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Maj. Gen. Leon Guerrero wrote, "On 29 September 2017 you acknowledged with the (U.S. Property and Finance Office on Guam) the validity of a debt to the U.S. government in the amount of \$26,494.96." An overpaid military housing allowance is considered a debt to the U.S. government.

Aguigui paid the debt back in full on Sept. 29, 2017.

According to Maj. Gen. Leon Guerrero's letter, \$26,494.96 is the amount of money Aguigui received in overseas housing and cost of living allowance payments between July 2016 and June 2017 while she was earning a degree at the U.S. Army War College in Carlisle, Pennsylvania.

Maj. Gen. Leon Guerrero concluded that Aguigui's "acknowledgment of the debt" and agreement to pay it all back "indicates to me your knowledge that receipt of the sum of \$26,494.96 was improper."

**Housing allowance**

When contacted for comment, Guam National Guard spokeswoman Maj. Josephine Blas referred The Guam Daily Post to David Riano, the attorney adviser of the Guam National Guard.

Riano told the Post that he had been authorized by Aguigui to discuss the letter of reprimand and talk about how it was resolved.

Riano explained that when Aguigui was transferred from Guam to the war college in Pennsylvania she was paid the overseas housing allowance "for some reason, unknown."

The housing allowance on Guam is classified as an overseas housing allowance. It's substantially higher than the allowance paid for stateside military assignments.

"It wasn't anything that she did, and it wasn't anything that the war college did. It just continued to be paid," Riano said.

When Aguigui returned to Guam, the finance office at the Guam Guard

"caught" the fact that she was paid the overseas housing allowance, rather than what you get paid in the states, which is called BAH, for basic allowance for housing."

For a Guard member without dependents, at the lowest level pay grade, the current overseas housing allowance for Guam is \$2,205 a month. The equivalent basic allowance for housing in Pennsylvania is \$1,050.

The overpayment to Aguigui was the subject of a U.S. Army Criminal Investigation Division report issued in March 2017.

In that CID report, Aguigui told investigators that she "believed her unit may have been behind in processing personnel actions so she did not inform anyone" about the payments.

The CID report also states that "Aguigui declined the opportunity to undergo a polygraph examination."

Riano said, "That's not unusual."

"As a lawyer, anybody that would come to you as a client and ask whether or not they should take a polygraph, any lawyer worth his salt would say no," Riano said.

**'Not a prosecutorial decision'**

The CID report states its findings are "not a prosecutorial decision." However, the Guam Army National Guard staff judge advocate "opined probable cause exists to believe LTC Aguigui committed the offense of false official statement, larceny of government funds, and pay and allowance fraud."

The CID report was provided to Maj. Gen. Leon Guerrero's command for "consideration of action."

Maj. Gen. Leon Guerrero agreed with the CID conclusion that the case did not warrant prosecution, writing in his January 2018 letter to Aguigui: "This is an administrative reprimand," adding later, "it's not punishment under the Guam Code of Military Justice."

"There were enough fuzzy areas on this to cast doubt as to whether or not you could actually prove this," Riano said.

In previous years, a number of Guam National Guard members were charged and subsequently entered guilty pleas in federal court for receiving more than the amounts of military housing allowances they were entitled to. Some cases involved Guam Guard members who received the full housing allowance while they had roommates or were living with relatives. For the Guard members who were charged and pleaded guilty, not only did they agree to repay the military, the charges also cost them their jobs.

In response, Riano said he could not "speak for the U.S. attorney or the FBI" when asked why authorities prosecuted some cases and not others. However, he noted: "I don't think a conviction could have come out for larceny."

"There were too many questions," Riano said. "She never requested the money, but she got paid the money."

He pointed out that the Guam Army National Guard bears some responsibility. He said, "It was this command that paid her. We should have known not to pay her."

Still, Maj. Gen. Leon Guerrero concluded that Aguigui's "acceptance of these allowances for 12 months while assigned off island demonstrated faulty reasoning and judgment."

**Administrative solution**

After reviewing Aguigui's response to the reprimand, and the response of her legal counsel, Maj. Gen. Leon Guerrero wrote in a letter dated Feb. 13, 2018: "After due consideration, it is my decision to sustain the proposed Letter of Reprimand."

"The letter of reprimand will be filed in the performance portion of your Official Military Personnel File (OMPF) for a period of one year to be followed by its filing of one year in the restricted portion of your OMPF," Maj. Gen. Leon Guerrero wrote.

"The end result of the investigation was an administrative resolution of the matter and a letter of reprimand for bad judgment, which is not uncommon in the military," Riano stated.

DUMPING continued from page 1

people's messes. She recently organized a group of volunteers who worked with Mangilao Mayor Allan Ungacta to clean construction debris, household trash, old tires, and white goods that had been dumped near Thousand Steps, a popular local hiking trail.

"I'm tired of cleaning up after people," she has said, noting that the time and effort given to cleaning up illegal dumpsites could be better spent on other worthwhile community issues.

G EPA is grateful for the volunteers who help keep the island clean.

"We are fully aware that the agency cannot eliminate or reduce the incidence of illegal dumping alone," Lee said.

Unfortunately, and in spite of the education campaigns and the availability of facilities where people can appropriately dispose of garbage, too many people continue to dump their garbage illegally. And, as Tatreau and San Gil pointed out, oftentimes, volunteers' efforts to clean a site are met with more trash.

"For every successful investigation that leads to a citation and a cleanup, we are fully aware that there are more to follow, and with uncertain results," Lee said. "Whether out of ignorance, or lack of willingness or wherewithal, there still remains no good excuse to improperly manage your waste."

**Cost of cleaning up**

Guam law states: "Littering shall be punishable by a fine of not less than Two Hundred Dollars (\$200.00) ... Any person convicted of any litter offense may also be required by the Court to pay the cost of removing the litter they caused." There are some who would like to see the fine increased.

Ungacta said mayors don't receive funding for dumping trash at transfer stations or at EPA-certified facilities for white goods and tires. "It comes out of our funds," he said.



# HAFA ADAI BINGO

**AT THE GUAM GREYHOUND PARK  
MONDAY, MARCH 25, 2019**

DOORS OPEN @ 4 PM, SESSION STARTS @ 7:30PM | TEL. NUMBER: 969-3673 | ALL MAJOR CREDIT CARDS ACCEPTED

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<b>EARLY BIRD \$500</b>	<b>HALFTIME \$500</b>	<b>\$1,199 GIVEAWAY</b>		<b>\$1,199</b>	
<b>INITIAL BUY-INS</b>					
<b>1 PACKAGE (6-ON-1)</b>		<b>\$12</b>		<b>PAPER PACK \$12</b>	
<b>3 PACKAGE (3 SETS OF 6-ON-1)</b>		<b>\$30</b>		<b>BONANZA \$4</b>	
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				<b>HALFTIME \$2</b>	
				<b>INDIAN STAR \$3</b>	

**THE GUAM BOARD OF  
BARBERING & COSMETOLOGY**

**Regular Board Meeting**

on Monday, April 1, 2019, 9:00 AM  
at the Health Professional Licensing  
Office Board Conference Room,  
Terlaje Professional Bldg, 2<sup>nd</sup> Floor  
Suite 213 Hagåtña.

For more information contact Board office at  
735-7405 thru 12, Persons with disabilities  
needing special accommodations  
may call at 735-7102 or the  
Telecommunication Device for the  
Hearing/Speech Impaired (TDD) at 649-1801.

# Source: Spanish judge to seek extradition of NKorea embassy intruders

MADRID (Reuters) - A Spanish judge plans to request the extradition from the United States of members of a group he suspects of forcing their way into the North Korean embassy in Madrid and trying to persuade an official there to defect, a judicial source said on Tuesday.

The judge believes a group of 10 intruders identified themselves during the assault as human rights campaigners, according to a Spanish High Court document. The group's leader contacted the U.S. Federal Bureau of Investigation a few days later to pass on information about the raid, the document said.

The judicial source told Reuters the judge believes all the identified suspects went to the U.S. after the

“The United States government had nothing to do with this.”

— Robert Palladino, State Department spokesman

raid and that he would request their extradition to Spain, where they could face up to 28 years in prison.

State Department spokesman Robert Palladino said the U.S. government was not involved in the raid, which Spanish High Court documents said involved a Mexican citizen who is a U.S. resident and a U.S. citizen, as

well as South Korean citizens.

“The United States government had nothing to do with this,” Palladino told a regular news briefing, stressing that the U.S. called for the protection of all embassies.

He referred questions about the investigation to Spanish authorities. The State Department did not respond immediately to a request for comment about the extradition request.

The FBI said in a statement it was “our standard practice to neither confirm nor deny the existence of an investigation,” adding that the agency had a strong working relationship with Spanish law enforcement partners.

Spain's Interior Ministry previously had said police were investigating an incident at the embassy on Feb. 22 but gave no details, except to say that a North Korean citizen had been injured and that no one had filed a complaint.

A Mexican citizen who is a U.S. resident, identified as Adrian Hong Chang, led the group, the Spanish High Court said in the document, based on the investigation of the inci-

dent. The court identified the U.S. citizen as Sam Ryu.

The group stole computers, hard disks and pen drives, according to the document. It was not clear how the court knew that Hong Chang had contacted the FBI.

Three of the intruders took an embassy official into the basement and encouraged him to defect from North Korea. They identified themselves as members of a group which campaigned for the “liberation of North Korea,” the document said.

A dissident organization called Cheollima Civil Defense acknowledged on its website late on Tuesday that it was behind the incident, but said it was not an attack and that the group had been invited into the embassy.

Cheollima, also known as Free Joseon, said no one was gagged or beaten and that no governments were involved.

It said identifying individuals involved would “aid and abet the regime in Pyongyang.” It did not acknowledge any of the names in the court's indictment.

## May urged to discuss 'departure' plans with Conservative lawmakers

LONDON (Tribune News Service) - An influential lawmaker from British Prime Minister Theresa May's Conservatives urged her to make a statement at a crucial meeting on Wednesday on when she plans to step down, to help persuade rebels

in the party to back her Brexit deal.

Nigel Evans, a joint executive secretary of the 1922 Committee of the party's 314 lawmakers, told the BBC that he had encouraged May “to give the timetable for her departure” in a planned speech to the group late Wednesday afternoon.

“A number of Brexiteers are reluc-



Nigel Evans

tant to support her deal because they think, if it gets over the line, she will then say, 'Look what I've achieved, I'm staying.'” Evans told the broadcaster.

“A number of them want to make absolutely certain she's nowhere near the negotiating table when we start talking about the future trade relationship with the EU,” he added.

“If the prime minister announces a timetable of departure, I think that's going to swing a lot of people behind

her deal. We could get it over the line.”

May promised in December to step down as party leader before the next general election, scheduled for mid-2022, but most Conservative lawmakers expect her to leave her post long before then.

She met her Cabinet earlier Tuesday as she tried to save the Brexit deal she has agreed with the EU, ahead of planned “indicative votes” on alternatives by lawmakers from Wednesday.

## NOTICE

Villa Rosario  
Annual Homeowners  
Association Meeting  
Saturday, March 30, 2019  
9:00AM Pool Side

**21 CENTURY 21**  
Realty Management Co., Inc.

## THE GUAM BOARD OF BARBERING & COSMETOLOGY

Regular Board Meeting  
on Monday, April 1, 2019, 9:00 AM  
at the Health Professional Licensing  
Office Board Conference Room,  
Terlaje Professional Bldg, 2<sup>nd</sup> Floor  
Suite 213 Hagåtña.

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## GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building, 688 Route 15 • Mangilao, Guam 96913  
Telephone: (671) 300-6036

(This Ad Paid By Guam Waterworks Authority)

### Solicitation Notice RFP-04-ENG-2019 Management Services

The Guam Waterworks Authority (GWA) is soliciting proposals from qualified and interested Consulting Engineering Firms for INDEFINITE DELIVERY/INDEFINITE QUANTITY (ID/IQ) FOR PROFESSIONAL PROJECT/CONSTRUCTION MANAGEMENT; GWA Project No. M19-003-BND.

Responses must be submitted at Engineering Division, Room 202, Gloria B. Nelson Public Service Building, 688 Route 15, Mangilao, Guam 96913 in the format specified in the solicitation, and must be received by GWA not later than 5:00 p.m., April 18, 2019. Failure to submit proposals at the specified location, date and time will be grounds for rejection of proposal.

Copies of the solicitation are available on the Guam Waterworks Authority website: [www.guamwaterworks.org](http://www.guamwaterworks.org) and will be available on March 28, 2019. Registration of firms is also performed on the GWA website. GWA Website Registration is mandatory to ensure that all amendments to the RFP, answers to questions, and reminders, are communicated to all firms throughout the solicitation process. Firms assume all risks related to their failure to register with GWA.

**THOMAS F. CRUZ, P.E.**  
Acting General Manager