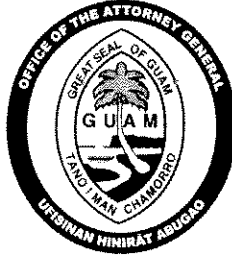


Leonardo M. Rapadas
Attorney General



Phillip J. Tydingco
Chief Deputy Attorney General

OFFICE OF THE ATTORNEY GENERAL

February 14, 2011

INFORMATION AND GUIDANCE

Ref: OPA 11-0039

To: Public Auditor, Office of Public Accountability

From: Deputy Attorney General

Re: Request for reconsideration of December 30, 2010 legal opinion regarding DOA/DRT/BBMR and OPA Bonuses. A.G. Legal Opinion No. 10-0950

Dear Ms. Brooks:

This Office is in receipt of your letter dated January 20, 2011 in which you have requested this Office to reconsider its opinion with respect to the Department of Administration's (DOA) Special Achievement Awards Program (LEG 10-0950). We have reviewed the arguments addressed in your letter. However, this Office stands by the analysis and conclusions in our legal opinion.

We acknowledge the hard work by employees at OPA, DOA, DRT and BBMR and the hard work of many other employees of the various line and autonomous agencies. In recognition of the exceptional work of government employees, *I Liheslaturan Guahan* has created an employee bonus program known as the Merit Bonus program found at 4 GCA §6203. Employees who met the qualifications of §6203 are entitled to a bonus under that statute. But the Special Achievement Awards Program was not created or authorized by the Legislature. Therefore, government employees were not entitled to "bonuses" under that program.

Sincerely,

J. PATRICK MASON
Deputy Attorney General

DLC

RECEIVED	
OFFICE OF PUBLIC ACCOUNTABILITY	
DATE:	<u>2-17-11</u>
TIME:	<u>2:57</u>
BY:	<u>MAV</u>