

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Via Hand Delivery
and E-mail: speaker@guamlegislature.org

March 30, 2021

HONORABLE THERESE M. TERLAJE

Speaker

I Mina'trentai Sais Na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

RE: Executive Order No. 2021-07

Hafa Adai Madame Speaker:

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

**EXECUTIVE ORDER NO. 2021-07: Relative to Extending the
Public Health Emergency Declared to Respond to Novel
Coronavirus (COVID-19)**

Thank you.

Senseremente,

A handwritten signature in blue ink, appearing to read "Sophia Santos Diaz".

SOPHIA SANTOS DIAZ

Legal Counsel

(J.Borja)

Enclosure: Executive Order No. 2021-07

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. 2021-07

**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 and the laws of Guam, declared a public health emergency in the island of Guam due to potential dangers posed by the 2019 novel coronavirus ("COVID-19"); and

WHEREAS, since first declaring a public health emergency, Guam has suffered One Hundred Thirty Four (134) COVID-19 related deaths in our community; and

WHEREAS, as of the time of this writing, over Seven Thousand Seven Hundred (7,700) 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 in our hospitals for conditions related to COVID-19; and

WHEREAS, since February 19, 2021, the island has been under Pandemic Condition of Readiness ("PCOR") 3, under which most businesses and activities have been permitted to operate under moderately restrictive conditions, including reduced capacities in all facilities with indoor operations, and prohibitions and limitations of 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 steady below five (5) since late November 2020 and below 2.5 since the second week of December 2020, and is calculated at 0.1 as of the time of this writing, indicating substantial containment of community spread; and

WHEREAS, as part of the vaccination plan, the DPHSS and the Guam National Guard have held community vaccination clinics; and

WHEREAS, as of the date of this writing, over thirty thousand (30,000) individuals in Guam are fully vaccinated, representing nearly twenty-five percent (25%) of Guam's population aged sixteen (16) and older; and

WHEREAS, notwithstanding the implementation of our phased vaccination plan, 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, so that further adjustments are made immediately as needed; and

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WHEREAS, while our community has made significant advances in slowing the spread of COVID-19 by availing of opportunities for free testing and vaccinations, and by practicing established mitigation measures, COVID-19 remains a significant threat to our public health; and

WHEREAS, the emergence of more contagious variants of the virus that causes COVID-19 in several countries, including the United States, necessitates continued public health precautions even as our hospitalizations and positivity rates have decreased and appear to have stabilized; and

WHEREAS, as our community works to recover from the physical, emotional, and financial strain caused by this global pandemic, it is important for us 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.

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, and 2021-05 shall be extended for an additional thirty (30) day period, effective April 1, 2021. The public health emergency is now scheduled to expire on May 1, 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. **OPERATION OF BUSINESSES AND ACTIVITIES.** Effective at 8:00AM on Thursday, April 1, 2021, certain businesses are permitted expanded occupancy load, subject to limitations and requirements set forth in applicable DPHSS guidance.
 - a. **INDOOR DINING FOR EATING AND DRINKING ESTABLISHMENTS.** Effective at 8:00AM on Thursday, April 1, 2021, indoor dining at eating and drinking establishments shall continue to operate at no more than fifty percent (50%) of the occupancy load, subject to requirements and limitations set forth in applicable DPHSS Guidance, and may now allow up to eight (8) persons to be seated together when dining indoors, with six (6) feet distance between tables. Outdoor dining shall continue to be permitted with no more than fifteen (15) persons per table or per party.

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4. **SOCIAL GATHERINGS OR CONGREGATIONS.** A “congregation” or a “social gathering” is a meeting for a common and singular purpose of more than one (1) person where individuals are not members of a single household. Effective at 8:00AM on Thursday, April 1, 2021, social gatherings and congregations shall be limited to **no more than fifty (50) persons**. The terms “social gathering” and “congregation” are not intended to include meetings of businesses, organizations, or government agencies held for the purpose of carrying out official business of such entities.
5. **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.
6. **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.
7. **ENFORCEMENT.** Individuals and businesses who fail to comply with applicable DPHSS Guidance Memoranda and Directives may be subject to fines pursuant to 10 G.C.A. §19802 and 26 GAR Chapter 4 Article 28, as well as any other penalties available under Guam law. DPHSS and affected agencies may enforce applicable enforcement statutes and regulations with the assistance of the Guam Police Department.
8. **EMERGENCY PROCUREMENT FOR FINANCIAL AND HUMAN RESOURCE MANAGEMENT SYSTEMS.** As stated in Executive Order No. 2020-44, pursuant to Section 5212, Chapter 5, Guam Code Annotated, I certify the continuing existence of an emergency relative to the need for financial and human resource management systems for the government of Guam. The remainder of item 3 of Executive Order No. 2020-44 is stricken.
9. **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.

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10. 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 30th day of March 2021.

A handwritten signature in black ink, appearing to read "Lourdes A. Leon Guerrero".

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

Attested by:

A handwritten signature in black ink, appearing to read "Joshua F. Tenorio".

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

