



The Vigilance Committee

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

It has been reported in various media outlets that Boards and Commissions have approved pay raises or salary adjustments for unclassified personnel without reasonable justification for their actions. In order to ensure Boards and Commissions remain transparent with their actions for any unclassified, limited term appointment, temporary appointment, contractual or exempt personnel of the government of Guam, the Vigilance Committee recommends the following *amendment* to the Sunshine Reform Act:

Section 1. § 10108 (c) of 5 GCA is hereby *amended* to read: "(c) Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy. All information regarding salary, and the name, ~~and~~ worksite mailing address, employment type, employment status, disciplinary records and performance evaluations of each employee and public official shall be public record-, provided that the performance evaluations of classified employees are not public records."

4.) How will you ensure transparency is upheld in the disclosure of public records for unclassified, limited term appointment, temporary appointment, contractual or exempt personnel of the government of Guam?

CANDIDATE RESPONSES

ADA, Vicente Anthony Borja (R) Tony Ada (Daso/Bodig)	What could be done is to require that public information on such employees be posted online and perhaps in multiple online sites. We can also explore more severe penalties than what currently exist for failure to provide this information upon request.
ANANICH, John Albert, II (D) Perez Aguon	Candidate did not respond to the "non-partisan survey promoting openness and transparency in government".
ARMENTA, Michelle Lynn (R) Familian Dasu	I will amend the Sunshine Reform Act as recommended above.
BLAS, Frank Flores, Jr. (R) Dero Jeje Papa	When dealing with public funds, for any reason, the use of these funds should not be shielded by privacy provisions. Along these thoughts, employment and contractual records deemed public should not be shielded as well. Just as it was made an offense to certify funding when no funds exist, it should be a criminal offense to withhold records on employment and contracts that are classified public and not invasive of personal privacy.
BORDALLO, Fred E., Jr. (D) Kotla Queto	When elected as your senator, I will collaborate with other members of the legislature to first ensure that our branch has provided for the public's accessibility information related to unclassified staff and pay levels and availability of public records, and then if needed strengthen policies of FOIA for the Government of Guam. Additionally I will support the suggested Vigilance committee's amendment to the Sunshine Reform Act.

BORJA, Vincent A.V. (R) Dasso & Karabao	Ask the tough questions with oversight. Review laws and policies to ensure there are no gaps and ensure enforcement and/or removal of those who think they are above the law.
BROWN, Joanne M. (R)	Penalties can be put in place for responsible boards, commissions and administrations that have appointed unclassified, limited term appointments, temporary appointments, and contractual or exempt personnel. I wholeheartedly support the expansion of information being provided to the public and would support the above referenced amendments to the law.
CARILLO, Christopher L. (D) Chris	Candidate did not respond to the "non-partisan survey promoting openness and transparency in government".
CRUZ, Joseph Iglesias (R) JI Cruz / Familian Lazaro	Candidate did not respond to the "non-partisan survey promoting openness and transparency in government".
DUENAS, Christopher M. (R) Chris	This proposed legislation seems logical and transparent. I support it.
DUENAS, David Ralph (D) Dave Inchick	Candidate did not respond to the "non-partisan survey promoting openness and transparency in government".
EDQUILANE, Don Antonio Ada (R) Balaku Atdot Sam Clara	Candidate did not respond to the "non-partisan survey promoting openness and transparency in government".
HERNANDEZ, Dominic Joaquin (R) The Informant	I believe when it comes to certain aspects of the government that information should be made available for public viewing. If a contractor wants to contract a service with the government, then their records for how much the contract is worth along with the company information and records of their business (Online ratings, reports from any companies that may be available), and the contract itself should be available for public viewing. As well promotions should be available as well to show why certain individuals qualified for those positions (work history, name, age, any disciplinary records). How do we ensure it? By enforcing it! There are a lot of laws in place already yet the reason why very little has been done about it is because no one bothers to enforce it. And that is where individuals such as myself come in if elected. I will enforce what the law is already. If it needs amendments or any changes we can do that. However, law is the law and it must be enforced in order to work properly.
LEON GUERRERO, Frank G. (D) Nacha / Liberato	If elected to the 36th Guam Legislature, I will like to be able to see an Oversight review of the alleged pay raises or salary adjustment if the inquiry is justified. I also believe that it will require a legislative review of the law that you are addressing, which will probably require a public hearing and other measures required to modify the law as you are suggesting.

<p>LEON GUERRERO, Joaquin Vicente (R) Ken Leon Guerrero</p>	<p>Most exempt employee raises take place behind closed doors, outside of public notice and public scrutiny. I will introduce legislation removing the power of political appointees to boards and commissions to change the compensation of any exempt employee, or sign employment. Boards and commissions shall submit recommendations to the legislature to review in a noticed public hearing to allow the public to weigh in.</p>
<p>MARSH, Kelly G. (D) (Incumbent) Taitano Kaluu</p>	<p>I do have concerns that there are issues in this area of government. It seems that there are gaps in ensuring that board and commission are adequately orientation to their roles and responsibilities. There may be need to improve the processes for raises and/or a need to better align those that exist for government agencies and autonomous government entities. I would have to be guided by legal counsel regarding the amendment proffered.</p>
<p>MENO, Franklin J. (D) Bunker</p>	<p>Candidate did not respond to the "non-partisan survey promoting openness and transparency in government".</p>
<p>MOYLAN, James C. (R) (Incumbent) Jim Camacho Aragon Jeju</p>	<p>I recently introduced Bill 403-35 which would restrict pay raises and retroactive payments during a Public Health Emergency. I certainly have no issues drafting a measure to ensure further transparency when it comes to the disclosure of public records for government employees other than classified employees and would be open to working the Vigilance Committee on introducing this recommended amendment.</p>
<p>MUÑA BARNES, Tina Rose (D) (Incumbent) Pungco/Che/Inda</p>	<p>Candidate did not respond to the "non-partisan survey promoting openness and transparency in government".</p>
<p>NELSON, Telena Cruz (D) (Incumbent) Flores Torres Fungo</p>	<p>"Vice Speaker Telena Cruz Nelson has always been a champion of transparency and accountability within our government. In this term alone and to ensure accountability, Vice Speaker Nelson has conducted numerous oversight hearings with agencies under her purview, including the Guam Department of Education, charter schools, and the Guam International Airport Authority. In late 2019, Nelson assumed temporary oversight of the Committee on Public Safety and oversaw two oversight hearings with the Department of Corrections after multiple inmates had been erroneously released. Nelson has gone as far as to oppose the confirmation of a government board member who had a controversial history with transparency and complying with Guam's Open Government Law. Through innumerable Sunshine Reform Act (FOIA) requests and letters to various government agencies, a host of oversight hearings and, in her capacity as a check and balance of the government, Vice Speaker Nelson has proved time and time again that transparency and accountability is of the utmost importance in our democracy. She has fought to protect an open government and one that is accountable to the people it serves, and has always pledged to uphold these values in service to the People of Guam. Currently, Vice Speaker Nelson is on active duty orders with the Guam National Guard and is unable to participate in this survey while she continues serving our island in a different capacity. This official response has been submitted on her behalf from The Office of Vice Speaker Telena Cruz Nelson."</p>

<p>PEREZ, Sabina E. (D) (Incumbent) Familian Gollo, Cabesa</p>	<p>I think it's important to provide transparency to the public in all aspects of the government. Additionally, it is important that the solutions provided do not infringe upon rights of privacy. As such, this issue requires more research and clarification. I advocate for requiring employee ethics training and monitoring, in addition to, systematic overhaul of salaries to create parity and establishing objective processes for rewarding civil servants throughout our government.</p>
<p>RIDGELL, Clynton E. (D) (Incumbent) Clynt Ridgell</p>	<p>I am open to the proposed amendment. In addition I have introduced Bill 151 that will require that boards and commissions submit proposed salary adjustments to the legislature for 90 days prior to implementation. This will allow more time for both the public and for senators to scrutinize and weigh in on the proposed salary increase.</p>
<p>SAN AGUSTIN, Joe Shimizu (D) (Incumbent)</p>	<p>Candidate did not respond to the "non-partisan survey promoting openness and transparency in government".</p>
<p>SEAU, Sandra Reyes (R) Familian Tung & Kinto</p>	<p>Candidate did not respond to the "non-partisan survey promoting openness and transparency in government".</p>
<p>SHELTON, Amanda (D) (Incumbent) Familian Carabao</p>	<p>Candidate did not respond to the "non-partisan survey promoting openness and transparency in government".</p>
<p>TAITAGUE, Telo Teresa (R) (Incumbent) Tell it to Telo</p>	<p>Current law appears adequate for members of the public to obtain information regarding compensation adjustments for government employees. However, I am open to supporting amendments that would provide greater transparency as may be necessary. Moreover, it is the responsibility of the governor, appointing authorities, and boards and commissions to ensure that applicable policies are adhered to – and they should be held accountable should decisions be made which are inconsistent with such laws or regulations.</p>
<p>TERLAJE, Jose Toves (D) (Incumbent) Jose "Pedo" Toves Terlaje</p>	<p>I would support this amendment.</p>
<p>TERLAJE, Therese M. (D) (Incumbent) Attorney</p>	<p>I support the continued publication of performance evaluations of Directors mandated by 5 GCA § 43203 and expansion to include the publication of performance evaluations of Deputy Directors, and expansion to Directors of all other agencies.</p>
<p>TORRES, Mary Camacho (R) (Incumbent) MARY- Your Voice</p>	<p>Candidate did not respond to the "non-partisan survey promoting openness and transparency in government".</p>