

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR



JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

HAND-DELIVERED

September 16, 2019

HONORABLE TINA MUÑA BARNES

Speaker

I Mina'trentai Singko Na Liheslaturan Guåhan

Guam Congress Building

Hagåtña, Guam 96910

Re: Executive Order No. 2019-22

Dear Madam Speaker:

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

**EXECUTIVE ORDER 2019-22: RELATIVE TO THE
INITIATIVE TO INCLUDE THE PHILIPPINES TO THE
GUAM-CNMI VISA WAIVER AND THE H-2A and H-2B
NONIMMIGRANT WORKER PROGRAMS**

If you have any questions, please contact my office at # 475-9475.

Senseramente,

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

SOPHIA SANTOS DIAZ

Legal Counsel

Enclosure(s): Executive Order No. 2019-22

cc: Honorable Lourdes A. Leon Guerrero, *I Maga'hagan Guahan* (via email)
Honorable Joshua F. Tenorio, *I Sigundo Maga'låhen Guahan* (via email)
Compiler of Law, via email
Central Files, via email



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

Executive Order No. 2019-22

**RELATIVE TO THE INITIATIVE TO INCLUDE THE PHILIPPINES TO THE GUAM-CNMI
VISA WAIVER AND THE H-2A and H-2B NONIMMIGRANT WORKER PROGRAMS**

WHEREAS, the Guam-CNMI Visa Waiver Program (the GCVW Program) was established by US Customs and Border Protection (CBP) on January 16, 2009 by INA § 212(l); and

WHEREAS, the GCVW Program includes 12 countries and are currently participating: Australia, Brunei, Hong Kong, Japan, Malaysia, Nauru, New Zealand, Papua New Guinea, South Korea, Singapore, Taiwan, and the United Kingdom; and

WHEREAS, under 212 NIA [8 USC 1182] § 212(l) the Governor of Guam and the Governor of the CNMI may request the US Secretary of the Interior and the US Secretary of Homeland Security to add a country to the list of countries whose nationals may obtain a waiver; and

WHEREAS, the US Secretary of Homeland Security may grant such request after consultation with the US Secretary of the Interior and the US Secretary of State, and may promulgate regulations with respect to the inclusion of that country and any special requirements the US Secretary of Homeland Security, in the Secretary's sole discretion, may impose prior to allowing nationals of that country to obtain the waiver; and

WHEREAS, Guam and the Philippines already share a long history of partnership in areas of labor, tourism, business development, and diplomacy; and

WHEREAS, the Philippines has a growing middle class which is set to exceed the spending power of Italy's middle class by 2030, as identified by global think tanks; and

WHEREAS, the World Bank has identified the Philippines to grow from a lower-middle income country to an upper-middle income country in the near term due to its sustained average annual growth of competitive workforce at 6.3%; and

WHEREAS, on January 2019, the United States Department of Homeland Security published a note in the Federal Register titled, Identification of Foreign Countries Whose Nationals Are Eligible To Participate in the H-2A and H-2B Nonimmigrant Worker Programs; and



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WHEREAS, in its publication, the Department of Homeland Security removed the Philippines from the program eligibility list; and

WHEREAS, the Duterte administration in the Philippines and former governor Carl T.C. Gutierrez, former Governor and Chief Advisor on Economic Development National and International Affairs (EDNIA), have held multiple meetings expressing support for a joint effort to add the Philippines to the GCVW Program and to designate the Philippines as an eligible country for the H-2A and H-2B Nonimmigrant Worker Program; and

WHEREAS, it is the position of the Leon Guerrero – Tenorio Administration that the addition of the Philippines to both these programs would facilitate increased economic growth to Guam’s overall economy.

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

- 1.** The Chief Advisor for Guam EDNIA shall research and develop a strategy to assist in the inclusion of the Philippines as an eligible country to the H-2A and H-2B Nonimmigrant Worker Program and as a member country of the Guam-CNMI Waiver Program.
- 2.** In doing so, the Chief Advisor for Guam EDNIA may:
 - a.** Work with participating governments and to ensure alignment and support for any request to the US Secretary of State and US Secretary of Homeland Security; and
 - b.** Work with volunteer members of the community and seek their expertise and resources; and
 - c.** With the written approval of the Governor, consult with outside experts and retain the services of such experts/advisors or consultants as necessary in the performance of his duties; and



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- d. Utilize the assistance of all departments and agencies of the Government Guam who are hereby directed to provide as much resources and assistance as possible.
3. The Chief Advisor shall submit a report with recommendations and supporting documents to the Governor of Guam by March 1, 2020.

Signed and Promulgated at *Hagåtña, Guam*, this 16th day of September 2019.

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

Attested by:

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

