



Office of the Public Auditor

Commonwealth of the Northern Mariana Islands

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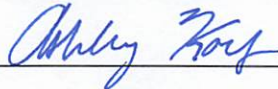
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OPA Ethics Opinion 2026-01

Date: March 10, 2026

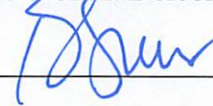
To: FOR PUBLIC RELEASE PURSUANT TO 1 CMC § 8561(j)

From: Ashley Kost, Legal Counsel

Signature: 

Date: 3/10/26

Reviewed By: Dora I. Deleon Guerrero, Temporary Public Auditor

Signature: 

Date: 3/10/2026

Subject: Government Ethics Code Advisory Opinion

The Office of the Public Auditor (“OPA”) received a request for an advisory opinion (the “Request”) under the CNMI Government Ethics Code Act (“Ethics Code”). The topic of the Request pertains to the legal effect of a human resource determination occurring within a Commonwealth Government entity. OPA is empowered to offer advisory opinions under 1 CMC § 8561(j) interpreting and applying the provisions of the CNMI Government Ethics Code, however it is not authorized to offer general legal or ethical opinions based on other parts of the CNMI Code.

The Request provides “stipulations” to clarify the framework for OPA to issue an advisory opinion based on a hypothetical set of circumstances. There are ethical questions raised within the hypothetical set of circumstances presented, however the “stipulations” provided lack sufficient specificity in relation to the statutory elements under the Ethics Code to make a determination for the purposes of an advisory opinion.

That said, as a hypothetical matter, it is possible for a government employee to use their official position for a private benefit — whether for themselves or for others — even if the official action involved an internal human resource issue. To do so would constitute a violation of the Ethics Code under 1 CMC §§ 8531-4.