

LOURDES A. LEON GUERRERO  
GOVERNOR



JOSHUA F. TENORIO  
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN  
OFFICE OF THE GOVERNOR OF GUAM

**Via Hand Delivery**  
**and E-mail: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)**

April 30, 2021

**HONORABLE THERESE M. TERLAJE**  
*Speaker*  
*I Mina'trentai Sais Na Liheslaturan Guåhan*  
*36<sup>th</sup> Guam Legislature*  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

**RE: Executive Order No. 2021-09**

*Hafa Adai* Madame Speaker:

Pursuant to Public Law 34-16, transmitted herewith is the following Executive Order:

**EXECUTIVE ORDER NO. 2021-09: Relative to Extending the  
Public Health Emergency Declared to Respond to Novel  
Coronavirus (COVID-19)**

Thank you.

*Senseremente,*

**SOPHIA SANTOS DIAZ**  
*Legal Counsel*

Enclosure: Executive Order No. 2021-09

cc via email: *Maga'hågan Guåhan*  
*Sigundo Maga'låhen Guåhan*  
Hon. F. Philip Carbullido, Chief Justice of Guam  
Compiler of Law  
Central Files  
Cabinet Members



**ISLAND OF GUAM  
OFFICE OF THE GOVERNOR  
HAGÁTÑA, GUAM 96932  
U.S.A.**

**EXECUTIVE ORDER NO. 2021-09**

**RELATIVE TO EXTENDING THE PUBLIC HEALTH EMERGENCY  
DECLARED TO RESPOND TO NOVEL CORONAVIRUS (COVID-19)**

**WHEREAS**, on March 14, 2020, I, Lourdes A. Leon Guerrero, *I Maga'hågan Guåhan*, Governor of Guam, acting pursuant to the power provided by the Organic Act of Guam and the laws of Guam, declared a public health emergency in the island of Guam due to dangers posed by the 2019 novel coronavirus ("COVID-19"); and

**WHEREAS**, since declaring a public health emergency, Guam has suffered one hundred thirty-six (136) COVID-19 related deaths; and

**WHEREAS**, as of the time of this writing, over seven thousand nine hundred (7,900) individuals have tested positive for COVID-19 in Guam; and

**WHEREAS**, at the peak of COVID-19 hospitalizations in Guam, one hundred two (102) individuals were hospitalized for conditions related to COVID-19; and

**WHEREAS**, since February 19, 2021, the island has been in Pandemic Condition of Readiness 3 ("PCOR 3"), during which most businesses and activities are permitted to operate with moderately restrictive conditions, including reduced capacities in facilities with indoor operations, and prohibitions and limitations on social gatherings; and

**WHEREAS**, since June 2020, Guam has relied on the Covid Area Risk ("CAR") Score to assess the risk of COVID-19 spread, which is calculated using three main data points -- case doubling time, test positivity rate, and new cases per 100,000 persons; and

**WHEREAS**, Guam's CAR Score, has held below five (5) since late November 2020 and below 2.5 since the second week of December 2020, and is calculated at 0.8 as of the time of this writing; and

**WHEREAS**, as part of the vaccination plan, the Department of Public Health and Social Services ("DPHSS") and the Guam National Guard have led community vaccination clinics; and

**WHEREAS**, since August 21, 2020, pursuant to Executive Order No. 2020-28, incoming travelers to the island have been subject to a mandatory quarantine at a government facility. This quarantine policy has substantially assisted our island in mitigating the spread of COVID-19, with nearly two hundred (200) positive cases intercepted during quarantine since January 2021, instead of being simply allowed into the community and initiating new instances of potential outbreak; and

**WHEREAS**, on March 15, 2021, we launched the "Path to Half" campaign, an effort to encourage our community to get vaccinated against COVID-19, with the initial goal of achieving 50% vaccination of our adult population by May 1, 2021, and the ultimate goal of achieving herd immunity in Guam a few months thereafter; and



**ISLAND OF GUAM**  
**OFFICE OF THE GOVERNOR**  
**HAGÁTÑA, GUAM 96932**  
**U.S.A.**

**WHEREAS**, vaccinations have been proven highly effective in preventing individuals from contracting COVID-19 and from suffering severe symptoms if they do contract the disease, which reduces hospitalizations and deaths, and potentially reduces the risk of infection to others; and

**WHEREAS**, achieving herd immunity will enable our island to reopen even more broadly, to ease remaining restrictions, and to permit the most risky activities such as large-scale social gatherings; and

**WHEREAS**, the Path to Half campaign is a critical part of our efforts to ensure that our community is safe as we reopen industry, in particular our tourism industry, and to ease quarantine restrictions for incoming travelers; and

**WHEREAS**, as of the date of this writing, over sixty four thousand (64,000) individuals in Guam are fully vaccinated, representing over fifty percent (50%) of Guam's population aged sixteen (16) and older; and

**WHEREAS**, notwithstanding the strong response in our community to achieve this initial goal, thousands of individuals have failed to complete their second round of vaccinations, which renders them still vulnerable to infection, to suffering severe symptoms once infected, and to infecting others; and

**WHEREAS**, notwithstanding our island's achievement of our goal to vaccinate 50% of the adult population, we have recently experienced clusters of positive cases as a result of individuals who are not vaccinated engaging in activity that inherently carries risk of infection due to the compromised ability to exercise mitigation measures, such as congregate physical activity and mass gatherings; and

**WHEREAS**, notwithstanding our desire and intention to ease quarantine restrictions to enable visitors and returning residents alike quicker entry into Guam, these considerations must yield to our primary responsibility of protecting our community from the spread of COVID-19; and

**WHEREAS**, in light of the recent increase in our COVID-19 metrics, including eighty-four (84) current positive cases and five (5) hospitalizations, with the concurrence of DPHSS, the Guam National Guard Surgeon Cell, and the Physicians Advisory Group, I believe it is necessary to temporarily pause the proposed revision to our quarantine policy for the purpose of allowing our metrics to stabilize such that the information is a reliable indicator of the current state of our pandemic response, which will in turn inform the restrictions reflected in ultimate policy for incoming travelers; and

**WHEREAS**, as we look ahead to welcoming visitors more broadly into Guam, it is important that we continue to be mindful of the reality that the COVID-19 pandemic remains a threat to our safety as a community, and that we all exercise personal judgment, and take steps as individuals towards protecting ourselves and our loved ones against this disease, including getting vaccinated; and



**ISLAND OF GUAM**  
**OFFICE OF THE GOVERNOR**  
**HAGÁTÑA, GUAM 96932**  
**U.S.A.**

**WHEREAS**, we must encourage our friends and family, especially those with comorbidity factors, to get vaccinated, keep themselves and their loved ones safe, and do their part to help achieve herd immunity on our island; and

**WHEREAS**, as our community works to recover from this global pandemic's impact on our lives, it is important to recognize that the emergency has not yet ended and that we are now, and will continue to be for some time, engaged in emergency response; and

**WHEREAS**, I, along with DPHSS, the Guam National Guard Surgeon Cell, and the Physicians Advisory Group, will continue to monitor our island's response to our staggered reopening, the status of recent clusters and the associated contact tracing, and the community's continued response to vaccination efforts, for the purpose of determining the revisions, if any, which may be made to our quarantine policy in the upcoming weeks.

**NOW THEREFORE, I, LOURDES A. LEON GUERRERO**, *I Maga'hågan Guåhan*, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam as amended, do hereby order:

1. **EXTENSION OF THE PUBLIC HEALTH EMERGENCY.** The public health emergency first declared in Executive Order No. 2020-03 and extended in Executive Order Nos. 2020-09, 2020-11, 2020-16, 2020-22, 2020-24, 2020-29, 2020-35, 2020-38, 2020-41, 2020-46, 2021-03, 2021-05, and 2021-08 shall be extended for an additional thirty (30) day period, effective May 1, 2021. The public health emergency is now scheduled to expire on May 31, 2021.
2. **PANDEMIC CONDITION OF READINESS 3.** Guam continues to be in PCOR 3, during which most activities are permitted to operate under moderate restrictions imposed in an effort to slow the spread of COVID-19 in our community.
3. **VACCINATIONS.** All individuals over the age of sixteen (16) are eligible to receive COVID-19 vaccinations. Eligible Guam residents are highly encouraged to get vaccinated as soon as possible. Future updates to quarantine requirements for incoming travelers will likely include less restrictive protocols for individuals whose full vaccination status can be satisfactorily verified.
4. **USE OF THE GUAM COVID ALERT APP ENCOURAGED.** All residents with smartphone capability are encouraged to download the Guam COVID Alert app, which will alert individuals who may have been exposed to another individual who has tested positive for COVID-19. The app is free, and available to download for Apple and Android devices.
5. **ADMINISTRATIVE PROVISIONS.**
  - a. **Personnel and Procurement.** Pursuant to Sections 19505 and 19803 of Chapter 19, Title 10, Guam Code Annotated, this Executive Order authorizes hiring, overtime, and any procurement or purchases related to this public health emergency for all government of Guam agencies responding to this emergency.





**ISLAND OF GUAM**  
**OFFICE OF THE GOVERNOR**  
**HAGÁTÑA, GUAM 96932**  
**U.S.A.**

- b. **Guam Homeland Security/Office of Civil Defense (GHS/OCD) to be Lead Agency for Logistics.** GHS/OCD shall be the lead agency for logistical organization and direction of resources and procurement of any goods and services relative to this public health emergency. Any procurement or purchase undertaken to respond to this public health emergency is not being utilized for the purpose of avoiding provisions of the Guam Procurement Law.
- c. **Authorization for Overtime.** Authorization is given for the payment of overtime for government of Guam employees, to work in excess of forty (40) hours a week to mitigate and respond to the effects of COVID-19. The Governor of Guam or her designee shall determine the eligibility of overtime expenditures resulting from work performed by government agencies. The Department of Administration and Bureau of Budget Management and Research are directed to ensure that any authorized and unpaid overtime owed to government of Guam employees is paid in accordance with applicable law. Executive Order No. 2012-01 is hereby rescinded.
- d. **Documentation of Expenses.** All departments and agencies are instructed to keep appropriate documentation on all emergency expenses related to this public health emergency for inspection by the Executive and Legislative Branches and by the Public Auditor of Guam, and as required as conditions of federal assistance.
- e. **Guam National Guard.** The Adjutant General is authorized to issue any additional active duty orders for the mobilization of such National Guard personnel and equipment as she may determine to protect life and safety, to continue essential public services, and to prevent undue loss and suffering.
6. **SEVERABILITY.** If any provision of this Executive Order or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Order that can be given effect without the invalid provision or application, and to this end, the provisions of this order are severable.
7. **PRIOR ORDERS REMAIN IN EFFECT.** All prior Executive Orders remain in full force and effect except to the extent they conflict with this Order.

**SIGNED AND PROMULGATED** at Hagåtña, Guam, this 30<sup>th</sup> day of April 2021.

**LOURDES A. LEON GUERRERO**  
*Maga'hågan Guåhan*  
Governor of Guam

Attested by:

**JOSHUA F. TENORIO**  
*Sigundo Maga'låhen Guåhan*  
Lt. Governor of Guam

