

*I Mina'Trentai Dos Na Liheslaturan Received*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
318-32 (LS)	T.A. Morrison	AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO CREATING THE "COMPUTER PROTECTION ACT,"	4/14/14 12:31 p.m.	04/14/14	Committee on the Guam U. S. Military Relocation, Homeland Security, Veteran's Affairs, and Judiciary	04/28/14 9 a.m.	6/16/14 4:14 p.m.	<b>Fiscal Note Request 4/15/14</b>  <b>Fiscal note Received 7/3/14</b>
	<b>DATE PASSED</b>	<b>TITLE</b>	<b>TRANSMITTED</b>		<b>DUE DATE</b>	<small>DATE SIGNED BY I MAGA'LAHEN GUAHAN</small>	<b>PUBLIC LAW NO.</b>	<b>NOTES</b>
	7/1/2014	AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE "COMPUTER PROTECTION ACT."	7/2/14	9:10 a.m.	07/14/14			<b>As amended on the Floor.</b>



# COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

Speaker  
Judith T.P. Won Pat, Ed.D.  
Member

Senator  
Dennis G. Rodriguez, Jr.  
Member

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muña Barnes  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

July 2, 2014

## Memorandum

**To:** **Rennae Meno**  
*Clerk of the Legislature*

**From:** **Senator Rory J. Respicio**  
*Majority Leader & Rules Chair*

**Subject:** **Fiscal Notes**

*Hafa Adai!*

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes are issued on the bills as introduced.

### FISCAL NOTES:

- Bill No. 318-32(LS)
- Bill No. 325-32(COR)
- Bill No. 326-32(COR)
- Bill No. 332-32(LS)
- Bill No. 354-32(COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

*Si Yu'os ma'åse'!*

2014 JUL -3 PM 12:40

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO  
GOVERNORJOSE S. CALVO  
ACTING DIRECTORRAY TENORIO  
LIEUTENANT GOVERNORJOHN AB PANGELINAN  
ACTING DEPUTY DIRECTOR

JUL 03 2014

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Dos na Liheslaturan Guåhan  
The 32nd Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: **318-32(LS), 325-32(COR), 326-32(COR), 332-32(LS), and 354-32(COR).**

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.



JOSE S. CALVO  
Acting Director

Enclosures  
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research**  
**Fiscal Note of Bill No. 318-32 (LS)**

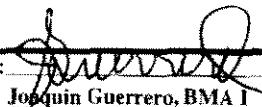
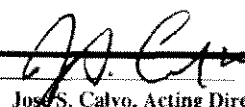
**AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO CREATING THE "COMPUTER PROTECTION ACT"**

Department/Agency Appropriation Information	
Dept./Agency Affected: Government-wide	Dept./Agency Head: Governor Edward J.B. Calvo
Department's General Fund (GF) appropriation(s) to date:	\$592,311,879
Department's Other Fund (Specify) appropriation(s) to date:	\$168,117,944
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$760,429,823</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2013 Unreserved Fund Balance		\$0	\$0
FY 2014 Adopted Revenues	\$0	\$0	\$0
FY 2014 Appro. (P.L. 32-68 through P.L. 32-164)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2014 (if applicable)	FY 2015	FY 2016	FY 2017	FY 2018
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>1/</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- Does the bill contain "revenue generating" provisions? /X/ Yes      / / No  
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A      / / Yes      / / No  
If no, what is the additional amount required? \$ \_\_\_\_\_
- Does the Bill establish a new program/agency? /X/ N/A      / / Yes      / / No  
If yes, will the program duplicate existing programs/agencies? /X/ N/A      / / Yes      / / No  
Is there a federal mandate to establish the program/agency? / / Yes      /X/ No
- Will the enactment of this Bill require new physical facilities? / / Yes      /X/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes      / / No  
/X/ Requested agency comments not received by due date      / / Other:

Analyst: 	Date: 6/23/14	Director: 	Date: JUL 03 2014
Joaquin Guerrero, BMA I		Jose S. Calvo, Acting Director	

Footnotes:  
 1/ See attached comments.

Bureau of Budget and Management Research  
Comments on Bill No. 318-32 (LS)

The proposed legislation is aimed at adding a new Article 5 to Chapter 46 of Title 9, Guam Code Annotated, relating to creating the "Computer Protection Act."

The intent of the proposed legislation is to create the "Computer Protection Act," which would reprimand individuals who use computer and/or Internet connections of others for the purpose of spamming with the intent to deceive or mislead recipients or an electronic mail service provider as to the source of the message. Further specified, the Bill will "prohibit a person from using specified protected computers to relay or retransmit commercial electronic mail messages with the intent to deceive or mislead recipients or an electronic mail service provider under specified circumstances; prohibits a person from materially falsifying header information in commercial electronic mail messages under specified circumstances; prohibits a person from registering for electronic mail accounts or domain names under specific circumstances; provides for specific penalties and fines; etc."

The proposed legislation states under §46.503 the penalties imposed for violations which include the following: "(1) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section is guilty of a third degree felony and on conviction is subject to imprisonment not exceeding three (3) years or a fine not exceeding Five Thousand (\$5,000) or both. (2) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section involving the transmission of more than two hundred fifty (250) commercial electronic mail messages during a twenty-four hour (24-hour) period, two thousand five hundred (2,500) commercial electronic mail messages during any one-year (1-year) period is guilty of a second degree felony and on conviction is subject to imprisonment not exceeding five (5) years or a fine not exceeding Ten Thousand Dollars (\$10,000) or both. (3) A person who violates subsection (B)(3) or (B)(4) of this section involving twenty (20) or more electronic mail accounts or ten (10) or more domain names and intentionally initiates the transmission of multiple commercial electronic mail messages from the accounts or using the domain names is guilty of a second degree felony and on conviction is subject to imprisonment not exceeding five (5) years or a fine not exceeding Ten Thousand (\$10,000) or both. (4) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section that causes a loss of \$1,000 or more during any one-year (1-year) period is guilty of a felony and on conviction is subject to imprisonment not exceeding three (3) years or a fine not exceeding Five Thousand Dollars (\$5,000) or both. (5) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section in concert with three or more other persons as the leader or organizer of the action that constitutes the violation is guilty of a second degree felony and on conviction is subject to imprisonment not exceeding five (5) years or a fine not exceeding Twenty Five Thousand Dollars (\$25,000) or both. (6) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section in furtherance of a felony, or who has previously been convicted of an offense under the laws of Guam, another state, or under any Federal law involving the transmission of multiple commercial electronic mail messages is guilty of a second degree felony and on conviction is subject to imprisonment not exceeding ten (10) years or a fine not exceeding Twenty Five Thousand Dollars (\$25,000) or both. (7) A person who violates subsection (b)(6) or (7) of this section is guilty of a felony and on conviction is subject to imprisonment not exceeding one (1) year or a fine not exceeding Five Thousand Dollars (\$5,000) or both."

The proposed legislation also states under §46.504 that a civil action may be introduced by the Attorney General against a person who violates this section to recover a civil penalty not exceeding Twenty Five Thousand Dollars (\$25,000) per day of violation or “not less than Two Dollars (\$2) nor more than Eight Dollars (\$8) per commercial electronic mail message initiated in violation of this section.” Furthermore, “the amount determined under paragraph (2) may not exceed Two Million Dollars (\$2,000,000)” for any violation of this Act. The civil action shall be commenced within two (2) years after the commission of the act.

This could entail possible revenues to the Judiciary and/or government of Guam when a person is found guilty by the Court of such violations and is imposed the proposed fine. The proposed legislation has a positive fiscal impact on Government of Guam funding. However, there is no exact fund source mentioned for depositing of collected fines so the potential revenue impact is undetermined at this time.

Lastly, it should be noted that there are discrepancies wherein Bill No. 318-32 (LS) states within its preamble “an act to add a new Article 5 to Chapter 46, Title 9” when Chapter 46, Title 9 G.C.A. concludes with Article 3. The Bill also states on Section 1 to add a new Article 3 to Chapter 46 of Title 9 G.C.A. which already has an Article 3 entitled “Mortgage Fraud.” So ultimately there should be a change to add a new “Article 4” to Chapter 46 of Title 9, Guam Code Annotated.



***I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
THIRTY-SECOND GUAM LEGISLATURE  
155 Hesler Place, Hagåtña, Guam 96910

July 1, 2014

The Honorable Edward J.B. Calvo  
*I Maga'lahaen Guåhan*  
*Ufisinan I Maga'lahi*  
*Hagåtña, Guam 96910*

OFFICE OF THE GOVERNOR  
CENTRAL FILES

RECEIVED BY  
TIME 9:10 AM DATE 7/2/14

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 249-32 (COR), 312-32 (LS), 316-32 (LS), 317-32 (LS), 318-32 (COR), 319-32 (LS), 340-32 (COR) and 355-32 (COR), which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on July 1, 2014.

Sincerely,

TINA ROSE MUÑA BARNES  
Legislative Secretary

Enclosures (8)

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN*  
2014 (SECOND) Regular Session

**CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÁHAN***

This is to certify that Bill No. 318-32 (LS), "AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE "COMPUTER PROTECTION ACT," was on the 1<sup>st</sup> day of July, 2014, duly and regularly passed.




Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahaen Guáhan* this 2<sup>nd</sup> day of July,  
2014, at 9:10 o'clock A.M.



Assistant Staff Officer  
*Maga'lahaen's* Office

APPROVED:

EDWARD J.B. CALVO  
*I Maga'lahaen Guáhan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_



*I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN*  
2014 (SECOND) Regular Session

**Bill No. 318-32 (LS)**

As amended on the Floor.

Introduced by:

Tommy Morrison  
Michael F. Q. San Nicolas  
T. C. Ada  
V. Anthony Ada  
FRANK B. AGUON, JR.  
B. J.F. Cruz  
Chris M. Dueñas  
Michael T. Limtiaco  
Brant T. McCreddie  
T. R. Muña Barnes  
Vicente (ben) C. Pangelinan  
R. J. Respicio  
Dennis G. Rodriguez, Jr.  
Aline A. Yamashita, Ph.D.  
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW ARTICLE 5 TO CHAPTER 46,  
TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO  
CREATING THE “COMPUTER PROTECTION ACT.”**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1.** A new Article 5 is *added* to Chapter 46 of Title 9, Guam Code  
3 Annotated, to read:

4 **“ARTICLE 5**

5 **COMPUTER PROTECTION ACT**

6 **§ 46.500. Legislative Intent.**

1           It is the intent of *I Liheslaturan Guâhan* to prohibit a person from  
2 using specified protected computers to relay or retransmit commercial  
3 electronic mail messages with the intent to deceive or mislead recipients, or  
4 an electronic mail service provider under specified circumstances; to  
5 prohibit a person from materially falsifying header information in  
6 commercial electronic mail messages under specified circumstances; to  
7 prohibit a person from registering for electronic mail accounts or domain  
8 names under specified circumstances; and to provide for specified penalties  
9 and fines.

10           **§ 46.501. Definitions.**

11 In this Act, the following words have the meanings indicated:

12           (a) *commercial electronic mail message* means an electronic  
13 message sent primarily for the purpose of commercial advertisement  
14 or promotion of:

- 15                   (1) a commercial product;  
16                   (2) a commercial service;  
17                   (3) the content on an Internet website; or  
18                   (4) a website operated for a commercial purpose;

19           (b) *domain name* means any alphanumeric designation that is  
20 registered with or assigned by a domain name registrar, domain name  
21 registry, or other domain name registration authority as part of an  
22 electronic mail address on the internet;

23           (c) *electronic mail service provider* means any person,  
24 including an internet service provider, that is an intermediary in  
25 sending and receiving electronic mail, and that provides to the public  
26 the ability to send or receive electronic mail to or from an electronic  
27 mail account or online user account;

1           (d) *financial institution* means any financial institution of the  
2 type supervised under 11GCA, whether or not locally-chartered;

3           (e) *header information* means the source, destination, and  
4 routing information attached to an electronic mail message, including  
5 the originating domain name and originating electronic mails, and any  
6 other information that appears in the line identifying or purporting to  
7 identify a person initiating the message, and technical information that  
8 authenticates the sender of an electronic mail message for network  
9 security or network management purposes;

10          (f) the term *initiate*, when used with respect to a commercial  
11 electronic mail message, means to originate or transmit the message  
12 or to procure the origination or transmission of the message, and *does*  
13 *not* include actions that constitute routine conveyances of such  
14 message;

15          (g) *internet* means the international computer network of  
16 both federal and nonfederal interoperable packet switched data  
17 networks;

18          (h) *internet protocol address* means the string of numbers by  
19 which a location on the internet is identified by routers or other  
20 computers connected to the internet;

21          (i) *materially falsified* means altered or concealed in a  
22 manner that would impair the ability of one of the following to  
23 identify, locate, or respond to a person who initiated an electronic  
24 mail message or to investigate an alleged violation of this Act:

25               (1) a recipient of the message;

26               (2) an internet access service processing the message  
27 on behalf of a recipient;

1 (3) a person alleging a violation of this Act; or

2 (4) a law enforcement agency;

3 (j) *multiple* means:

4 (1) more than ten (10) commercial electronic mail  
5 messages during a twenty four (24)-hour period;

6 (2) more than one hundred (100) commercial  
7 electronic mail messages during a thirty (30)-day period; or

8 (3) more than one thousand (1,000) commercial  
9 electronic mail messages during a one (1)-year period;

10 (k) *protected computer* means a computer used in intrastate  
11 or interstate communication;

12 (l) *routine conveyance* means the transmission, routing,  
13 relaying, handling, or storing, through an automatic technical process,  
14 of an electronic mail message for which another person has identified  
15 the recipients or provided the recipients' addresses.

16 **§ 46.502. Violations.** A person *may not* conspire to or knowingly:

17 (a) use a protected computer of another to relay or retransmit  
18 multiple commercial electronic mail messages with the intent to  
19 deceive or mislead recipients or an electronic mail service provider as  
20 to the origin of the message;

21 (b) materially falsify header information in multiple  
22 commercial electronic mail messages and intentionally initiate the  
23 transmission of the messages;

24 (c) register, using information that materially falsifies the  
25 identity of the actual registrant, for fifteen (15) or more electronic  
26 mail accounts or on-line user accounts of two or more domain names,  
27 and intentionally initiate the transmission of multiple commercial

1 electronic mail messages from one or any combination of accounts or  
2 domain names;

3 (d) falsely represent the right to use five (5) or more internet  
4 protocol addresses and intentionally initiate the transmission of  
5 multiple commercial electronic mail messages from the internet  
6 protocol addresses;

7 (e) access a protected computer of another without  
8 authorization, and intentionally initiate the transmission of multiple  
9 electronic mail advertisements from or through the protected  
10 computer;

11 (f) violate Subsections (a), (b), (c), (d) or (e) of this Section  
12 by providing or selecting addresses to which a message was  
13 transmitted, knowing that:

14 (1) the electronic mail addresses of the recipients were  
15 obtained using an automated means from an internet website or  
16 proprietary online service operated by another person; and

17 (2) the website or online service included, at the time  
18 the addresses were obtained, a notice stating that the operator of  
19 the website or online service will *not* transfer addresses  
20 maintained by the website or online service to any other party  
21 for the purposes of initiating or enabling others to initiate  
22 electronic mail messages; or

23 (g) violate Subsections (a), (b), (c), (d) or (e) of this Section  
24 by providing or selecting electronic mail addresses of recipients  
25 obtained using an automated means that generates possible electronic  
26 mail addresses by combining names, letters, or numbers into  
27 numerous permutations.

1           **§ 46.503. Penalties.**

2           (a) A person who violates § 46.502 (a), (b), (c), (d) or (e) is  
3 guilty of a third degree felony, and upon conviction is subject to  
4 imprisonment not to exceed three (3) years or a fine not to exceed  
5 Five Thousand Dollars (\$5,000), or both.

6           (b) A person who violates § 46.502 (a), (b), (c), (d) or (e)  
7 involving the transmission of more than two hundred fifty (250)  
8 commercial electronic mail messages during a twenty-four (24) hour  
9 period; two thousand five hundred (2,500) commercial electronic mail  
10 messages during any thirty (30)-day period; or twenty five thousand  
11 (25,000) commercial electronic mail messages during any one (1)-  
12 year period is guilty of a second degree felony, and upon conviction is  
13 subject to imprisonment not to exceed five (5) years or a fine not to  
14 exceed Ten Thousand Dollars (\$10,000), or both.

15           (c) A person who violates § 46.502 (c) or (d) involving  
16 twenty (20) or more electronic mail accounts, or ten (10) or more  
17 domain names, and intentionally initiates the transmission of multiple  
18 commercial electronic mail messages from the accounts or using the  
19 domain names is guilty of a second degree felony, and upon  
20 conviction is subject to imprisonment not to exceed five (5) years or a  
21 fine not to exceed Ten Thousand Dollars (\$10,000), or both.

22           (d) A person who violates § 46.502 (a), (b), (c), (d) or (e)  
23 that causes a loss of One Thousand Dollars (\$1,000) or more during  
24 any one (1)-year period is guilty of a felony, and upon conviction is  
25 subject to imprisonment not to exceed three (3) years or a fine not to  
26 exceed Five Thousand Dollars (\$5,000), or both.

1 (e) A person who violates § 46.502 (a), (b), (c), (d) or (e) in  
2 concert with three (3) or more other persons as the leader or organizer  
3 of the action that constitutes the violation is guilty of a second degree  
4 felony, and upon conviction is subject to imprisonment not to exceed  
5 five (5) years or a fine not to exceed Ten Thousand Dollars (\$10,000),  
6 or both.

7 (f) A person who violates § 46.502 (a), (b), (c), (d) or (e) in  
8 furtherance of a felony, or who has previously been convicted of an  
9 offense under the laws of Guam, another state, or under any federal  
10 law involving the transmission of multiple commercial electronic mail  
11 messages is guilty of a second degree felony, and upon conviction is  
12 subject to imprisonment not to exceed ten (10) years or a fine not to  
13 exceed Twenty Five Thousand Dollars (\$25,000), or both.

14 (g) A person who violates § 46.502 (f) or (g) is guilty of a  
15 felony, and upon conviction is subject to imprisonment not to exceed  
16 one (1) year or a fine not to exceed Five Thousand Dollars (\$5,000),  
17 or both.

18 **§ 46.504. Forfeiture.** In addition to any other sentence authorized  
19 by law, the court may direct that a person convicted of a violation of §  
20 46.502 forfeit to the government of Guam:

21 (a) any moneys and other income, including all proceeds  
22 earned but not yet received by a defendant from a third party as a  
23 result of the defendant's violation of § 46.502; and

24 (b) all computer equipment, computer software, and personal  
25 property used in connection with a violation of this section known by  
26 the owner to have been used in violation of § 46.502.

27 **§ 46.505. Civil Action by Attorney General.**

1 (a) An action brought under this Subsection *shall* be  
2 commenced within two (2) years after the commission of the act.

3 (b) The Attorney General may institute a civil action against  
4 a person who violates § 46.502 to recover a civil penalty not to  
5 exceed:

6 (1) \$25,000 per day of violation; or

7 (2) *not less than* Two Dollars (\$2.00) nor more than  
8 Eight Dollars (\$8.00) per commercial electronic mail message  
9 initiated in violation of § 46.502.

10 (3) For any violation of this Act, the amount  
11 determined under paragraph (b) may *not* exceed Two Million  
12 Dollars (\$2,000,000).

13 (c) The Attorney General may seek an injunction in a civil  
14 action to prohibit a person who has engaged in or is engaged in a  
15 violation of § 46.502 from engaging in the violation.

16 (4) The Attorney General may enforce criminal violations of  
17 this Act.

18 **§ 46.506. Lawfulness of Electronic Mail Service Provider**  
19 **Policies.** Nothing in this Act shall be construed to have any effect on the  
20 lawfulness of the adoption, implementation, or enforcement by an electronic  
21 mail service provider of a policy of declining to transmit, route, relay,  
22 handle, or store certain types of electronic mail messages under any other  
23 provision of law.

24 **§ 46.507. Severability.** *If* any provision of this Act or its  
25 application to any person or circumstance is found to be invalid or contrary  
26 to law, such invalidity *shall not* affect other provisions or application of this



1 Act which can be given effect without the invalid provisions or application,  
2 and to this end the provisions of this Act are severable.”

***I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
**2014 (SECOND) Regular Session**

**Bill No. 318-32 (LS)**

As amended on the Floor.

\*

Introduced by:

Tommy Morrison

Michael F. Q. San Nicolas

**AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46,  
TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO  
CREATING THE “COMPUTER PROTECTION ACT.”**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1.** A new Article 5 is *added* to Chapter 46 of Title 9, Guam Code Annotated, to read:

**“ARTICLE 5**

**COMPUTER PROTECTION ACT**

**§ 46.500. Legislative Intent.**

It is the intent of *I Liheslaturan Guåhan* to prohibit a person from using specified protected computers to relay or retransmit commercial electronic mail messages with the intent to deceive or mislead recipients, or an electronic mail service provider under specified circumstances; to prohibit a person from materially falsifying header information in commercial electronic mail messages under specified circumstances; to prohibit a person from registering for electronic mail accounts or domain names under specified circumstances; and to provide for specified penalties and fines.

**§ 46.501. Definitions.**

1 In this Act, the following words have the meanings indicated:

2 (a) *commercial electronic mail message* means an electronic  
3 message sent primarily for the purpose of commercial advertisement  
4 or promotion of:

5 (1) a commercial product;

6 (2) a commercial service;

7 (3) the content on an Internet website; or

8 (4) a website operated for a commercial purpose;

9 (b) *domain name* means any alphanumeric designation that is  
10 registered with or assigned by a domain name registrar, domain name  
11 registry, or other domain name registration authority as part of an  
12 electronic mail address on the internet;

13 (c) *electronic mail service provider* means any person,  
14 including an internet service provider, that is an intermediary in  
15 sending and receiving electronic mail, and that provides to the public  
16 the ability to send or receive electronic mail to or from an electronic  
17 mail account or online user account;

18 (d) *financial institution* means any financial institution of the  
19 type supervised under 11GCA, whether or not locally-chartered;

20 (e) *header information* means the source, destination, and  
21 routing information attached to an electronic mail message, including  
22 the originating domain name and originating electronic mails, and any  
23 other information that appears in the line identifying or purporting to  
24 identify a person initiating the message, and technical information that  
25 authenticates the sender of an electronic mail message for network  
26 security or network management purposes;

1 (f) the term *initiate*, when used with respect to a commercial  
2 electronic mail message, means to originate or transmit the message  
3 or to procure the origination or transmission of the message, and *does*  
4 *not* include actions that constitute routine conveyances of such  
5 message;

6 (g) *internet* means the international computer network of  
7 both federal and nonfederal interoperable packet switched data  
8 networks;

9 (h) *internet protocol address* means the string of numbers by  
10 which a location on the internet is identified by routers or other  
11 computers connected to the internet;

12 (i) *materially falsified* means altered or concealed in a  
13 manner that would impair the ability of one of the following to  
14 identify, locate, or respond to a person who initiated an electronic  
15 mail message or to investigate an alleged violation of this Act:

16 (1) a recipient of the message;

17 (2) an internet access service processing the message  
18 on behalf of a recipient;

19 (3) a person alleging a violation of this Act; or

20 (4) a law enforcement agency;

21 (j) *multiple* means:

22 (1) more than ten (10) commercial electronic mail  
23 messages during a twenty four (24)-hour period;

24 (2) more than one hundred (100) commercial  
25 electronic mail messages during a thirty (30)-day period; or

26 (3) more than one thousand (1,000) commercial  
27 electronic mail messages during a one (1)-year period;

1 (k) *protected computer* means a computer used in intrastate  
2 or interstate communication;

3 (l) *routine conveyance* means the transmission, routing,  
4 relaying, handling, or storing, through an automatic technical process,  
5 of an electronic mail message for which another person has identified  
6 the recipients or provided the recipients' addresses.

7 **§ 46.502. Violations.** A person *may not* conspire to or knowingly:

8 (a) use a protected computer of another to relay or retransmit  
9 multiple commercial electronic mail messages with the intent to  
10 deceive or mislead recipients or an electronic mail service provider as  
11 to the origin of the message;

12 (b) materially falsify header information in multiple  
13 commercial electronic mail messages and intentionally initiate the  
14 transmission of the messages;

15 (c) register, using information that materially falsifies the  
16 identity of the actual registrant, for fifteen (15) or more electronic  
17 mail accounts or on-line user accounts of two or more domain names,  
18 and intentionally initiate the transmission of multiple commercial  
19 electronic mail messages from one or any combination of accounts or  
20 domain names;

21 (d) falsely represent the right to use five (5) or more internet  
22 protocol addresses and intentionally initiate the transmission of  
23 multiple commercial electronic mail messages from the internet  
24 protocol addresses;

25 (e) access a protected computer of another without  
26 authorization, and intentionally initiate the transmission of multiple

1 electronic mail advertisements from or through the protected  
2 computer;

3 (f) violate Subsections (a), (b), (c), (d) or (e) of this Section  
4 by providing or selecting addresses to which a message was  
5 transmitted, knowing that:

6 (1) the electronic mail addresses of the recipients were  
7 obtained using an automated means from an internet website or  
8 proprietary online service operated by another person; and

9 (2) the website or online service included, at the time  
10 the addresses were obtained, a notice stating that the operator of  
11 the website or online service will *not* transfer addresses  
12 maintained by the website or online service to any other party  
13 for the purposes of initiating or enabling others to initiate  
14 electronic mail messages; or

15 (g) violate Subsections (a), (b), (c), (d) or (e) of this Section  
16 by providing or selecting electronic mail addresses of recipients  
17 obtained using an automated means that generates possible electronic  
18 mail addresses by combining names, letters, or numbers into  
19 numerous permutations.

20 **§ 46.503. Penalties.**

21 (a) A person who violates § 46.502 (a), (b), (c), (d) or (e) is  
22 guilty of a third degree felony, and upon conviction is subject to  
23 imprisonment not to exceed three (3) years or a fine not to exceed  
24 Five Thousand Dollars (\$5,000), or both.

25 (b) A person who violates § 46.502 (a), (b), (c), (d) or (e)  
26 involving the transmission of more than two hundred fifty (250)  
27 commercial electronic mail messages during a twenty-four (24) hour

1 period; two thousand five hundred (2,500) commercial electronic mail  
2 messages during any thirty (30)-day period; or twenty five thousand  
3 (25,000) commercial electronic mail messages during any one (1)-  
4 year period is guilty of a second degree felony, and upon conviction is  
5 subject to imprisonment not to exceed five (5) years or a fine not to  
6 exceed Ten Thousand Dollars (\$10,000), or both.

7 (c) A person who violates § 46.502 (c) or (d) involving  
8 twenty (20) or more electronic mail accounts, or ten (10) or more  
9 domain names, and intentionally initiates the transmission of multiple  
10 commercial electronic mail messages from the accounts or using the  
11 domain names is guilty of a second degree felony, and upon  
12 conviction is subject to imprisonment not to exceed five (5) years or a  
13 fine not to exceed Ten Thousand Dollars (\$10,000), or both.

14 (d) A person who violates § 46.502 (a), (b), (c), (d) or (e)  
15 that causes a loss of One Thousand Dollars (\$1,000) or more during  
16 any one (1)-year period is guilty of a felony, and upon conviction is  
17 subject to imprisonment not to exceed three (3) years or a fine not to  
18 exceed Five Thousand Dollars (\$5,000), or both.

19 (e) A person who violates § 46.502 (a), (b), (c), (d) or (e) in  
20 concert with three (3) or more other persons as the leader or organizer  
21 of the action that constitutes the violation is guilty of a second degree  
22 felony, and upon conviction is subject to imprisonment not to exceed  
23 five (5) years or a fine not to exceed Ten Thousand Dollars (\$10,000),  
24 or both.

25 (f) A person who violates § 46.502 (a), (b), (c), (d) or (e) in  
26 furtherance of a felony, or who has previously been convicted of an  
27 offense under the laws of Guam, another state, or under any federal

1 law involving the transmission of multiple commercial electronic mail  
2 messages is guilty of a second degree felony, and upon conviction is  
3 subject to imprisonment not to exceed ten (10) years or a fine not to  
4 exceed Twenty Five Thousand Dollars (\$25,000), or both.

5 (g) A person who violates § 46.502 (f) or (g) is guilty of a  
6 felony, and upon conviction is subject to imprisonment not to exceed  
7 one (1) year or a fine not to exceed Five Thousand Dollars (\$5,000),  
8 or both.

9 **§ 46.504. Forfeiture.** In addition to any other sentence authorized  
10 by law, the court may direct that a person convicted of a violation of §  
11 46.502 forfeit to the government of Guam:

12 (a) any moneys and other income, including all proceeds  
13 earned but not yet received by a defendant from a third party as a  
14 result of the defendant's violation of § 46.502; and

15 (b) all computer equipment, computer software, and personal  
16 property used in connection with a violation of this section known by  
17 the owner to have been used in violation of § 46.502.

18 **§ 46.505. Civil Action by Attorney General.**

19 (a) An action brought under this Subsection *shall* be  
20 commenced within two (2) years after the commission of the act.

21 (b) The Attorney General may institute a civil action against  
22 a person who violates § 46.502 to recover a civil penalty not to  
23 exceed:

24 (1) \$25,000 per day of violation; or

25 (2) *not less than* Two Dollars (\$2.00) nor more than  
26 Eight Dollars (\$8.00) per commercial electronic mail message  
27 initiated in violation of § 46.502.



1                   (3) For any violation of this Act, the amount  
2                   determined under paragraph (b) may *not* exceed Two Million  
3                   Dollars (\$2,000,000).

4                   (c) The Attorney General may seek an injunction in a civil  
5                   action to prohibit a person who has engaged in or is engaged in a  
6                   violation of § 46.502 from engaging in the violation.

7                   (4) The Attorney General may enforce criminal violations of  
8                   this Act.

9                   **§ 46.506. Lawfulness of Electronic Mail Service Provider**  
10                  **Policies.** Nothing in this Act shall be construed to have any effect on the  
11                  lawfulness of the adoption, implementation, or enforcement by an electronic  
12                  mail service provider of a policy of declining to transmit, route, relay,  
13                  handle, or store certain types of electronic mail messages under any other  
14                  provision of law.

15                  **§ 46.507. Severability.** *If* any provision of this Act or its  
16                  application to any person or circumstance is found to be invalid or contrary  
17                  to law, such invalidity *shall not* affect other provisions or application of this  
18                  Act which can be given effect without the invalid provisions or application,  
19                  and to this end the provisions of this Act are severable.”

# LEGISLATIVE SESSION

## I MINA'TRENTAI DOS NA LIHESLATURAN

### 2014 (SECOND) Regular Session

### Voting Sheet

BILL NO. 319-32 (LS)

Speaker Antonio R. Unipingco Legislative Session Hall

DATE: 7/1/14

NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent
Senator Thomas "Tom" C. ADA	✓				
Senator V. Anthony "Tony" ADA	✓				
Senator Frank Blas AGUON Jr.	✓				
Vice-Speaker Benjamin J.F. CRUZ	✓				
Senator Christopher M. DUENAS	✓				
Senator Michael LIMTIACO	✓				
Senator Brant McCREADIE	✓				
Senator Thomas "Tommy" MORRISON	✓				
Senator Tina Rose MUÑA BARNES	✓				
Senator Vicente (ben) Cabrera PANGELINAN					✓ Ex.
Senator Rory J. RESPICIO	✓				
Senator Dennis G. RODRIGUEZ, Jr.	✓				
Senator Michael F. Q. SAN NICOLAS	✓				
Speaker Judith T. WON PAT, Ed.D.	✓				
Senator Aline A. YAMASHITA, Ph.D.	✓				

TOTAL

14  
Yea

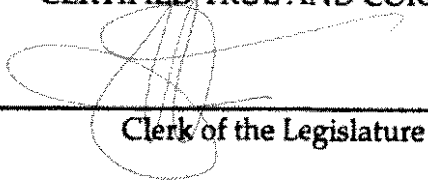
Nay

Not Voting/  
Abstained

Out During  
Roll Call

1 Ex.  
Absent

CERTIFIED TRUE AND CORRECT:

  
Clerk of the Legislature

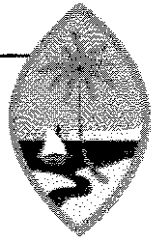
I = Pass



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I Mina'Trentai Dos Na Liheslaturan Guåhan | 32<sup>ND</sup> GUAM LEGISLATURE*



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Lintiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

JUN 16 2014

**The Honorable Judith T. Won pat, Ed.D.**

Speaker  
*I Mina'Trentai Dos Na Liheslaturan Guahan*  
155 Hesler Place  
Hagåtña, Guam 96910

**VIA: The Honorable Rory J. Respicio**  
Chairperson, Committee on Rules *RJR*

**RE: Committee Report on Bill No. 318-32 (LS)**

2014 JUN 16 PM 4:14

*gmb*

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 318-32 (LS) – An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."

Committee votes are as follows:

- 6 TO DO PASS
- \_\_\_\_\_ TO NOT PASS
- 2 TO REPORT OUT ONLY
- \_\_\_\_\_ TO ABSTAIN
- \_\_\_\_\_ TO PLACE IN INACTIVE FILE

Respectfully,

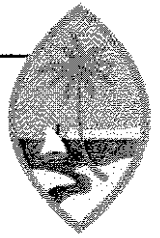
*[Signature]*  
**SENATOR FRANK B. AGUON, JR.**  
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
*I Mina'Trentai Dos Na Liheslaturan Guåhan | 32<sup>ND</sup> Guam Legislature*



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

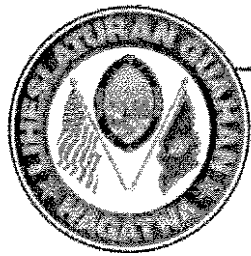
**Senator  
Thomas Morrison**  
Committee Member

## COMMITTEE REPORT

### ON

**BILL NO. 318-32 (LS), An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."**

**(Sponsored by Senator Tommy Morrison)**



**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**


*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



May 16, 2014

**MEMORANDUM**

**To: ALL MEMBERS**  
Committee on Guam U.S. Military Relocation, Homeland Security,  
Veterans Affairs and Judiciary

**From: Senator Frank B. Aguon, Jr.**   
Committee Chairperson

**Subject: Committee Report on Bill No. 318-32 (LS)**

Transmitted herewith for your consideration is the Committee Report on Bill No. 318-32 (LS) - An Act to Add a New Article S to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 318-32 (LS)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of the Bill No. 318-32 (LS)
- Notices of Public Hearing & Other Correspondence
- Copy of Public Hearing Agenda
- Related News Report

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os Ma'åse' !

**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member



COMMITTEE ON

GUAM U.S. MILITARY RELOCATION VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



COMMITTEE VOTING SHEET

Bill No. 318-32 (LS) - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."

Senator FRANK B. AGUON, JR. Committee Chairperson

Senator Tina Muna-Barnes Committee Vice Chairperson

Speaker Judith T. Won Pat, Ed.D. Committee Member

Senator Rory J. Respicio Committee Member

Senator Thomas C. Ada Committee Member

Senator Dennis G. Rodriguez, Jr. Committee Member

Senator V. Anthony Ada Committee Member

Senator Michael Limtiaco Committee Member

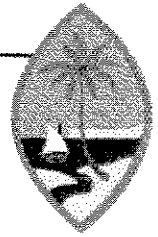
Senator Thomas Morrison Committee Member

Table with 7 columns: COMMITTEE MEMBERS, SIGNATURE, TO DO PASS, TO NOT PASS, TO REPORT OUT ONLY, TO ABSTAIN, TO PLACE IN INACTIVE FILE. Rows include AGUON, FRANK B. JR., MUNA BARNES, TINA ROSE, SPEAKER WON PAT, RESPICIO, RORY J., ADA, THOMAS C., RODRIGUEZ, DENNIS G. JR., ADA, V. ANTHONY, LIMTIACO, MICHAEL, MORRISON, THOMAS.



**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE*



**COMMITTEE REPORT DIGEST**

**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Jennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtlaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

**I. OVERVIEW**

Bill No. 318-32 (LS), was introduced on April 14, 2014, by Senator Thomas Morrison, and was subsequently referred by the Committee on Rules to the Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary on April 14, 2014.

**Public Notice Requirements**

Public Hearing notices were disseminated via e-mail to all senators and all main media broadcasting outlets for the April 28, 2014 hearing on April 18, 2014 (5-Day Notice), and again on April 23, 2014 (48-Hour Notice). Notices were also published in the Marianas Variety Newspaper for the April 28, 2014 hearing on April 18, 2014 and April 23, 2014.

**Senators Present**

Senator Frank B. Aguon, Jr., Chairperson  
Senator Brant T. McCreadie  
Senator Thomas Morrison  
Senator Aline A. Yamashita, Ph.D.  
Senator Christopher M. Duenas

**Appearing Before the Committee**

Jesse Rojas, Office of Technology  
Basil O'Mallan, Chief Prosecutor, the Office of the Attorney General

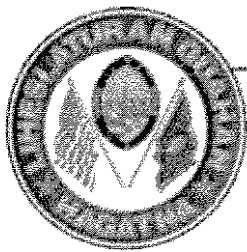
The public hearing was Called-to-Order at 9:00 AM.

**II. SUMMARY OF TESTIMONY & DISCUSSION**

***Senator Frank B. Aguon, Jr.***

The Committee on Guam Military Relocation, Veterans Affairs, Homeland Security, and Judiciary. I'd like to, before I highlight the agenda, welcome my colleagues who have joined us this morning thus far. To my immediate right is Senator Brant McCreadie. To my immediate left is Senator Tommy Morrison and to his immediate left is Senator Aline Yamashita. Thank you very much Senators for joining us this morning.

On the agenda, which are several pieces of legislation. One is Bill no. 301, and we'll highlight them as we proceed with the overall discussion, and that is relative to the crime of unsworn falsification. Bill no. 302-32 (COR), which is relative to establishing fines and penalties for individuals who make false statements to a Guam Customs officer. Bill no. 317-32 (LS) relative to the crime of phishing. P-H-I-S-H-I-N-G. And Bill no. 318 is relative to creating the "Computer Protection Act". And then finally, we will close out the discussion this morning with Bill 319-32 (LS) relative to creating "Computer Spyware Protection Act". And just for the information of the public, in compliance with the public notification requirement, the initial notice was sent out to all the Senators, as well as, the stakeholders on the 18<sup>th</sup> of April.



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE*



It was in print again on the 18<sup>th</sup> of April. With the second notification of public hearing sent out on the 23<sup>rd</sup> of April to all the stakeholders and then, finally, a print on the 23<sup>rd</sup> in regards to the agenda for this morning's discussion.

Now, we will proceed to Bill No. 318-32 (LS), which is relative to creating the computer protection act, sponsored by Senator Morrison. Senator Morrison, we'll provide you with a couple minutes for your brief comments, opening comments, and then we'll proceed.

***Senator Tommy Morrison***

Thank you, Mr. Chair. Bill 318 is the computer protection act. This bill punishes individuals who use computers and/or internet connections of others for the purposes of spamming with the intent to deceive or mislead recipients or an electronic mail service provided as to the origin of the message. For the listening audience, spam is irrelevant or inappropriate messages sent on the internet to large number of recipients. And again, key to this legislation, is there needs to be an attempt to deceive, mislead, and defraud using spam. Thank you, Mr. Chair.

***Senator Frank B. Aguon, Jr.***

Thank you very much Senator Morrison. We do have, again, Mr. Rojas and then Attorney Basil O'Mallan. Did you want to provide testimony or?

***Attorney Basil O'Mallan***

We're going to submit written testimony.

***Senator Frank B. Aguon, Jr.***

Written testimony will be provided subsequent to today's... and you are in support of this legislation. Mr. Rojas.

***Jesse Rojas***

In support.

***Senator Frank B. Aguon, Jr.***

Same comments?

***Jesse Rojas***

Yes sir.

***Senator Frank B. Aguon, Jr.***

As it applies to bill 318, thank you very much gentlemen for joining us this morning. So, Bill No. 318-32(LS), relative to creating the computer protection act is hereby publicly heard and the committee will continue to receive written testimony ten days subsequent to this hearing.

The public hearing was adjourned at 9:47 AM.





COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



**III. WRITTEN TESTIMONIES**

The following individuals submitted written testimonies to the Committee on Guam US Military Relocation, Veterans Affairs, Homeland Security and Judiciary before or after the scheduled Public Hearing on April 28, 2014 at 9:00 AM:

1. Joseph C. Manibusan, Data Processing Manager, Office of Technology

**IV. FINDINGS & RECOMMENDATIONS**

The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary hereby submits these findings and reports out Bill No. 318-32 (LS) by the Committee on Guam US Military Relocation, Homeland Security, Veteran's Affairs and Judiciary, with a recommendation TO PASS.

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN  
2014 (SECOND) Regular Session

Bill No. 318-32 (LS)

Introduced by:

T. A. Morrison ✓

AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46,  
TITLE 9, GUAM CODE ANNOTATED RELATIVE TO  
CREATING THE "COMPUTER PROTECTION ACT,"

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2

3 **Section 1.** A new Article 3 is *added* to Chapter 46 of 9GCA to read:

4

5 "Article 5

6 **Computer Protection Act**

7 **§46.500. Legislative Intent**

8 It is the intent of *l Liheslatura* to prohibit a person from using specified protected  
9 computers to relay or retransmit commercial electronic mail messages with the intent to  
10 deceive or mislead recipients or an electronic mail service provider under specified  
11 circumstances; prohibits a person from materially falsifying header information in  
12 commercial electronic mail messages under specified circumstances; prohibits a person  
13 from registering for electronic mail accounts or domain names under specified  
14 circumstances; provides for specified penalties and fines; etc.

15 **§46.501. Definitions**

2014 APR 17 PM 12:31

1 (1) In this section the following words have the meanings indicated.

2 (2) “Commercial electronic mail message” means an electronic message sent primarily for  
3 the purpose of commercial advertisement or promotion of:

4 (I) A commercial product;

5 (II) A commercial service;

6 (III) The content on an Internet website; or

7 (IV) A website operated for a commercial purpose.

8 (3) “Domain name” means any alphanumeric designation that is registered with or  
9 assigned by a domain name registrar, domain name registry, or other domain name  
10 registration authority as part of an electronic mail address on the Internet.

11 (4) “Electronic mail service provider” means any person, including an Internet service  
12 provider, that is an intermediary in sending and receiving electronic mail and that provides  
13 to the public the ability to send or receive electronic mail to or from an electronic mail  
14 account or online user account.

15 (5) “Financial institution” means any financial institution of the type supervised under  
16 11GCA, whether or not locally-chartered.

17 (6) “Header information” means the source, destination, and routing information attached  
18 to an electronic mail message, including the originating domain name and originating  
19 electronic mails, and any other information that appears in the line identifying or  
20 purporting to identify a person initiating the message, and technical information that  
21 authenticates the sender of an electronic mail message for network security or network  
22 management purposes.

23 (7) The term “initiate”, when used with respect to a commercial electronic mail message,  
24 means to originate or transmit the message or to procure the origination or transmission of

1 the message and does not include actions that constitute routine conveyances of such  
2 message.

3 (8) "Internet" means the international computer network of both federal and nonfederal  
4 interoperable packet switched data networks.

5 (9) "Internet protocol address" means the string of numbers by which a location on the  
6 Internet is identified by routers or other computers connected to the Internet.

7 (10) "Materially falsified" means altered or concealed in a manner that would impair the  
8 ability of one of the following to identify, locate, or respond to a person who initiated an  
9 electronic mail message or to investigate an alleged violation of this section:

10 (I) A recipient of the message;

11 (II) An Internet access service processing the message on behalf of a recipient;

12 (III) A person alleging a violation of this section; or

13 (IV) A law enforcement agency.

14 (11) "Multiple" means:

15 (I) More than ten (10) commercial electronic mail messages during a twenty four -  
16 hour (24-hour) period;

17 (II) More than one hundred (100) commercial electronic mail messages during a  
18 thirty-day (30-day) period; or

19 (III) More than one thousand (1,000) commercial electronic mail message during a  
20 one-year (1-year) period.

21 (12) "Protected computer" means a computer used in intrastate or interstate  
22 communication.

1 (13) "Routine conveyance" means the transmission, routing, relaying, handling, or storing,  
2 through an automatic technical process, of an electronic mail message for which another  
3 person has identified the recipients or provided the recipients' addresses.

4 **§46.502. Violations** A person may not conspire to or knowingly:

5 (1) Use a protected computer of another to relay or retransmit multiple commercial  
6 electronic mail messages with the intent to deceive or mislead recipients or an electronic  
7 mail service provider as to the origin of the message;

8 (2) Materially falsify header information in multiple commercial electronic mail messages  
9 and intentionally initiate the transmission of the messages;

10 (3) Register, using information that materially falsifies the identity of the actual registrant,  
11 for fifteen (15) or more electronic mail accounts or on-line user accounts of two or more  
12 domain names and intentionally initiate the transmission of multiple commercial  
13 electronic mail messages from one or any combination of accounts or domain names;

14 (4) Falsely represent the right to use five (5) or more Internet protocol addresses and  
15 intentionally initiate the transmission of multiple commercial electronic mail messages  
16 from the Internet protocol addresses;

17 (5) Access a protected computer of another without authorization, and intentionally  
18 initiate the transmission of multiple electronic mail advertisements from or through the  
19 protected computer;

20 (6) Violate item (1), (2), (3), (4), or (5) of this subsection by providing or selecting  
21 addresses to which a message was transmitted, knowing that:

22 (i) The electronic mail addresses of the recipients were obtained using an automated  
23 means from an Internet website or proprietary online service operated by another  
24 person; and

1 (II) The website or online service included, at the time the addresses were obtained,  
2 a notice stating that the operator of the website or online service will not transfer  
3 addresses maintained by the website or online service to any other party for the  
4 purposes of initiating or enabling others to initiate electronic mail messages; or

5 (7) Violate item (1), (2), (3), (4), or (5) of this subsection by providing or selecting  
6 electronic mail addresses of recipients obtained using an automated means that generates  
7 possible electronic mail addresses by combining names, letters, or numbers into numerous  
8 permutations.

9 **§46.503. Penalties**

10 (1) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section is guilty of  
11 a third degree felony and on conviction is subject to imprisonment not exceeding three (3)  
12 years or a fine not exceeding Five Thousand (\$5,000) or both.

13 (2) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section involving  
14 the transmission of more than two hundred fifty (250) commercial electronic mail  
15 messages during a twenty-four hour (24-hour) period, two thousand five hundred (2,500)  
16 commercial electronic mail messages during any thirty-day (30-day) period, or twenty five  
17 thousand (25,000) commercial electronic mail messages during any one-year (1-year)  
18 period is guilty of a second degree felony and on conviction is subject to imprisonment  
19 not exceeding five (5) years or a fine not exceeding Ten Thousand Dollars (\$10,000) or  
20 both.

21 (3) A person who violates subsection (B)(3) or (B)(4) of this section involving twenty  
22 (20) or more electronic mail accounts or ten (10) or more domain names and intentionally  
23 initiates the transmission of multiple commercial electronic mail messages from the  
24 accounts or using the domain names is guilty of a second degree felony and on conviction  
25 is subject to imprisonment not exceeding five (5) years or a fine not exceeding Ten  
26 Thousand Dollars (\$10,000) or both.

1 (4) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section that causes  
2 a loss of \$1,000 or more during any one-year (1-year) period is guilty of a felony and on  
3 conviction is subject to imprisonment not exceeding three (3) years or a fine not  
4 exceeding Five Thousand Dollars (\$5,000) or both.

5 (5) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section in concert  
6 with three or more other persons as the leader or organizer of the action that constitutes  
7 the violation is guilty of a second degree felony and on conviction is subject to  
8 imprisonment not exceeding five (5) years or a fine not exceeding Ten Thousand Dollars  
9 (\$10,000) or both.

10 (6) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section in  
11 furtherance of a felony, or who has previously been convicted of an offense under the  
12 laws of Guam, another state, or under any Federal law involving the transmission of  
13 multiple commercial electronic mail messages is guilty of a second degree felony and on  
14 conviction is subject to imprisonment not exceeding ten (10) years or a fine not exceeding  
15 Twenty Five Thousand Dollars (\$25,000) or both.

16 (7) A person who violates subsection (b)(6) or (7) of this section is guilty of a felony and  
17 on conviction is subject to imprisonment not exceeding one (1) year or a fine not  
18 exceeding Five Thousand Dollars (\$5,000) or both.

19 **§46.504. Forfeiture.** In addition to any other sentence authorized by law, the court may  
20 direct that a person convicted of a violation of this section forfeit to the territory:

21 (1) Any moneys and other income, including all proceeds earned but not yet received by a  
22 defendant from a third party as a result of the defendant's violation of this section; and

23 (2) All computer equipment, computer software, and personal property used in connection  
24 with a violation of this section known by the owner to have been used in violation of this  
25 section.

1 **§46.504. Civil action by Attorney General.**

2 (1) An action brought under this subsection shall be commenced within two (2) years after  
3 the commission of the act.

4 (2) The Attorney General may institute a civil action against a person who violates this  
5 section to recover a civil penalty not exceeding:

6 (I) \$25,000 per day of violation; or

7 (II) Not less than Two Dollars (\$2) nor more than Eight Dollars (\$8) per  
8 commercial electronic mail message initiated in violation of this section.

9 (III) For any violation of this Act, the amount determined under paragraph (2) may  
10 not exceed Two Million Dollars (\$2,000,000).

11 (3) The Attorney General may seek an injunction in a civil action to prohibit a person who  
12 has engaged in or is engaged in a violation of this section from engaging in the violation.

13 (4) The attorney general may enforce criminal violations of this section.

14 **§46.505. Lawfulness of electronic mail service provider policies.** Nothing in this  
15 section shall be construed to have any effect on the lawfulness of the adoption,  
16 implementation, or enforcement by an electronic mail service provider of a policy of  
17 declining to transmit, route, relay, handle, or store certain types of electronic mail  
18 messages under any other provision of law.

19 **§46.506. Severability.** If any provision of this Act or its application to any person or  
20 circumstance is found to be invalid or contrary to law, such invalidity *shall* not affect  
21 other provisions or application of this Act which can be given effect without the invalid  
22 provisions or application, and to this end the provisions of this Act are severable.



**COMMITTEE ON GUAM US MILITARY RELOCATION, VETERANS' AFFAIRS HOMELAND  
SECURITY & JUDICIARY**

*I Mina'Trentai Dos na Liheslaturan Guahan | 32<sup>nd</sup> Guam Legislature*



**SENATOR FRANK B. AGUON, JR  
CHAIRMAN**

**Monday, April 28, 2014 @ 9:00A.M.**

**Bill No. 318-32 (LS) - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act." (Sponsored by Senator Tommy Morrison)**

NAME ( Please Print )	Agency/Organization	Contact Number	Oral Testimony	Written Testimony	In Favor	Not In Favor
JESSE RUTAS	OFFICE OF TECH	475/203			✓	
Basil O'Malley	OAG				✓	



Department of Administration  
(DIPATTAMENTON ATEMENSTRASION)  
OFFICE OF TECHNOLOGY



Post Office Box 884 Hagatña, Guam 96932  
Tel: (671) 475-1113/1229 - Fax: (671) 472-9508

*Eddie Baza Cabvo*  
Governor  
*Ray Tenorio*  
Lieutenant Governor

May 20, 2014

Transmitted via Electronic Mail: [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com)

Honorable Frank Blas Aguon, Jr.  
Chairman, Committee on the Guam-US Military Relocation, Homeland Security,  
Veteran's Affairs and Judiciary  
*I Mina'trentai Dos Na Liheslaturan Guåhan*  
155 Hesler Place  
Hagatña, Guam 96910

*Subject: Testimony in support of Bill 318-32 (LS) "An Act to add a new Article 5 to Chapter 46, Title 9 Guam Code Annotated relative to creating the Computer Protection Act."*

Dear Senator Aguon,

*Hafa Adai.* The Office of Technology is in support of Bill 318-32 (LS) "An Act to add a new Article 5, Chapter 46, Title 9 Guam Code Annotated relative to creating the Computer Protection Act."

The Office of Technology (OTech) supports the safe and responsible use of technology. As such, OTech is in support of the intent of Bill 318-32 because the bill, if passed, criminalizes the unauthorized use and abuse of computers, data, and information. These such criminal activities violate businesses, governments and individuals through the use of information computing hardware, software, other computing resources and the world wide web for malicious purposes.

OTech recommends passage of Bill 318-32 (LS) as part of our local government's efforts to help make our online experience a safer and more secure one.

Sincerely,

Joseph C. Manibusan (Joey)  
Data Processing Manager  
Office of Technology  
Department of Administration



# COMMITTEE ON RULES

*I Mina'trontai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

Speaker  
Judith T.P. Won Pat, Ed.D.  
Member

Senator  
Dennis G. Rodriguez, Jr.  
Member

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muña Barnes  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

## Certification of Waiver of

### Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **BILL NO. 318-32 (LS)**, "AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO CREATING THE "COMPUTER PROTECTION ACT," – on April 15, 2014. COR hereby certifies that BBMR confirmed receipt of this request April 16, 2014 at 9:14 A.M.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 318-32 (LS) to be included in the committee report on said bill, is hereby waived.**

Certified by:

  
\_\_\_\_\_

**Senator Rory J. Respicio**  
Chairperson, Committee on Rules

June 16, 2014

Date



# COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

Speaker  
Judith T.F. Won Pat, Ed.D.  
Member

Senator  
Dennis G. Rodriguez, Jr.  
Member

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muña Barnes  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

April 15, 2014

VIA E-MAIL  
[john.rios@bbmr.guam.gov](mailto:john.rios@bbmr.guam.gov)

John A. Rios  
Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

RE: Request for Fiscal Notes-- Bill Nos. 309-32 (COR), 310-32(LS), 311-32(LS), 312-32(LS), 313-32(LS), 314-32(LS), 315-32(LS), 316-32(LS), 317-32(LS), 318-32(LS), 319-32(LS), and 320-32(LS)

*Hafa Adai* Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

*Si Yu'os ma'åse'* for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio  
*Chairperson of the Committee on Rules*

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsors	Title
309-32 (COR)	V.C.Pangelinan B. J.F. Cruz	AN ACT TO ADD A NEW SECTION 7 TO CHAPTER I OF PUBLIC LAW 32-068 AND TO REPEAL AND RE-ENACT SECTION 13109(a)(5), CHAPTER 13, TITLE 2 OF THE GUAM CODE ANNOTATED, RELATIVE TO PRIORITIZING THE USES OF ADDITIONAL SECTION 30 REVENUES AND TO INCREASE TRANSPARENCY AND ACCOUNTABILITY IN THE REPORTING OF SECTION 30 REVENUES TO BE RECEIVED BY THE GOVERNMENT OF GUAM.
310-32 (LS)	FRANK B. AGUON, JR.	AN ACT TO ADD A NEW §55104, §55104.1, §55104.2, §55104.3 TO CHAPTER 55, DIVISION 3, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO THE ESTABLISHMENT OF PHYSICAL FITNESS STANDARDS AND POLICIES FOR PUBLIC SAFETY AND LAW ENFORCEMENT UNIFORM PERSONNEL; AND SHALL HENCEFORTH BE KNOWN AS THE "FIT TO SERVE AND PROTECT ACT OF 2014".
311-32 (LS)	FRANK B. AGUON, JR.	AN ACT RELATIVE TO APPROPRIATING THE FUNDS AVAILABLE IN THE LIMITED GAMING FUND IN FISCAL YEAR 2013-2014 IN ACCORDANCE WITH PUBLIC LAW 32-060.
312-32 (LS)	FRANK B. AGUON, JR.	AN ACT RELATIVE TO APPROPRIATING THE FUNDS IN THE GMHA HEALTHCARE TRUST AND DEVELOPMENT FUND TO THE GUAM MEMORIAL HOSPITAL AUTHORITY PURSUANT TO PUBLIC LAW 32-060; BY AMENDING SUBSECTION "(B)" OF §97103, CHAPTER 97, ARTICLE 1, TITLE 10, GUAM CODE ANNOTATED.
313-32 (LS)	Brant T. McCreddie V. Anthony Ada Chris M. Dueñas Michael T. Limtiaco Tommy Morrison Aline A. Yamashita, Ph.D. FRANK B. AGUON, JR. Dennis G. Rodriguez, Jr.	AN ACT TO CREATE A NEW ARTICLE 6 TO CHAPTER 90 TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CONSTRUCTION AND RENOVATION OF THE DEPARTMENT OF CORRECTIONS ADULT CORRECTIONAL FACILITY TO ENSURE THE SAFETY OF THE PEOPLE OF GUAM; WHICH SHALL COLLECTIVELY BE CITED AS "THE DEPARTMENT OF CORRECTIONS CONSTRUCTION INITIATIVE ACT OF 2014".
314-32 (LS)	Aline A. Yamashita, Ph.D	AN ACT TO ADD A NEW CHAPTER 81 TO TITLE 21, GUAM CODE ANNOTATED RELATIVE TO CREATING A STREAMLINED AND EXPEDITED PROCESS FOR REZONING REAL PROPERTY FOR CONSTRUCTING SMALL PROJECTS BY PARTIALLY PRIVATIZING THE PROCESS.
315-32 (LS)	Michael F.Q. San Nicolas	AN ACT TO APPROPRIATE TWO HUNDRED NINETY-TWO THOUSAND EIGHT HUNDRED DOLLARS (\$292,800) TO FUND PROGRAMS FOR DRUG AND ALCOHOL TREATMENT SERVICES AND EMERGENCY YOUTH SHELTER FOR HOMELESS, RUNAWAY, AND ABUSED YOUTH, BY ADDING A NEW §11 TO CHAPTER XI OF PUBLIC LAW 32-068.

Bill Nos.	Sponsors	Title
316-32(LS)	Benjamin J.F. Cruz	AN ACT TO REPEAL AND REENACT §3105, CHAPTER 3 OF TITLE 22 OF THE GUAM CODE ANNOTATED RELATIVE TO RESPONSIBLY RAISING THE MINIMUM WAGE.
317-32 (LS)	T.A. Morrison	AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 46 OF 9GCA RELATIVE TO THE CRIME OF PHISHING.
318-32 (LS)	T.A. Morrison	AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO CREATING THE "COMPUTER PROTECTION ACT,"
319-32 (LS)	T.A. Morrison	AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO CREATING THE "COMPUTER SPYWARE PROTECTION ACT,"
320-32 (LS)	V.C. Pangelinan	AN ACT TO ADD A NEW CHAPTER 53 TO DIVISION 2, AND TO ADD A NEW SECTION 70134 TO CHAPTER 70, DIVISION 3, TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE THE CREATION OF THE GUAM QUALIFIED RETIREMENT PLAN AND TRUST ACT.



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

April 14, 2014

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

### MEMORANDUM

Senator  
Vicente (Ben) C. Pangelinan  
Member

To: **Rennae Meno**  
*Clerk of the Legislature*

Speaker  
Judith T.P. Won Pat, Ed.D.  
Member

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

Senator  
Dennis G. Rodriguez, Jr.  
Member

From: **Senator Rory J. Respicio**  
*Chairperson of the Committee on Rules*

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Subject: **Referral of Bill No. 318-32(LS)**

Legislative Secretary  
Tina Rose Muña Barnes  
Member

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 318-32(LS)**.

Senator  
Frank Blas Aguon, Jr.  
Member

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Senator  
Michael F.Q. San Nicolas  
Member

*Si Yu'os Ma'åse!*

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Attachment

Senator  
Aline Yamashita  
Member

*I Mina'Trentai Dos Na Liheslaturan Received*

**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
318-32 (LS)	T.A. Morrison	AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO CREATING THE "COMPUTER PROTECTION ACT,"	4/14/14 12:31 p.m.	04/14/14	Committee on the Guam U. S. Military Relocation, Homeland Security, Veteran's Affairs, and Judiciary			





---

## FIRST NOTICE - Public Hearing on Monday, April 28, 2014 at 9:00 AM

---

Office of Sen. Frank B. Aguon, Jr. <committee@frankaguonjr.com>

Fri, Apr 18, 2014 at 9:33 AM

To: phnotice@guamlegislature.org

Cc: "Office of Senator Frank B. Aguon, Jr." <admin@frankaguonjr.com>, "Senator Frank B. Aguon, Jr. Legislative Policy" <policy@frankaguonjr.com>, Senator Aguon Communications <media@frankaguonjr.com>

April 18, 2014

### MEMORANDUM

TO: All Honorable Senators/Media/Stakeholders

FROM: Chairman, Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary

SUBJECT: **FIRST NOTICE** of Public Hearing on Monday, April 28, 2014 at 09:00 AM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 at 09:00 AM in *I Liheslaturan Guåhan*'s Public Hearing Room, Hagåtña, on the following:

**Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification. **(Sponsored by Senator Brant T. McCreadie)**

**Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer. **(Sponsored by Senator Brant T. McCreadie)**

**Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing. **(Sponsored by Senator Tommy Morrison)**

**Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act." **(Sponsored by Senator Tommy Morrison)**

**Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act." **(Sponsored by Senator Tommy Morrison)**

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan*'s website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services; please contact Fred "Rico" Taitague via email at [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com) or Matt Topasna via email at [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com) or please contact the office directly at 477-GUM1/2.

*Si Yu'os Ma'åse!*

—  
**Thanks!**

**Committee on Guam US Military Relocation, Veterans Affairs, Homeland Security and Judiciary**

Office of Senator Frank B. Aguon, Jr.

155 Hesler PL Suite 104, Hagåtña, Guam 96910

Tel: (671) 475-GUM1/2 (4861/2)

Fax: (671) GUM3 (4863)

aguon4guam@gmail.com | www.frankaguonjr.com

**NOTICE:** The information in this e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact me by reply e-mail, and destroy all copies of the original message.

---



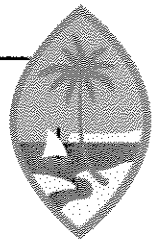
**FBA\_1stNoticePH(28APR14).pdf**

502K



GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE



April 18, 2014

**MEMORANDUM**

TO: **All Honorable Senators/Media/Stakeholders**

FROM: Chairman, Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary

SUBJECT: **FIRST NOTICE** of Public Hearing on Monday, April 28, 2014 at 09:00AM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 at 09:00 AM in *I Liheslaturan Guåhan's* Public Hearing Room, Hagåtña, on the following:

- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification. (**Sponsored by Senator Brant T. McCreddie**)
- **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer. (**Sponsored by Senator Brant T. McCreddie**)
- **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing. (**Sponsored by Senator Tommy Morrison**)
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act." (**Sponsored by Senator Tommy Morrison**)
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act." (**Sponsored by Senator Tommy Morrison**)

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services; please contact Fred "Rico" Taitague via email at [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com) or Matt Topasna via email at [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com) or please contact the office directly at 477-GUM1/2.

*Si Yu'os Ma'åse!*

cc: Clerks  
MIS  
Sgt-at-Arms

**Senator**  
**FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator**  
**Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker**  
**Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator**  
**Rory J. Respicio**  
Committee Member

**Senator**  
**Thomas C. Ada**  
Committee Member


**Senator**  
**Dennis G. Rodríguez, Jr.**  
Committee Member

**Senator**  
**V. Anthony Ada**  
Committee Member

**Senator**  
**Michael Limtiaco**  
Committee Member

**Senator**  
**Thomas Morrison**  
Committee Member

# World



**OFFICE OF SENATOR FRANK B. ACOSTA, JR.**  
 Senator, Committee on Economic Affairs, Education,  
 Governmental Structure, Health, Safety and Welfare,  
 and Transportation, Governmental Organization and Administration

**MEMORANDUM FOR THE SENATOR**  
**PLANNING BOARD MEETING**  
**MONDAY, APRIL 21, 2014**

**AGENDA**

- 1. **Approval of the agenda for the meeting.**
- 2. **Approval of the minutes of the previous meeting.**
- 3. **Approval of the minutes of the previous meeting.**
- 4. **Approval of the minutes of the previous meeting.**
- 5. **Approval of the minutes of the previous meeting.**
- 6. **Approval of the minutes of the previous meeting.**
- 7. **Approval of the minutes of the previous meeting.**
- 8. **Approval of the minutes of the previous meeting.**
- 9. **Approval of the minutes of the previous meeting.**
- 10. **Approval of the minutes of the previous meeting.**

**AGENDA ITEM 1 - APPROVAL OF THE AGENDA FOR THE MEETING**

The agenda for the meeting is as follows:

**AGENDA ITEM 2 - APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting are as follows:

**AGENDA ITEM 3 - APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting are as follows:

**AGENDA ITEM 4 - APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting are as follows:

**AGENDA ITEM 5 - APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting are as follows:

**AGENDA ITEM 6 - APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting are as follows:

**AGENDA ITEM 7 - APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting are as follows:

**AGENDA ITEM 8 - APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting are as follows:

**AGENDA ITEM 9 - APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting are as follows:

**AGENDA ITEM 10 - APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting are as follows:



---

## **SECOND NOTICE - Public Hearing on Monday, April 28, 2014 at 9:00 AM**

---

Office of Sen. Frank B. Aguon, Jr. <committee@frankaguonjr.com>

Wed, Apr 23, 2014 at 12:06 PM

To: phnotice@guamlegislature.org

Cc: Guam Legislature Clerks Office <clerks@guamlegislature.org>, mis@guamlegislature.org, sgtarms@guamlegislature.org, "Office of Senator Frank B. Aguon, Jr." <admin@frankaguonjr.com>, "Senator Frank B. Aguon, Jr. Legislative Policy" <policy@frankaguonjr.com>, Senator Aguon Communications <media@frankaguonjr.com>

April 23, 2014

### **MEMORANDUM**

**TO:** All Honorable Senators/Media/Stakeholders

**FROM:** Chairman, Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary

**SUBJECT:** **SECOND NOTICE** of Public Hearing on Monday, April 28, 2014 at 09:00 AM

### ***Buenas yan Hafa Adai!***

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 at 09:00 AM in *I Liheslaturan Guåhan's* Public Hearing Room, Hagåtña, on the following:

**Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification. (**Sponsored by Senator Brant T. McCreadie**)

**Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer. (**Sponsored by Senator Brant T. McCreadie**)

**Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing. (**Sponsored by Senator Tommy Morrison**)

**Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act." (**Sponsored by Senator Tommy Morrison**)

**Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act." (**Sponsored by Senator Tommy Morrison**)

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to aguon4guam@gmail.com. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.com. Individuals requiring special accommodations or services; please contact Fred "Rico" Taitague via email at committee@frankaguonjr.com\_ or Matt Topasna via email at policy@frankaguonjr.com\_ or please contact the office directly at 477-GUM1/2.

*Si Yu'os Ma'åse!*

--

**Thanks!**

**Committee on Guam US Military Relocation, Veterans Affairs, Homeland Security and Judiciary**

Office of Senator Frank B. Aguon, Jr.

155 Hesler PL Suite 104, Hagåtña, Guam 96910

Tel: (671) 475-GUM1/2 (4861/2)

Fax: (671) GUM3 (4863)

aguon4guam@gmail.com | www.frankaguonjr.com

**NOTICE:** The information in this e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact me by reply e-mail, and destroy all copies of the original message



**FBA\_2ndNoticePH(28APR14).pdf**

502K

---

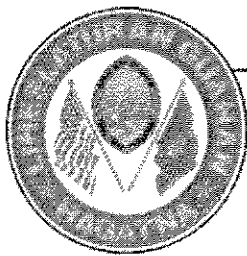
**Adam Bearce** <adam@guamlegislature.org>

Wed, Apr 23, 2014 at 12:13 PM

To: "Office of Sen. Frank B. Aguon, Jr." <committee@frankaguonjr.com>, Yong Pak <yong@guamlegislature.org>

Done

[Quoted text hidden]



**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE*



April 23, 2014

**MEMORANDUM**

TO: **All Honorable Senators/Media/Stakeholders**

FROM: Chairman, Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary

SUBJECT: **SECOND NOTICE** of Public Hearing on Monday, April 28, 2014 at 09:00AM

***Buenas yan Hafa Adai!***

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 at 09:00 AM in *I Liheslaturan Guåhan's* Public Hearing Room, Hagåtña, on the following:

- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification. **(Sponsored by Senator Brant T. McCreadie)**
- **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer. **(Sponsored by Senator Brant T. McCreadie)**
- **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing. **(Sponsored by Senator Tommy Morrison)**
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act." **(Sponsored by Senator Tommy Morrison)**
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act." **(Sponsored by Senator Tommy Morrison)**

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services; please contact Fred "Rico" Taitague via email at [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com) or Matt Topasna via email at [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com) or please contact the office directly at 477-GUM1/2.

***Si Yu'os Ma'åse!***

cc: Clerks  
MIS  
Sgt-at-Arms

**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member



---

**Sponsor Notification: Bill No. 317-32(LS), Bill No. 318-32(LS), Bill No. 319-32(LS)**

---

Office of Senator Frank Aguon, Jr. Admin <admin@frankaguonjr.com> Tue, Apr 15, 2014 at 10:40 AM  
To: Tommy Morrison <tommy@senatormorrison.com>  
Cc: "Frank Aguon, Jr." <aguon4guam@gmail.com>, "Comm. on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary" <committee@frankaguonjr.com>, "Senator Frank B. Aguon, Jr. Legislative Policy" <policy@frankaguonjr.com>, Senator Aguon Communications <media@frankaguonjr.com>

April 15, 2014

**To: THE HONORABLE THOMAS MORRISON**

**From: SENATOR FRANK B. AGUON, JR.**

Chairperson, Committee on Guam U.S. Military Relocation, Homeland Security, Veterans Affairs, and Judiciary

**Subject: Public Hearing for Bill No. 317-32(LS); Bill No. 318-32(LS); and Bill No. 319-32(LS) scheduled for Monday, April 28, 2014 at 9:00 AM.**

The Committee on Guam U.S. Military Relocation, Homeland Security, Veterans Affairs, and Judiciary will conduct a public hearing at on **Monday, April 28, 2014 at 9:00AM** at the Guam Legislature's Public Hearing Room, and among the items on the agenda is the following Bill of which you are the author.

- **Bill No. 317-32 (LS)** – An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing.
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."

You may notify the appropriate government agencies, organizations, and persons who may wish to provide written and/or oral testimony on this bill. Thank you for your kind attention.

Si Yu'os Ma'ase' !

--  
Thanks!  
Office of Senator Frank B. Aguon, Jr.



Committee on Guam US Military Relocation, Veterans Affairs, Homeland Security and Judiciary

155 Hessler PL Suite 104, Hagåtña, Guam 96910

Tel: (671) 475-GUM1/2 (4861/2)

Fax: (671) GUM3 (4863)

aguon4guam@gmail.com | www.frankaguonjr.com

**NOTICE:** The information in this e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact me by reply e-mail, and destroy all copies of the original message.

\*\*\*\*\*



**SPONSOR NOTIFICATION BILL NO. 317-32\_LS\_-318-32\_LS\_-319-32\_LS\_.pdf**

504K



## OFFICE OF SENATOR FRANK B. AGUIRRE

SENATOR FRANK B. AGUIRRE  
1000 GARDEN DRIVE, SUITE 1000, HONOLULU, HI 96813  
PHONE: (808) 551-1234 FAX: (808) 551-1234

WWW.FRANKAGUIRRE.COM

AGUIRRE SENATE OFFICE: 1000 GARDEN DRIVE, SUITE 1000, HONOLULU, HI 96813

### AGUIRRE SENATE OFFICE AGUIRRE SENATE OFFICE AGUIRRE SENATE OFFICE

#### AGUIRRE

AGUIRRE SENATE OFFICE: 1000 GARDEN DRIVE, SUITE 1000, HONOLULU, HI 96813

AGUIRRE SENATE OFFICE: 1000 GARDEN DRIVE, SUITE 1000, HONOLULU, HI 96813

AGUIRRE SENATE OFFICE: 1000 GARDEN DRIVE, SUITE 1000, HONOLULU, HI 96813

AGUIRRE SENATE OFFICE: 1000 GARDEN DRIVE, SUITE 1000, HONOLULU, HI 96813

AGUIRRE SENATE OFFICE: 1000 GARDEN DRIVE, SUITE 1000, HONOLULU, HI 96813

#### AGUIRRE SENATE OFFICE

AGUIRRE SENATE OFFICE: 1000 GARDEN DRIVE, SUITE 1000, HONOLULU, HI 96813

AGUIRRE SENATE OFFICE: 1000 GARDEN DRIVE, SUITE 1000, HONOLULU, HI 96813

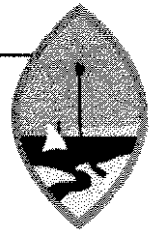
AGUIRRE SENATE OFFICE: 1000 GARDEN DRIVE, SUITE 1000, HONOLULU, HI 96813



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



April 15, 2014

**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Lintiaço**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

To: **THE HONORABLE THOMAS MORRISON**

From: **SENATOR FRANK B. AGUON JR.**

Chairperson, Committee on Guam U.S. Military Relocation, Homeland Security, Veterans Affairs, and Judiciary

Subject: **Public Hearing for Bill No. 317-32(LS); Bill No. 318-32(LS); and  
Bill No. 319-32(LS) scheduled for Monday, April 28, 2014 at 9:00AM.**

The Committee on Guam U.S. Military Relocation, Homeland Security, Veterans Affairs, and Judiciary will conduct a public hearing at on Monday, April 28, 2014 at 9:00AM at the Guam Legislature's Public Hearing Room, and among the items on the agenda is the following Bill of which you are the author.

**Bill No. 317-32 (LS) – An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing.**

**Bill No. 318-32 (LS) - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."**

**Bill No. 319-32 (LS) - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."**

You may notify the appropriate government agencies, organizations, and persons who may wish to provide written and/or oral testimony on this bill. Thank you for your kind attention.

Si Yu'os Ma'åse'!

**Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)  
As of March 13, 2014**

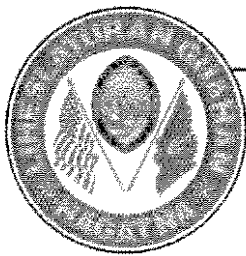
aalladi@guampdn.com
action@weareguahan.com
admin@frankaguonjr.com
admin@guamrealtors.com
admin@leapguam.com
admin@weareguahan.com
agnes@judiwonpat.com
aguon4guam@gmail.com
ahernandez@guamlegislature.org
ajuan@kijifm104.com
alerta.jermaine@gmail.com
aline4families@gmail.com
am800guam@gmail.com
amanda@judiwonpat.com
amandalee.shelton@mail.house.gov
amier@mvguam.com
ang.duenas@gmail.com
aokada@guamlegislature.org
ataligba@gmail.com
av@guamlegislature.org
avillaverde@guamlegislature.org
avon.guam@gmail.com
baza.matthew@gmail.com
bbautista@spbg Guam.com
bdydasco@yahoo.com
bernice@tinamunabarnes.com
berthaduenas@guamlegislature.org
betsy@spbg Guam.com
bmkelman@guampdn.com
brantfor Guam@gmail.com
breanna.jai@mail.house.gov
bruce.lloyd.media@gmail.com
carlsanchez@judiwonpat.com
carlsonc@pstripes.osd.mil
ccastro@guamchamber.com.gu
ccharfauros@guamag.org
ccruz.duenas@gmail.com
chechsantos@gmail.com
cheerfulcatunao@yahoo.com
christine.quinata@takecareasia.com
cipo@guamlegislature.org
clerks@guamlegislature.org
clynt@spbg Guam.com
committee@frankaguonjr.com
communications@guam.gov
conedera@mikelimtiaco.com
cor@guamlegislature.org
coy@senatorada.org
cyrus@senatorada.org
david@tinamunabarnes.com
dcrisost@guam.gannett.com
delisleduenas@judiwonpat.com
desori623@hotmail.com
dleddy@guamchamber.com.gu
dmgeorge@guampdn.com
dtamondong@guampdn.com
duenasenator@gmail.com

ed@tonyada.com
edelynn1130@hotmail.com
editor@mvguam.com
editor@saipantribune.com
edpocaigne@judiwonpat.com
elaine@tinamunabarnes.com
emqcho@gmail.com
ewinstoni@yahoo.com
eo@guamrealtors.com
etajalle@guamlegislature.org
evelyn4families@gmail.com
fbtorres@judiwonpat.com
floterlaje@gmail.com
frank@judiwonpat.com
frank@mvguam.com
gdumat-ol@guampdn.com
gerry@mvguam.com
gerrypartido@gmail.com
gina@mvguam.com
gktv23@hotmail.com
guam@pstripes.osd.mil
guamnativesun@yahoo.com
hana@guam-shinbun.com
hill.bruce@abc.net.au
hottips@kuam.com
info@chinesetimesguam.com
janela@mvguam.com
jason@judiwonpat.com
jason@kuam.com
jean@tinamunabarnes.com
jennifer.lj.dulla@gmail.com
jennifer@mvguam.com
jespaldonesq@gmail.com
jmesngon.senatordrodriguez@gmail.com
joan@kuam.com
joe@toduguam.com
joesa@guamlegislature.org
john.calvo@noaa.gov
john@kuam.com
jon.calvo@mail.house.gov
jpmanuel@gmail.com
itenorio@guamcourts.org
ityquiengco@spbg Guam.com
julian.c.janssen@gmail.com
juliette@senatorada.org
kai@spbg Guam.com
karenc@guamlegislature.org
kcn.kelly@gmail.com
keepinginformed.671@gmail.com
kelly.toves@mail.house.gov
keng@kuam.com
kevin@spbg Guam.com
khmg@hbcguam.net
koreannews@guam.net
koreatv@kuentos.guam.net
kstokish@gmail.com
kstonews@ite.net

**Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)  
As of March 13, 2014**

law@guamag.org
life@guampdn.com
ljalcario@gmail.com
llmatthews@guampdn.com
lou4families@gmail.com
louella@mvguam.com
louise@tonyada.com
m.salaila@yahoo.com
mabuhaynews@yahoo.com
mahoquinene@guam.net
malainse@gmail.com
maria.pangelinan@gec.guam.gov
maryfejeran@gmail.com
mary@roryforguam.com
mbordallo.duenas@gmail.com
mcarlson@guamlegislature.org
mcperson.kathryn@abc.net.au
media@frankaguonjr.com
menchu@toduguam.com
mike@mikelimitiaco.com
mindy@kuam.com
mis@guamlegislature.org
miseke@mcvguam.com
mlwheeler2000@yahoo.com
mmafnas@guamlegislature.org
monty.mcdowell@amiguam.com
mspeps4873@gmail.com
mvariety@pticom.com
mwatanabe@guampdn.com
natasha@toduguam.com
news@guampdn.com
news@spbguam.com
nick@kuam.com
norman.aguilar@guamcc.edu
nsantos@guamlegislature.org
odngirairiki@guampdn.com
office@senatorada.org
oliviampalacios@gmail.com
onlyonguam@acubedink.com
pacificjournalist@gmail.com
parroyo@k57.com
pdkprg@gmail.com
pete@tonyada.com
phillipsguam@gmail.com
policy@frankaguonjr.com
publisher@glimpsesofiguam.com
qduenas_8@yahoo.com
rennae@guamlegislature.org
responsibleguam@gmail.com
rfteehan@yahoo.com
rgibson@k57.com
richdevera@gmail.com

ricknauta@hitradio100.com
rlimitiaco@guampdn.com
rob@judiwonpat.com
rolly@ktkb.com
roryforguam@gmail.com
rowena@senatormorrison.com
ryanjames@senatormorrison.com
santos.duenas@gmail.com
smendiola@guamlegislature.org
senator@senatorbjcruz.com
senatorbrantmccreadie@gmail.com
senator@tinamunabarnes.com
senatordrodriguez@gmail.com
senatorsannicolas@gmail.com
senatorTonyada@guamlegislature.org
senbenp@guam.net
sgflores@tinamunabarnes.com
sgtarms@guamlegislature.org
sitarose2@yahoo.com
slimtiaco@guampdn.com
sonedera-salas@guamlegislature.org
speaker@judiwonpat.com
staff@frankaguonjr.com
tanya4families@gmail.com
tasigirl@gmail.com
tcastro@guam.net
telo.taitague@guam.gov
tessa@senatorbjcruz.com
thebigshow@guamcell.net
thebigshow@k57.com
therese.hart.writer@gmail.com
therese@judiwonpat.com
tinamunabarnes@gmail.com
tjtaitano@cs.com
tom@senatorada.org
tommy@senatormorrison.com
tony@tonyada.com
tritent@pstripes.osd.mil
tterlaje@guam.net
vejohntorres@guamlegislature.org
vincent@tinamunabarnes.com
vleonguerrero@judiwonpat.com
will@senatorada.org
xiosormd@gmail.com
xiosormd@yahoo.com
vlee2@guam.gannett.com
zita@mvguam.com
zpalomo@guamag.org



**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Resplcio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

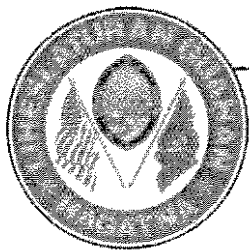
**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtlaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

**Notified Stakeholders**

- **All Senators/Stakeholders/Media Outlets**
- **Governor Eddie B. Calvo**
- **Congresswoman Madeleine Z. Bordallo**
- **Chief Justice Robert J. Torres, Jr.**
- **Special Assistant to the Governor on Military Buildup & Infrastructure**
  - Mark Calvo
- **Guam Customs & Quarantine Agency**
  - Pedro Leon Guerrero, Director
  - Rafalle J. M. Sgambelluri, Chief
- **Guam Homeland Security Advisor**
  - Ambrose Constantino
- **Office of Veterans Affairs**
  - The Honorable John Unpingco, Esq.
- **Office of Civil Defense**
  - James T. McDonald, Administrator
- **Office of the Attorney General**
  - Attorney General Leonardo G. Rapadas
- **Public Defender Service Corporation**
  - Eric D. Miller

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Lintiacco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

April 18, 2014

**The Honorable Eddie Baza Calvo**  
**Governor of Guam**

513 West Marine Corps Drive  
Hagåtña, Guam 96910

Sent via email to: [governor@guam.gov](mailto:governor@guam.gov)

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 beginning at 9:00am at *Liheslaturan Guåhan*. Included on the agenda are the following bills:

- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.  
(Sponsored by **Senator Brant T. McCreadie**)
- **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer.  
(Sponsored by **Senator Brant T. McCreadie**)
- **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing.  
(Sponsored by **Senator Tommy Morrison**)
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."  
(Sponsored by **Senator Tommy Morrison**)
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."  
(Sponsored by **Senator Tommy Morrison**)

If you feel the above mentioned items impact your agency or organization, we encourage you to participate in this upcoming Public Hearing. The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at *Liheslaturan Guåhan*'s website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services, please contact Fred "Rico" Taitague via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com), or Matt Topasna via email to [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com), or please contact the office directly at 477-GUM1/2.

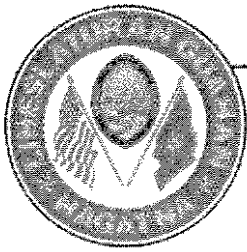
Respectfully,

**SENATOR FRANK B. AGUON, JR.**

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
I Mina'Trentai Dos Na Liheslaturan Guåhan | 32<sup>nd</sup> Guam Legislature

PHONE: (671)475-GUM1/2 (4861/2) | FAX: (671)475-GUM3 (4863)  
155 HESLER PLACE HAGATNA, GUAM 96910 | EMAIL: [AGUONAGUAM@GMAIL.COM](mailto:AGUONAGUAM@GMAIL.COM)

[WWW.FRANKAGUONJR.COM](http://WWW.FRANKAGUONJR.COM)



**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE*



April 18, 2014

**The Honorable Madeleine Z. Bordallo**  
Congresswoman of Guam | Guam Delegate  
120 Father Dueñas Avenue Suite 107  
Hagåtña, Guam 96910  
*Sent via email to: [madeleine.bordallo@mail.house.gov](mailto:madeleine.bordallo@mail.house.gov)*

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 beginning at 9:00am at I Liheslaturan Guåhan. Included on the agenda are the following bills:

- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.  
(Sponsored by Senator Brant T. McCreadie)
- **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer.  
(Sponsored by Senator Brant T. McCreadie)
- **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing.  
(Sponsored by Senator Tommy Morrison)
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."  
(Sponsored by Senator Tommy Morrison)
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."  
(Sponsored by Senator Tommy Morrison)

If you feel the above mentioned items impact your agency or organization, we encourage you to participate in this upcoming Public Hearing. The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at I Liheslaturan Guåhan's website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services, please contact Fred "Rico" Taitague via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com), or Matt Topasna via email to [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com) or please contact the office directly at 477-GUM1/2.

Respectfully,

**SENATOR FRANK B. AGUON, JR.**

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
Mina'Trentai Dos Na Liheslaturan Guåhan | 32<sup>nd</sup> Guam Legislature

**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

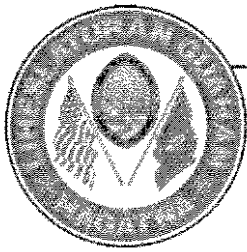
**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Lintiaico**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member





**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

April 18, 2014

**The Honorable Robert J. Torres, Jr.**  
**Chief Justice of Guam**  
Suite 300, Guam Judicial Center 120 West O'Brien Drive  
Hagåtña, Guam 96910  
*Sent via email to: [rjtorres@guamsupremecourt.com](mailto:rjtorres@guamsupremecourt.com)*

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 beginning at 9:00am at I Liheslaturan Guåhan. Included on the agenda are the following bills:

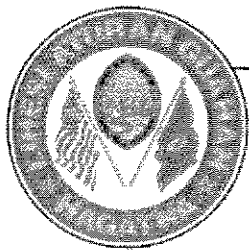
- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.  
(Sponsored by **Senator Brant T. McCreadie**)
- **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer.  
(Sponsored by **Senator Brant T. McCreadie**)
- **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing.  
(Sponsored by **Senator Tommy Morrison**)
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."  
(Sponsored by **Senator Tommy Morrison**)
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."  
(Sponsored by **Senator Tommy Morrison**)

If you feel the above mentioned items impact your agency or organization, we encourage you to participate in this upcoming Public Hearing. The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at I Liheslaturan Guåhan's website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services, please contact Fred "Rico" Taitague via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com) or Matt Topasna via email to [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com) or please contact the office directly at 477-GUM1/2.

Respectfully,

  
**SENATOR FRANK B. AGUON, JR.**

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
*I Mina'trentai Dos Na Liheslaturan Guåhan | 32<sup>nd</sup> Guam Legislature*



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE*



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodríguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Llimtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

April 18, 2014

**Mark Calvo**  
**Special Assistant to the Governor on Military Buildup and Infrastructure**  
513 West Marine Corps Drive  
Hagåtña, Guam 96910  
*Sent via email to: [mark.calvo@guam.gov](mailto:mark.calvo@guam.gov)*

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 beginning at 9:00am at *Liheslaturan Guåhan*. Included on the agenda are the following bills:

- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.  
(Sponsored by **Senator Brant T. McCreadie**)
- **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer.  
(Sponsored by **Senator Brant T. McCreadie**)
- **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing.  
(Sponsored by **Senator Tommy Morrison**)
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."  
(Sponsored by **Senator Tommy Morrison**)
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."  
(Sponsored by **Senator Tommy Morrison**)

If you feel the above mentioned items impact your agency or organization, we encourage you to participate in this upcoming Public Hearing. The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at *Liheslaturan Guåhan*'s website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services, please contact Fred "Rico" Taitague via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com) or Matt Topasna via email to [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com) or please contact the office directly at 477-GUM1/2.

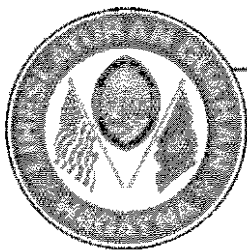
Respectfully,

  
**SENATOR FRANK B. AGUON, JR.**

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
*I Mina'trentai Dos na Liheslaturan Guåhan | 32<sup>nd</sup> Guam Legislature*

PHONE: (671)475-GUM1/2 (4861/2) | FAX: (671)475-GUM3 (4863)  
155 HESLER PLACE HAGATNA, GUAM 96910 | EMAIL: AGUON4GUAM@GMAIL.COM

[WWW.FRANKAGUONJR.COM](http://WWW.FRANKAGUONJR.COM)



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Lintiac**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

April 18, 2014

**Pedro A. Leon Guerrero, Jr.**  
**Director, Guam Customs and Quarantine Agency**  
770 East Sunset Boulevard Airport Road  
AB WonPat, Guam 96913  
*Sent via email to: [pedro.leonguerrero@cga.guam.gov](mailto:pedro.leonguerrero@cga.guam.gov)*

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 beginning at 9:00am at *Liheslaturan Guahan*. Included on the agenda are the following bills:

- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.  
(Sponsored by Senator Brant T. McCreadie)
- **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer.  
(Sponsored by Senator Brant T. McCreadie)
- **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing.  
(Sponsored by Senator Tommy Morrison)
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."  
(Sponsored by Senator Tommy Morrison)
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."  
(Sponsored by Senator Tommy Morrison)

If you feel the above mentioned items impact your agency or organization, we encourage you to participate in this upcoming Public Hearing. The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at *Liheslaturan Guahan*'s website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services, please contact Fred "Rico" Taitague via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com) or Matt Topasna via email to [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com) or please contact the office directly at 477-GUM1/2.

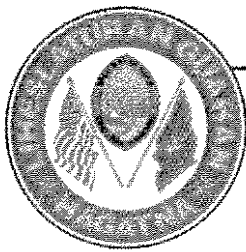
Respectfully,

**SENATOR FRANK B. AGUON, JR.**

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
*I Mina'Trentai Dos Na Liheslaturan Guahan | 32<sup>nd</sup> Guam Legislature*

PHONE: (671)475-GUM1/2 (4861/2) | FAX: (671)475-GUM3 (4863)  
155 HESLER PLACE HAGATNA, GUAM 96910 | EMAIL: [AGUON4GUAM@GMAIL.COM](mailto:AGUON4GUAM@GMAIL.COM)

[WWW.FRANKAGUONJR.COM](http://WWW.FRANKAGUONJR.COM)



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I Mina'Trentai Dos Na Liheslaturan Guåhan | 32ND GUAM LEGISLATURE*



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

April 18, 2014

**Raffaele Sgambelluri**  
**Chief, Guam Customs and Quarantine Agency**  
770 East Sunset Boulevard Airport Road  
AB WonPat, Guam 96913  
*Sent via email to: [raffaele.sgambelluri@cga.guam.gov](mailto:raffaele.sgambelluri@cga.guam.gov)*

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

*Buenas yan Hafa Adui!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 beginning at 9:00am at / Liheslaturan Guåhan. Included on the agenda are the following bills:

- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.  
(Sponsored by **Senator Brant T. McCreadie**)
- **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer.  
(Sponsored by **Senator Brant T. McCreadie**)
- **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing.  
(Sponsored by **Senator Tommy Morrison**)
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."  
(Sponsored by **Senator Tommy Morrison**)
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."  
(Sponsored by **Senator Tommy Morrison**)

If you feel the above mentioned items impact your agency or organization, we encourage you to participate in this upcoming Public Hearing. The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at Liheslaturan Guåhan's website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services, please contact Fred "Rico" Taitague via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com), or Matt Topasna via email to [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com), or please contact the office directly at 477-GUM1/2.

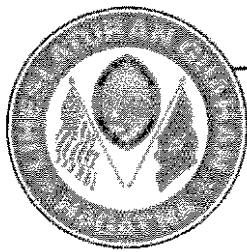
Respectfully,

  
**SENATOR FRANK B. AGUON, JR.**

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
I Mina'Trentai Dos Na Liheslaturan Guåhan | 32<sup>nd</sup> Guam Legislature

PHONE: (671)475-GUM1/2 (4861/2) | FAX: (671)475-GUM3 (4863)  
155 HESLER PLACE HAGATNA, GUAM 96910 | EMAIL: [AGUON4GUAM@GMAIL.COM](mailto:AGUON4GUAM@GMAIL.COM)

[WWW.FRANKAGUONJR.COM](http://WWW.FRANKAGUONJR.COM)



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I Mina'trentai Dos Na Liheslaturan Guåhan | 32ND GUAM LEGISLATURE*



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

April 18, 2014

**Ambrosio Constantino**  
Advisor, Guam Homeland Security  
221B Chalan Palayso  
Agana Heights, Guam 96910  
*Sent via email to: [ambrosia.constantino@ghs.guam.gov](mailto:ambrosia.constantino@ghs.guam.gov)*

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 beginning at 9:00am at I Liheslaturan Guåhan. Included on the agenda are the following bills:

- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.  
(Sponsored by Senator Brant T. McCreadie)
- **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer.  
(Sponsored by Senator Brant T. McCreadie)
- **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing.  
(Sponsored by Senator Tommy Morrison)
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."  
(Sponsored by Senator Tommy Morrison)
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."  
(Sponsored by Senator Tommy Morrison)

If you feel the above mentioned items impact your agency or organization, we encourage you to participate in this upcoming Public Hearing. The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at I Liheslaturan Guåhan's website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services, please contact Fred "Rico" Taitague via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com) or Matt Topasna via email to [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com) or please contact the office directly at 477-GUM1/2.

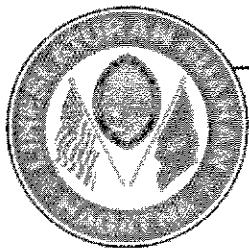
Respectfully,

  
**SENATOR FRANK B. AGUON, JR.**

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
*I Mina'trentai Dos Na Liheslaturan Guåhan | 32<sup>nd</sup> Guam Legislature*

PHONE: (671)475-GUM1/2 (4863/2) | FAX: (671)475-GUM3 (4863)  
155 HESLER PLACE HAGATNA, GUAM 96910 | EMAIL: [AGUON4GUAM@GMAIL.COM](mailto:AGUON4GUAM@GMAIL.COM)

[WWW.FRANKAGUONJR.COM](http://WWW.FRANKAGUONJR.COM)



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN | 32ND GUAM LEGISLATURE*



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Llimtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

April 18, 2014

**The Honorable John Unpingco, Esq.**  
**Administrator, Office of Veterans Affairs**  
172 S. Marine Drive, Asan  
Hagåtña, Guam 96910  
*Sent via email to: [john.unpingco@gvao.guam.gov](mailto:john.unpingco@gvao.guam.gov)*

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 beginning at 9:00am at I Liheslaturan Guáhan. Included on the agenda are the following bills:

- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.  
(Sponsored by **Senator Brant T. McCreadie**)
- **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer.  
(Sponsored by **Senator Brant T. McCreadie**)
- **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing.  
(Sponsored by **Senator Tommy Morrison**)
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."  
(Sponsored by **Senator Tommy Morrison**)
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."  
(Sponsored by **Senator Tommy Morrison**)

If you feel the above mentioned items impact your agency or organization, we encourage you to participate in this upcoming Public Hearing. The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at I Liheslaturan Guáhan's website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services, please contact Fred "Rico" Taitague via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com) or Matt Topasna via email to [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com) or please contact the office directly at 477-GUM1/2.

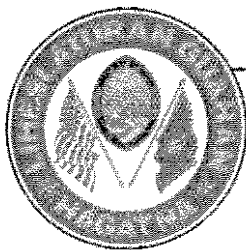
Respectfully,

  
**SENATOR FRANK B. AGUON, JR.**

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
I Mina'Trentai Dos Na Liheslaturan Guáhan | 32<sup>nd</sup> Guam Legislature

PHONE: (671)475-GUM1/2 (4861/2) | FAX: (671)475-GUM3 (4863)  
155 HESLER PLACE HAGATNA, GUAM 96910 | EMAIL: AGUON4GUAM@GMAIL.COM

[WWW.FRANKAGUONJR.COM](http://WWW.FRANKAGUONJR.COM)



**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE*



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtlaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

April 18, 2014

**James T. McDonald**  
**Administrator, Office of Civil Defense**  
221B Chalan Palayso  
Agana Heights, Guam 96910  
*Sent via email to: [jim.mcdonald@ghs.guam.gov](mailto:jim.mcdonald@ghs.guam.gov)*

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 beginning at 9:00am at I Liheslaturan Guåhan. Included on the agenda are the following bills:

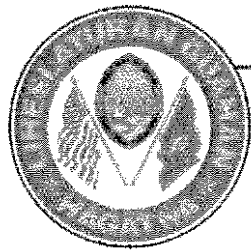
- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.  
(Sponsored by **Senator Brant T. McCreadie**)
- **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer.  
(Sponsored by **Senator Brant T. McCreadie**)
- **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing.  
(Sponsored by **Senator Tommy Morrison**)
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."  
(Sponsored by **Senator Tommy Morrison**)
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."  
(Sponsored by **Senator Tommy Morrison**)

If you feel the above mentioned items impact your agency or organization, we encourage you to participate in this upcoming Public Hearing. The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at I Liheslaturan Guåhan's website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services, please contact Fred "Rico" Taitague via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com) or Matt Topasna via email to [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com) or please contact the office directly at 477-GUM1/2.

Respectfully,

**SENATOR FRANK B. AGUON, JR.**

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
*I Mina'Trentai Dos Na Liheslaturan Guåhan | 32<sup>nd</sup> Guam Legislature*



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Resplcio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Lintiac**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

April 18, 2014

**The Honorable Leonardo G. Rapadas**  
**Attorney General of Guam**  
237 W. O'Brien Drive  
Hagåtña, Guam 96910  
*Sent via email to: [law@guama.gov](mailto:law@guama.gov)*

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 beginning at 9:00am at I Liheslaturan Guåhan. Included on the agenda are the following bills:

- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.  
(Sponsored by **Senator Brant T. McCreadie**)
- **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer.  
(Sponsored by **Senator Brant T. McCreadie**)
- **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing.  
(Sponsored by **Senator Tommy Morrison**)
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."  
(Sponsored by **Senator Tommy Morrison**)
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."  
(Sponsored by **Senator Tommy Morrison**)

If you feel the above mentioned items impact your agency or organization, we encourage you to participate in this upcoming Public Hearing. The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at I Liheslaturan Guåhan's website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services, please contact Fred "Rico" Taitague via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com) or Matt Topasna via email to [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com) or please contact the office directly at 477-GUM1/2.

Respectfully,

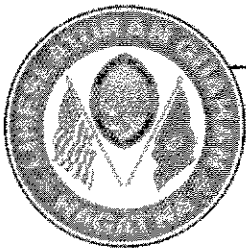
**SENATOR FRANK B. AGUON, JR.**

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
*I Mina'trentai Dos Na Liheslaturan Guåhan | 32<sup>nd</sup> Guam Legislature*

PHONE: (671)475-GUM1/2 (4861/2) | FAX: (671)475-GUM3 (4863)  
155 HESLER PLACE HAGATNA, GUAM 96910 | EMAIL: AGUON4GUAM@GMAIL.COM

[WWW.FRANKAGUONJR.COM](http://WWW.FRANKAGUONJR.COM)





**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

April 18, 2014

**Eric D. Miller**  
**Executive Director, Public Defender Service Corporation**  
MVP Sinajana Commercial Bldg., Unit B  
Sinajana, Guam 96910  
*Sent via email to: [emiller@guampdsc.net](mailto:emiller@guampdsc.net)*

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 beginning at 9:00am at I Liheslaturan Guahan. Included on the agenda are the following bills:

- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.  
(Sponsored by Senator Brant T. McCreadie)
- **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer.  
(Sponsored by Senator Brant T. McCreadie)
- **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing.  
(Sponsored by Senator Tommy Morrison)
- **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."  
(Sponsored by Senator Tommy Morrison)
- **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."  
(Sponsored by Senator Tommy Morrison)

If you feel the above mentioned items impact your agency or organization, we encourage you to participate in this upcoming Public Hearing. The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at I Liheslaturan Guahan's website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services, please contact Fred "Rico" Taitague via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com) or Matt Topasna via email to [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com) or please contact the office directly at 477-GUM1/2.

Respectfully,

**SENATOR FRANK B. AGUON, JR.**  
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
*I Mina'Trentai Dos Na Liheslaturan Guahan | 32<sup>nd</sup> Guam Legislature*



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Resplcio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Lintiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

## PUBLIC HEARING

**Monday, April 28, 2014 at 9:00AM**

*I Liheslaturan Guahan's Public Hearing Room, Hagåtña*

### AGENDA

- I. Call to Order
- II. Opening remarks/Announcements
- III. Items for discussion:
  - **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.  
(Sponsored by Senator Brant T. McCreadie)
  - **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer.  
(Sponsored by Senator Brant T. McCreadie)
  - **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing. (Sponsored by Senator Tommy Morrison)
  - **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."  
(Sponsored by Senator Tommy Morrison)
  - **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."  
(Sponsored by Senator Tommy Morrison)
- IV. Closing Remarks
- V. Adjournment

# Three bills aim to tackle Internet crime

TUESDAY, 15 APR 2014 03:00AM BY LOUELLA LOSINIO | VARIETY NEWS STAFF HITS: 328



[Facebook](#) [Twitter](#) [StumbleUpon](#) [Reddit](#) [Digg](#) [Linkedin](#) [Google+](#) [Pinterest](#) 0

WITH the growing proliferation of online scams, Sen. Tommy Morrison has introduced three bills that aim to protect Guam residents from Internet crimes.

"Guam law is not very strong in this area, and as we proceed into the Information Age, it is critical that we begin adopting laws that are consistent with evolving crime," Morrison said in a statement accompanying the bills.

Bill 317, the Anti-Phishing Act, punishes individuals who use deceptive means to steal bank account numbers, Social Security Numbers and passwords through the Internet. Phishing is the act of attempting to acquire information such as usernames, passwords and credit card details by masquerading as a trustworthy entity in an electronic communication.

The bill would make phishing a third-degree felony and fine criminals up to \$25,000 per violation. The bill would also allow victims to recover up to \$2 million in civil damages.

The second measure, Bill 318, The Computer Protection Act, would punish individuals who use computers and/or Internet connections of others for the purpose of spamming with the intent to deceive or mislead recipients or an electronic mail service provider as to the origin of the message.

The third piece of legislation, Bill 319, The Computer Spyware Protection Act, seeks to punish individuals who, without the knowledge or permission of the owner, place spyware on another person's computer. Spyware is used primarily for covertly tracking Internet users' movements on the Web and serving pop-up ads to users.

According to Morrison, the bills are necessary as Guam statute is currently limited in protecting Guam residents from these types of crimes.

"Guam must begin adopting laws that are relevant to criminal activity in the Information Age. We have seen more and more cases where people are receiving bogus emails, under the disguise of local banks, with the intent to defraud them of their hard-earned money," the senator said.



Sen. Tommy Morrison said Guam must begin adopting laws that are relevant to criminal activity in the Internet age. Variety file photo

# Morrison Internet Bills Aim to Protect Island Residents Against Fraud

Last Updated on Tuesday, 15 April 2014 07:35  
Written by News Release  
Tuesday, 15 April 2014 07:23



Guam News - Guam News

Guam - Senator Morrison introduced three bills that protect Guam residents from Internet crimes, specifically in defrauding.

The three bills introduced are The Anti-Phishing Act, The Computer Protection Act, The Computer Spyware Protection Act.

*"Guam law is not very strong in this area, and as we proceed into the Information Age, it is critical that we begin adopting laws that are consistent with evolving crime,"* Morrison said.

BREAD Bill #317 [HERE](#)

BREAD Bill #318 [HERE](#)

READ Bill #319 [HERE](#)

**READ the release from Senator Morrison below:**

*MORRISON INTRODUCES 3 INTERNET CRIME BILLS  
Bills protect Guam residents from Internet fraud.*

*FOR IMMEDIATE RELEASE  
April 14, 2014*

*Hagana, Guam. Senator Morrison introduced three bills today that protect Guam residents from Internet crimes. "Guam law is not very strong in this area, and as we proceed into the Information Age, it is critical that we begin adopting laws that are consistent with evolving crime,"* Morrison said.

*The bills introduced address attempts to defraud Guam residents using the Internet:*

*Bill # 317-32 (LS): The Anti-Phishing Act- Punishes individuals who use deceptive means to steal bank account numbers, social security numbers, and passwords through the Internet. Phishing is the act of attempting to acquire information such as usernames, passwords, and credit card details by masquerading as a trustworthy entity in an electronic communication. The bill would make phishing a 3rd degree felony and fines criminals up to \$25,000 per violation. The bill would also allow victims to recover up to \$2,000,000 in civil damages.*

*Bill# 318-32 (LS): The Computer Protection Act- Punishes individuals who use the computers and/or internet connections of others for the purpose of spamming with the intent to deceive or mislead recipients or an electronic mail service provider as to the origin of the message.*

*Bill # 319-32 (LS): The Computer Spyware Protection Act- Punishes individuals who, without the knowledge or permission of the owner, place spyware on another person's computer. Spyware is used primarily for unknowingly tracking Internet users movements on the web and serving pop-up ads to users.*

*According to Senator Morrison, the bills are necessary as Guam statute is currently limited in protecting Guam residents from these types of crimes. "Guam must begin adopting laws that are relevant to criminal activity in the Information Age. We have seen more and more cases where people are receiving bogus emails, under the guise of local banks, with the intent to defraud them of their hard earned money."*

[< Prev](#)

[Next >](#)

# Crime legislation to be heard today

MONDAY, 28 APR 2014 03:00AM BY LOUELLA LOSINIO | VARIETY NEWS STAFF HITS: 52



Facebook Twitter StumbleUpon Reddit Digg LinkedIn Google+ Pinterest 0

SEVERAL crime bills will be the subject of public hearings at the Guam Legislature today, including a set of measures which offer protection from Internet crimes and another set which seeks to introduce penalties for making false statements to law enforcers.

Sen. Frank Aguon, chairman of the judiciary committee, is to convene the public hearing at 9 a.m.

Among the bills to be heard are 301 and 302, introduced by Sen. Brant McCreadie, relative to making false statements to law enforcers.

As proposed by Bill 302, those caught making verbal or written false statements to a Guam Customs and Quarantine Agency officer would be guilty of a violation punishable by a fine of \$500 for the first offense, \$1,000 for a second offense and \$10,000 for the third and all subsequent offenses.

Under current Guam law, the customs agency does not have the ability to cite individuals who make false declarations.

McCreadie said the intent of the bill is to eventually eliminate prohibited items from entering Guam and gives the customs agency the mandate it needs to properly seize and eventually destroy illegal items.

## ***False verbal statement***

Bill 301 incorporates false or misleading verbal statements made to a peace officer as a punishable offense under the crime of unsworn falsification.

Under current law, the crime of unsworn falsification applies only to written false statements made to public servants as punishable and does not include a provision for a person who verbally misleads a public servant performing official duties.

According to the bill, police officers, customs agents and a range of public servants rely on interview and verbal questioning to obtain needed information in the performance of their official duties.

By adding a provision that sets a punishment for verbal unsworn falsifications, McCreadie said Guam peace officers will have the ability to arrest those who verbally mislead them with the intent of committing an action against the welfare of the people of Guam.

## ***Internet crime***

The committee will also hear Sen. Tommy Morrison's three measures seeking to protect Guam residents from Internet crimes.

Bill 317, the Anti-Phishing Act, punishes individuals who use deceptive means to steal bank account numbers, Social Security numbers and passwords through the Internet.

Phishing is the act of attempting to acquire information such as usernames, passwords and credit card details by masquerading as a trustworthy entity in an electronic communication.

The bill would make phishing a third-degree felony and fine criminals up to \$25,000 per violation. The bill would also allow victims to recover up to \$2 million in civil damages.

The second measure, Bill 318, The Computer Protection Act, would punish individuals who use computers and/or Internet connections of others for the purpose of spamming with the intent to deceive or mislead recipients or an electronic mail service provider as to the origin of the message.

The third piece of legislation, Bill 319, The Computer Spyware Protection Act, seeks to punish individuals who, without the knowledge or permission of the owner, place spyware on another person's computer. Spyware is used primarily for covertly tracking Internet users' movements on the Web and serving pop-up ads to users.

According to Morrison, the bills are necessary as Guam statute is currently limited in protecting Guam residents from these types of crimes.



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

Speaker  
Judith T.P. Won Pat, Ed.D.  
Member

Senator  
Dennis G. Rodriguez, Jr.  
Member

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muña Barnes  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

April 15, 2014

VIA E-MAIL

[john.rios@bbmr.guam.gov](mailto:john.rios@bbmr.guam.gov)

**John A. Rios**  
**Director**  
**Bureau of Budget & Management Research**  
**P.O. Box 2950**  
**Hagåtña, Guam 96910**

**RE: Request for Fiscal Notes– Bill Nos. 309-32 (COR), 310-32(LS), 311-32(LS), 312-32(LS), 313-32(LS), 314-32(LS), 315-32(LS), 316-32(LS), 317-32(LS), 318-32(LS), 319-32(LS), and 320-32(LS)**

*Hafa Adai* Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

*Si Yu'os ma'åse'* for your attention to this matter.

Very Truly Yours,

**Senator Rory J. Respicio**  
*Chairperson of the Committee on Rules*

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsors	Title
309-32 (COR)	V.C.Pangelinan B. J.F. Cruz	AN ACT TO ADD A NEW SECTION 7 TO CHAPTER I OF PUBLIC LAW 32-068 AND TO REPEAL AND RE-ENACT SECTION 13109(a)(5), CHAPTER 13, TITLE 2 OF THE GUAM CODE ANNOTATED, RELATIVE TO PRIORITIZING THE USES OF ADDITIONAL SECTION 30 REVENUES AND TO INCREASE TRANSPARENCY AND ACCOUNTABILITY IN THE REPORTING OF SECTION 30 REVENUES TO BE RECEIVED BY THE GOVERNMENT OF GUAM.
310-32 (LS)	FRANK B. AGUON, JR.	AN ACT TO ADD A NEW §55104, §55104.1, §55104.2, §55104.3 TO CHAPTER 55, DIVISION 3, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO THE ESTABLISHMENT OF PHYSICAL FITNESS STANDARDS AND POLICIES FOR PUBLIC SAFETY AND LAW ENFORCEMENT UNIFORM PERSONNEL; AND SHALL HENCEFORTH BE KNOWN AS THE “FIT TO SERVE AND PROTECT ACT OF 2014”.
311-32 (LS)	FRANK B. AGUON, JR.	AN ACT RELATIVE TO APPROPRIATING THE FUNDS AVAILABLE IN THE LIMITED GAMING FUND IN FISCAL YEAR 2013-2014 IN ACCORDANCE WITH PUBLIC LAW 32-060.
312-32 (LS)	FRANK B. AGUON, JR.	AN ACT RELATIVE TO APPROPRIATING THE FUNDS IN THE GMHA HEALTHCARE TRUST AND DEVELOPMENT FUND TO THE GUAM MEMORIAL HOSPITAL AUTHORITY PURSUANT TO PUBLIC LAW 32-060; BY AMENDING SUBSECTION “(B)” OF §97103, CHAPTER 97, ARTICLE 1, TITLE 10, GUAM CODE ANNOTATED.
313-32 (LS)	Brant T. McCreddie V. Anthony Ada Chris M. Dueñas Michael T. Limtiaco Tommy Morrison Aline A. Yamashita, Ph.D. FRANK B. AGUON, JR. Dennis G. Rodriguez, Jr.	AN ACT TO CREATE A NEW ARTICLE 6 TO CHAPTER 90 TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CONSTRUCTION AND RENOVATION OF THE DEPARTMENT OF CORRECTIONS ADULT CORRECTIONAL FACILITY TO ENSURE THE SAFETY OF THE PEOPLE OF GUAM; WHICH SHALL COLLECTIVELY BE CITED AS “THE DEPARTMENT OF CORRECTIONS CONSTRUCTION INITIATIVE ACT OF 2014”.
314-32 (LS)	Aline A. Yamashita, Ph.D	AN ACT TO ADD A NEW CHAPTER 81 TO TITLE 21, GUAM CODE ANNOTATED RELATIVE TO CREATING A STREAMLINED AND EXPEDITED PROCESS FOR REZONING REAL PROPERTY FOR CONSTRUCTING SMALL PROJECTS BY PARTIALLY PRIVATIZING THE PROCESS.
315-32 (LS)	Michael F.Q. San Nicolas	AN ACT TO APPROPRIATE TWO HUNDRED NINETY-TWO THOUSAND EIGHT HUNDRED DOLLARS (\$292,800) TO FUND PROGRAMS FOR DRUG AND ALCOHOL TREATMENT SERVICES AND EMERGENCY YOUTH SHELTER FOR HOMELESS, RUNAWAY, AND ABUSED YOUTH, BY ADDING A NEW §11 TO CHAPTER XI OF PUBLIC LAW 32-068.



<b>Bill Nos.</b>	<b>Sponsors</b>	<b>Title</b>
<b>316-32(LS)</b>	Benjamin J.F. Cruz	AN ACT TO REPEAL AND REENACT §3105, CHAPTER 3 OF TITLE 22 OF THE GUAM CODE ANNOTATED RELATIVE TO RESPONSIBLY RAISING THE MINIMUM WAGE.
<b>317-32 (LS)</b>	T.A. Morrison	AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 46 OF 9GCA RELATIVE TO THE CRIME OF PHISHING.
<b>318-32 (LS)</b>	T.A. Morrison	AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO CREATING THE “COMPUTER PROTECTION ACT,”
<b>319-32 (LS)</b>	T.A. Morrison	AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO CREATING THE “COMPUTER SPYWARE PROTECTION ACT,”
<b>320-32 (LS)</b>	V.C. Pangelinan	AN ACT TO ADD A NEW CHAPTER 53 TO DIVISION 2, AND TO ADD A NEW SECTION 70134 TO CHAPTER 70, DIVISION 3, TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE THE CREATION OF THE GUAM QUALIFIED RETIREMENT PLAN AND TRUST ACT.



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

Speaker  
Judith T.P. Won Pat, Ed.D.  
Member

Senator  
Dennis G. Rodriguez, Jr.  
Member

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muña Barnes  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER


Senator  
Aline Yamashita  
Member

April 14, 2014

### MEMORANDUM

**To: Rennae Meno**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From: Senator Rory J. Respicio**   
*Chairperson of the Committee on Rules*

**Subject: Referral of Bill No. 318-32(LS)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 318-32(LS)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

*Si Yu'os Ma'åse!*

Attachment

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN  
2014 (SECOND) Regular Session

Bill No. 318-32 (LS)

Introduced by:

T. A. Morrison ✓

AN ACT TO ADD A NEW ARTICLE 5 TO CHAPTER 46,  
TITLE 9, GUAM CODE ANNOTATED RELATIVE TO  
CREATING THE “COMPUTER PROTECTION ACT,”

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2

3 Section 1. A new Article 3 is *added* to Chapter 46 of 9GCA to read:

4

5

“Article 5

6

Computer Protection Act

7 §46.500. Legislative Intent

8 It is the intent of *I Liheslatura* to prohibit a person from using specified protected  
9 computers to relay or retransmit commercial electronic mail messages with the intent to  
10 deceive or mislead recipients or an electronic mail service provider under specified  
11 circumstances; prohibits a person from materially falsifying header information in  
12 commercial electronic mail messages under specified circumstances; prohibits a person  
13 from registering for electronic mail accounts or domain names under specified  
14 circumstances; provides for specified penalties and fines; etc.

15 §46.501. Definitions

2014 APR 11 PM 12:31  
MS

1 (1) In this section the following words have the meanings indicated.

2 (2) “Commercial electronic mail message” means an electronic message sent primarily for  
3 the purpose of commercial advertisement or promotion of:

4 (I) A commercial product;

5 (II) A commercial service;

6 (III) The content on an Internet website; or

7 (IV) A website operated for a commercial purpose.

8 (3) “Domain name” means any alphanumeric designation that is registered with or  
9 assigned by a domain name registrar, domain name registry, or other domain name  
10 registration authority as part of an electronic mail address on the Internet.

11 (4) “Electronic mail service provider” means any person, including an Internet service  
12 provider, that is an intermediary in sending and receiving electronic mail and that provides  
13 to the public the ability to send or receive electronic mail to or from an electronic mail  
14 account or online user account.

15 (5) “Financial institution” means any financial institution of the type supervised under  
16 11GCA, whether or not locally-chartered.

17 (6) “Header information” means the source, destination, and routing information attached  
18 to an electronic mail message, including the originating domain name and originating  
19 electronic mails, and any other information that appears in the line identifying or  
20 purporting to identify a person initiating the message, and technical information that  
21 authenticates the sender of an electronic mail message for network security or network  
22 management purposes.

23 (7) The term “initiate”, when used with respect to a commercial electronic mail message,  
24 means to originate or transmit the message or to procure the origination or transmission of

1 the message and does not include actions that constitute routine conveyances of such  
2 message.

3 (8) "Internet" means the international computer network of both federal and nonfederal  
4 interoperable packet switched data networks.

5 (9) "Internet protocol address" means the string of numbers by which a location on the  
6 Internet is identified by routers or other computers connected to the Internet.

7 (10) "Materially falsified" means altered or concealed in a manner that would impair the  
8 ability of one of the following to identify, locate, or respond to a person who initiated an  
9 electronic mail message or to investigate an alleged violation of this section:

10 (I) A recipient of the message;

11 (II) An Internet access service processing the message on behalf of a recipient;

12 (III) A person alleging a violation of this section; or

13 (IV) A law enforcement agency.

14 (11) "Multiple" means:

15 (I) More than ten (10) commercial electronic mail messages during a twenty four -  
16 hour (24-hour) period;

17 (II) More than one hundred (100) commercial electronic mail messages during a  
18 thirty-day (30-day) period; or

19 (III) More than one thousand (1,000) commercial electronic mail message during a  
20 one-year (1-year) period.

21 (12) "Protected computer" means a computer used in intrastate or interstate  
22 communication.

1 (13) "Routine conveyance" means the transmission, routing, relaying, handling, or storing,  
2 through an automatic technical process, of an electronic mail message for which another  
3 person has identified the recipients or provided the recipients' addresses.

4 **§46.502. Violations** A person may not conspire to or knowingly:

5 (1) Use a protected computer of another to relay or retransmit multiple commercial  
6 electronic mail messages with the intent to deceive or mislead recipients or an electronic  
7 mail service provider as to the origin of the message;

8 (2) Materially falsify header information in multiple commercial electronic mail messages  
9 and intentionally initiate the transmission of the messages;

10 (3) Register, using information that materially falsifies the identity of the actual registrant,  
11 for fifteen (15) or more electronic mail accounts or on-line user accounts of two or more  
12 domain names and intentionally initiate the transmission of multiple commercial  
13 electronic mail messages from one or any combination of accounts or domain names;

14 (4) Falsely represent the right to use five (5) or more Internet protocol addresses and  
15 intentionally initiate the transmission of multiple commercial electronic mail messages  
16 from the Internet protocol addresses;

17 (5) Access a protected computer of another without authorization, and intentionally  
18 initiate the transmission of multiple electronic mail advertisements from or through the  
19 protected computer;

20 (6) Violate item (1), (2), (3), (4), or (5) of this subsection by providing or selecting  
21 addresses to which a message was transmitted, knowing that:

22 (1) The electronic mail addresses of the recipients were obtained using an automated  
23 means from an Internet website or proprietary online service operated by another  
24 person; and

1 (II) The website or online service included, at the time the addresses were obtained,  
2 a notice stating that the operator of the website or online service will not transfer  
3 addresses maintained by the website or online service to any other party for the  
4 purposes of initiating or enabling others to initiate electronic mail messages; or

5 (7) Violate item (1), (2), (3), (4), or (5) of this subsection by providing or selecting  
6 electronic mail addresses of recipients obtained using an automated means that generates  
7 possible electronic mail addresses by combining names, letters, or numbers into numerous  
8 permutations.

9 **§46.503. Penalties**

10 (1) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section is guilty of  
11 a third degree felony and on conviction is subject to imprisonment not exceeding three (3)  
12 years or a fine not exceeding Five Thousand (\$5,000) or both.

13 (2) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section involving  
14 the transmission of more than two hundred fifty (250) commercial electronic mail  
15 messages during a twenty-four hour (24-hour) period, two thousand five hundred (2,500)  
16 commercial electronic mail messages during any thirty-day (30-day) period, or twenty five  
17 thousand (25,000) commercial electronic mail messages during any one-year (1-year)  
18 period is guilty of a second degree felony and on conviction is subject to imprisonment  
19 not exceeding five (5) years or a fine not exceeding Ten Thousand Dollars (\$10,000) or  
20 both.

21 (3) A person who violates subsection (B)(3) or (B)(4) of this section involving twenty  
22 (20) or more electronic mail accounts or ten (10) or more domain names and intentionally  
23 initiates the transmission of multiple commercial electronic mail messages from the  
24 accounts or using the domain names is guilty of a second degree felony and on conviction  
25 is subject to imprisonment not exceeding five (5) years or a fine not exceeding Ten  
26 Thousand Dollars (\$10,000) or both.

1 (4) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section that causes  
2 a loss of \$1,000 or more during any one-year (1-year) period is guilty of a felony and on  
3 conviction is subject to imprisonment not exceeding three (3) years or a fine not  
4 exceeding Five Thousand Dollars (\$5,000) or both.

5 (5) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section in concert  
6 with three or more other persons as the leader or organizer of the action that constitutes  
7 the violation is guilty of a second degree felony and on conviction is subject to  
8 imprisonment not exceeding five (5) years or a fine not exceeding Ten Thousand Dollars  
9 (\$10,000) or both.

10 (6) A person who violates subsection (B)(1), (2), (3), (4), or (5) of this section in  
11 furtherance of a felony, or who has previously been convicted of an offense under the  
12 laws of Guam, another state, or under any Federal law involving the transmission of  
13 multiple commercial electronic mail messages is guilty of a second degree felony and on  
14 conviction is subject to imprisonment not exceeding ten (10) years or a fine not exceeding  
15 Twenty Five Thousand Dollars (\$25,000) or both.

16 (7) A person who violates subsection (b)(6) or (7) of this section is guilty of a felony and  
17 on conviction is subject to imprisonment not exceeding one (1) year or a fine not  
18 exceeding Five Thousand Dollars (\$5,000) or both.

19 **§46.504. Forfeiture.** In addition to any other sentence authorized by law, the court may  
20 direct that a person convicted of a violation of this section forfeit to the territory:

21 (1) Any moneys and other income, including all proceeds earned but not yet received by a  
22 defendant from a third party as a result of the defendant's violation of this section; and

23 (2) All computer equipment, computer software, and personal property used in connection  
24 with a violation of this section known by the owner to have been used in violation of this  
25 section.



1 **§46.504. Civil action by Attorney General.**

2 (1) An action brought under this subsection shall be commenced within two (2) years after  
3 the commission of the act.

4 (2) The Attorney General may institute a civil action against a person who violates this  
5 section to recover a civil penalty not exceeding:

6 (I) \$25,000 per day of violation; or

7 (II) Not less than Two Dollars (\$2) nor more than Eight Dollars (\$8) per  
8 commercial electronic mail message initiated in violation of this section.

9 (III) For any violation of this Act, the amount determined under paragraph (2) may  
10 not exceed Two Million Dollars (\$2,000,000).

11 (3) The Attorney General may seek an injunction in a civil action to prohibit a person who  
12 has engaged in or is engaged in a violation of this section from engaging in the violation.

13 (4) The attorney general may enforce criminal violations of this section.

14 **§46.505. Lawfulness of electronic mail service provider policies.** Nothing in this  
15 section shall be construed to have any effect on the lawfulness of the adoption,  
16 implementation, or enforcement by an electronic mail service provider of a policy of  
17 declining to transmit, route, relay, handle, or store certain types of electronic mail  
18 messages under any other provision of law.

19 **§46.506. Severability.** If any provision of this Act or its application to any person or  
20 circumstance is found to be invalid or contrary to law, such invalidity *shall* not affect  
21 other provisions or application of this Act which can be given effect without the invalid  
22 provisions or application, and to this end the provisions of this Act are severable.