then, this esteemed body has been diligently working to promote the ethical practices by government employees and elected officials.

The Commission’s mandate is to uplift the public’s confidence in government employees, programs, and operations by ensuring the practice and promotion of the highest standards of ethical behavior in the Government of Guam. Its purpose is to review complaints concerning the conduct of officers and employees through the procedures in the Ethics Standards and provide guidance on ethical conduct through informal and formal opinions and coordination with the Attorney General and the Public Auditor.

As part of this directive, the Commission is responsible for helping to ensure that Guam's public officials and employees are aware of the Ethics Standards and conduct for public officials. This includes reviewing officials and employees compliance with laws related to accepting gifts, fair treatment, avoiding conflicts of interest in government contracting, and post-employment activities. Additionally, financial statements and disclosures must be regularly filed by elected officials, board and commission members, and certain other personnel of the Government of Guam.

GovGuam officials and employees number approximately 12,000 individuals. This covers personnel from all three branches of government—legislative, executive, and judicial (excluding judges) as well as members of boards or commissions appointed by the Governor.

DUTIES

Guidance

The process for the Commission to determine violations of the Ethics Standards are provided in Section 15401 (b). Charges may be investigated and if supported by sufficient evidence, an informal advisory opinion is rendered. The employee or official is then given opportunity to comply, or the Commission is authorized to render a formal opinion after which a hearing is held to determine whether the charges are supported by a preponderance of the evidence. These proceedings and the opinions are confidential; however, they may be published in summary form with redactions to prevent disclosing the identity of the employee.

Educational Training

Following the enactment of Public Law 36-25, all government of Guam employees must attend and complete the Ethics in Government Program hosted by the Guam Ethics Commission. All new government of Guam employees hired after May 2021 are required to attend ethics in government training within the first six (6) months of his or her employment as opposed to thirty-six months for those hired prior to May 2021.

Ensuring Compliance with Disclosure Laws

Disclosure statements filed by government of Guam officials and certain high-ranking employees are maintained by the Guam Ethics Commission during the term of office of the employee, and for a period of three years thereafter. Our government's transparency and accountability are bolstered by these filing requirements. The Commission undertakes the task of reviewing compliance with the Public Official Disclosure Act and, thus holding them accountable for their actions.

Enforcing Ethics Laws

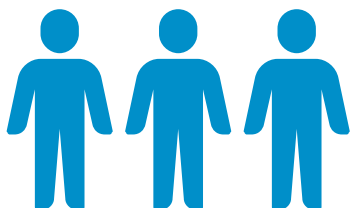
The Commission is tasked with receiving and reviewing grievances of official misconduct and allegations of ethical violations. The Commission is empowered to subpoena witnesses and administer oaths in relation to matters before the Commission. Furthermore, the Commission can require the production of documents for examination, including books, papers or electronic records related to a matter being investigated.

ETHICS IN GOVERNMENT PROGRAM WORKSHOP

In May 2021, Governor Leon Guerrero enacted Public Law 36-25 requiring ethics training for all government of Guam employees. The Commission took on the challenge and began the ethics workshop within eight months of its operations. Due to the Covid-19 pandemic, workshops were initially conducted virtually via ZOOM.

In addition to the in-person and virtual Zoom workshops, the Commission launched its online training module in January 2023. The online module is available on the Commission's website at <https://www.guamethics.com/training/online-training>.

The Commission conducted its largest Ethics Training in August 2025, training 3,000 Guam Department of Education employees. As of today, the Commission has fulfilled its duty of training all government of Guam employees, officials, and board members. This impressive achievement demonstrates our commitment to helping public officials and government officials alike, understand ethical practices while on the job.



100 %
GOVERNMENT OG GUAM
EMPLOYEES TRAINED!



LEGISLATION

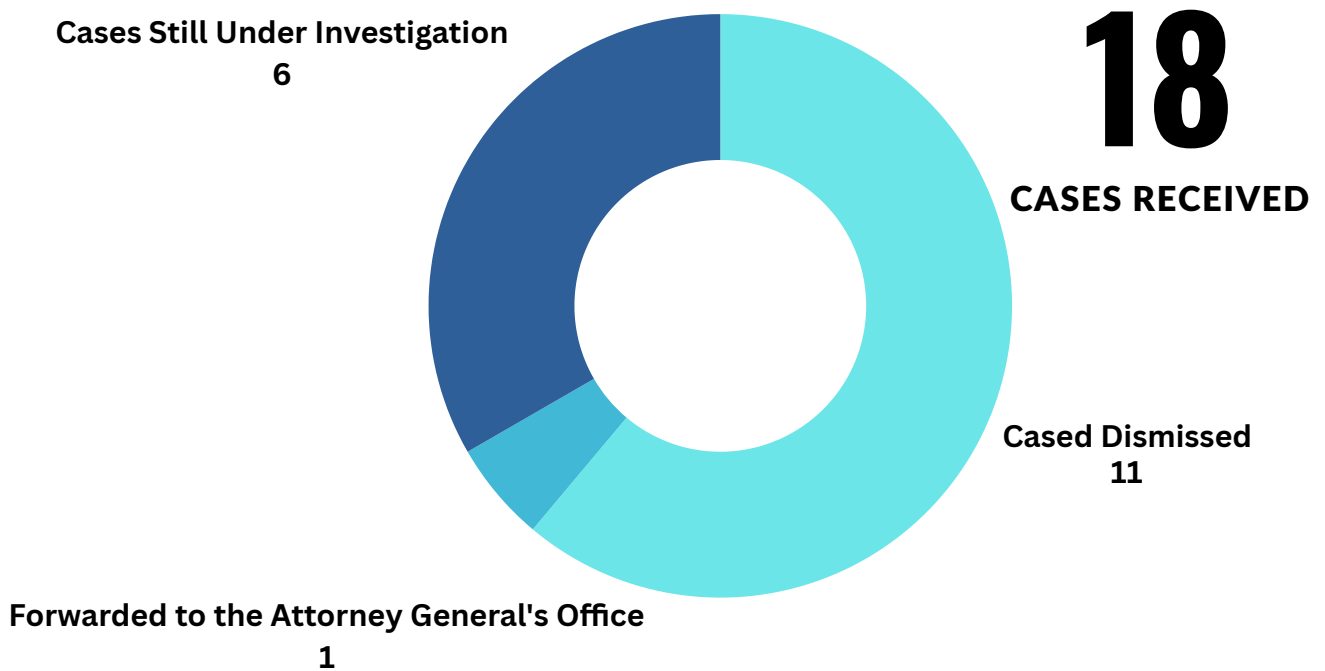
The Commission, first established in 1996, was left dormant until the first members were confirmed in 2019. Without a budget or any operational infrastructure, Executive Order No. 2019-06 assigned the Civil Service Commission to provide the Guam Ethics Commission administrative assistance. Thanks to the passage of Public Law 35-99, the Commission was granted its first legislative appropriation, and with it came much needed resources to establish operations. This marked a significant milestone. With the resources appropriated, the Commission recruited an executive director to set up the office operations and began a thorough review of applicable ethics statutes.

The Commission worked hard to achieve two notable legislative changes. First, Public Law 36-28, which strengthened the Guam Ethics Commission's status as an independent and autonomous entity of the government of Guam. Second, Public Law 36-67— which authorized the Commission to retain necessary legal services outside of the Attorney General's office. By uniting these two policy changes, the Commission is empowered to address grievances in accordance with established law.

ENFORCEMENT

On March 8, 2022, the Guam Ethics Commission officially opened its doors to receive complaints. The Commission operates within compliance of 4 GCA Chapter 15, receiving and carefully reviewing all complaint allegations in a confidential manner. The Commission may elect to begin formal charges against an alleged violator if there is probable cause to believe ethical standards have been violated. The person charged will be given an opportunity to respond and the Commission shall hold a hearing if there is reason to believe a violation has been committed.

In this edition, the Commission processed 18 official complaints involving allegations of ethical misconduct. Of those cases, 11 have since been dismissed and one (1) was forwarded to the Office of the Attorney General. Six (6) are still under investigation. Specifically, 11 stemmed from allegations of violations of the Prohibition Against Unfair Treatment, four (4) involved alleged Conflicts of Interest, one (1) involved Confidential Information and two (2) fell beyond the authority of the Commission's jurisdiction.



Prohibition Against Gift	-
Required Reporting of Gifts	-
Employee Use of Confidential Info.	1
Prohibition Against Unfair Treatment	11
Conflicts of Interest	4
Contracts	-
File GEC Reports	-
Restrictions on Post Employment	-
Other	2
Total	18

ADVISORY OPINIONS

This year, the Commission issued zero (0) formal Advisory Opinions.

SUMMARY OF OPINIONS

ETH-24-001-OT-202

A complaint was filed against a government official for allegedly enabling an individual and his “gang stalkers” to illegally hack into the complainant’s mobile phone and access personal information and accounts, as well as stalk and taunt the complainant. After further investigation, the Ethics Commission determined it did not have jurisdiction and issued an order of dismissal for the case.

ETH-24-002-UT-202

The complaint is still under investigation.

ETH-24-003-UT-202

The complaint is still under investigation.

ETH-24-004-COI-201

A complaint was filed against a government official for allegedly issuing subpoenas while failing to inform parties in related litigations of conflict of interest. After further investigation, the Ethics Commission determined it did not have jurisdiction and issued an order of dismissal for the case.

ETH-24-005-CI-201

A complaint was filed against a government official for allegedly disclosing attorney-client communications to a law firm and sent copies to all Guam Legislature Senators, Guam Governor, and various media outlets. After further investigation, the Ethics Commission determined it did not have jurisdiction and issued an order of dismissal for the case.

ETH-24-006-OT-201

A complaint was filed against a government official for allegedly withdrawing from representing government agencies, and attempted to coerce these agencies into accepting specific conditions for representation. After further investigation, the Ethics Commission determined it did not have jurisdiction and issued an order of dismissal for the case.

ETH-24-007-UT-201

A complaint was filed against a government official for allegedly creating a stressful and hostile work environment, forcing an employee to resign. After further investigation, the Ethics Commission determined it did not have jurisdiction and issued an order of dismissal for the case.

ETH-24-008-UT-202

A complaint was filed against a government official for allegedly using government funds for personal use and accepting gifts/bribes. After further investigation, the Ethics Commission voted to forward the case to the Attorney General’s office for further action.

ETH-24-009-UT-201

A complaint was filed against a government official for allegedly giving unwarranted privileges to an employee, opening job positions intended for a pre-selected individual, and claiming extra pay for their duties. After further investigation, the Ethics Commission determined it did not have jurisdiction and issued an order of dismissal for the case.

ETH-24-010-UT-202

A complaint was filed against a government official for allegedly allowing the release of an individual from incarceration in exchange for a favor. After further investigation, the Ethics Commission determined it did not have jurisdiction and issued an order of dismissal for the case.

ETH-24-011-UT-201

A complaint was filed against a government official for allegedly allowing the release of an individual from probation in exchange for a favor. After further investigation, the Ethics Commission determined it did not have jurisdiction and issued an order of dismissal for the case.

ETH-24-012-UT-201

A complaint was filed against a government official for allegedly using his staff to harass the complainant. After further investigation, the Ethics Commission determined it did not have jurisdiction and issued an order of dismissal for the case.

ETH-24-013-OT-202

A complaint was filed against a government official for allegedly violating an agreement due to a conflict of interest. After further investigation, the Ethics Commission determined it did not have jurisdiction and issued an order of dismissal for the case.

ETH-24-014-UT-201

A complaint was filed against a government official for allegedly violating an agreement due to a conflict of interest. After further investigation, the Ethics Commission determined it did not have jurisdiction and issued an order of dismissal for the case.

ETH-24-015-UT-202

The complaint is still under investigation.

ETH-25-101-UT-202

The complaint is still under investigation.

ETH-25-102-UT-202

The complaint is still under investigation.

ETH-25-103-UT-202

The complaint is still under investigation.

FINANCIAL & GIFT DISCLOSURES

Pursuant to 4 GCA 15 § 15202, every employee shall file a gifts disclosure statement with the Guam Ethics Commission on June 30 of each year. Gift disclosure forms are available on the Commission’s [website](#). In addition, All financial disclosure reports required to be filed with the Guam Election Commission pursuant to Chapter 13 of Title 4, Guam Code Annotated, shall be reported to the Guam Ethics Commission within three working days of filing with the Guam Election Commission.

COMMISSION & STAFF

The Commission currently has six members who have been appointed by the Governor and confirmed by the Guam Legislature. The current members of the Commission are Daphne M. Leon Guerrero – Chairwoman, Dr. Robert S. Jack – Vice-chairperson, Christopher A. Cruz, Margaret (Meg) E.R. Tyquiengco, Shannon J. Murphy and Marilyn R. Borja. The Commission is hopeful to have the final vacant seat on the board filled in the upcoming term.

The Commission employs the following staff:

Executive Director: Jesse J. Quenga

Ethics Investigator and Compliance Officer II: Reuben C. Bugarin

Administrative Assistant: Arielle L. Navarro

Legal Counsel: McDonald Law Office

Prosecutorial Counsel: The Law Offices of Phillips & Bordallo, P.C.

Conflict Counsel: Camacho Calvo Law Group



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