



**GUAM ETHICS COMMISSION**  
*Kumisión i Ginihan Areklamenton Guåhan*  
Government of Guam  
134 W. Soledad Ave., BOH Bldg. Ste. 406  
Tel: 671-969-5625 | Telefax: 671-969-5626

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## ADVISORY OPINION

Sent via electronic mail

April 28, 2023

TO: Doreen Crisostomo-Muna, Ph.D.  
Member, Board of Directors  
Guam Economic Development Authority  
via Email: [doreentc@triton.uog.edu](mailto:doreentc@triton.uog.edu)

RE: Guam Ethics Commission Advisory Opinion 23-001

Dear Professor Crisostomo-Muna,

You asked whether your participation as a board member of the Guam Economic Development Authority (“GEDA”) relative to Resolution 23-007 would pose a conflict of interest with your role as a Professor at the University of Guam (“UOG”). In your request you mentioned you are not affiliated with UOG’s School of Nursing, nor do you make any management decisions for UOG.

The short answer to your question, is no. Your participation as a board member of GEDA with respect to Resolution 23-007 does not pose a conflict of interest as defined by 4 GCA § 15205 provides in pertinent part:

4 G.C.A. §15205. Conflicts of Interest.

(a) No employee shall take any official action directly affecting:

(1) business or other undertaking in which the employee has a financial interest;  
or

(2) private undertaking in which the employee is engaged as legal counsel, advisor, consultant, representative, or other agency capacity.

A department head who is unable to be disqualified on any matter described in item (1) or (2) of this Subsection may be in violation of this Subsection even if the individual has complied with the disclosure requirements of § 15208; and a person whose position on a board, commission or committee is mandated by statute, resolution or executive order to have particular qualifications shall only be prohibited from taking official action that directly and specifically affects a business or undertaking in which such person has a financial interest; provided that the financial interest is related to the member’s particular qualifications.

(b) No employee shall acquire financial interests in any business or other undertaking which the employee has reason to believe may be directly involved in official action to be taken by the employee.

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(c) No employee shall assist any person or business or act in a representative capacity before any territorial agency for any compensation in any transaction involving Guam.

(d) No employee shall assist any person or business or act in a representative capacity for a fee or other compensation to secure passage of a bill or to obtain a contract, claim, or other transaction or proposal in which the employee has participated or will participate as an employee, nor shall the employee assist any person, or business, or act in a representative capacity for a fee or other compensation on such bill, contract, claim, or other transaction or proposal before the Legislature or Guam agency of which the individual is an employee.

(e) No employee shall assist any person or business or act in a representative capacity before a Guam agency for a fee or other compensation, on any bill, contract, claim, or other transaction or proposal involving official action by the agency if the employee has official authority over that agency unless such employee has complied with the disclosure requirements of § 15208.


(f) Nothing herein shall preclude an employee from having outside business interests or employment so long as such interests or employment do not interfere with performance of official duties and is not otherwise in direct conflict with this Chapter.

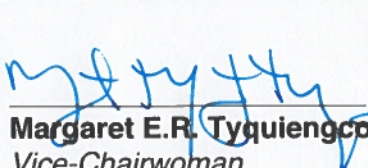
(g) All employees, as defined in this Section, who know, or with reasonable investigation should know, that the employee has a financial interest in any decision pending before that employee or the agency of which the employee is a member shall not vote for or against, discuss, decide, in any way participate in considering the matter, or seek to influence the votes or decisions of others on such matter.

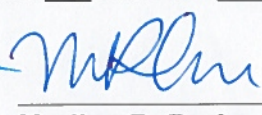
Prior to any determination of the matter, the employee shall verbally disclose at the meeting, if any, the nature of such interest, and shall have such disclosure placed in the official records of the agency. Should an employee be absent from that meeting or a portion of that meeting, the employee is required to verbally disclose the nature of the conflict at the next attended meeting and said disclosure shall be placed in the official records of the agency. Further, the employee must complete a Disclosure of Conflicts of Interest form with the Guam Election Commission within three (3) working days upon the employee's recognition of said conflict. ...

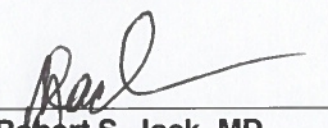
Based on the information provided in your request, it does not appear your participation on the GEDA Board with respect to Resolution 23-007 violates the applicable conflict of interest prohibitions listed in 4 G.C.A. §15205. In an abundance of caution, it is recommended full disclosure of your position at UOG be placed on the record prior to any discussion by GEDA on Resolution 23-007.

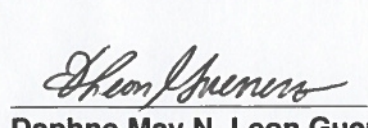
**PASSED AND ADOPTED BY THE GUAM ETHICS COMMISSION THIS 28<sup>th</sup> DAY OF APRIL 2023**

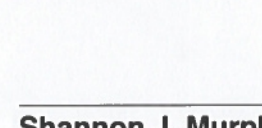
  
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