



OFFICE OF LEGAL COUNSEL

Ufisinan I Maga'hågan Guåhan
Office of the Governor of Guam

LOURDES A. LEON GUERRERO
Governor of Guam

JOSHUA F. TENORIO
Lieutenant Governor of Guam

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

December 18, 2020

HONORABLE TINA ROSE MUÑA BARNES

Speaker

I Mina'trentai Singko Na Liheslaturan Guåhan

35th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Executive Order No. 2020-44

Hafa Adai Madame Speaker:

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

EXECUTIVE ORDER NO. 2020-44: RELATIVE TO FURTHER AMENDING RESTRICTIONS ON THE OPERATION OF BUSINESSES AND ACTIVITIES DURING PANDEMIC CONDITION OF READINESS 1 ("PCOR 1")

Thank you.

Senseramente,


LESLIE A. TRAVIS
Legal Counsel

Enclosure(s): Executive Order No. 2020-44

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. 2020-44

**RELATIVE TO FURTHER AMENDING RESTRICTIONS ON THE
OPERATION OF BUSINESSES AND ACTIVITIES
DURING PANDEMIC CONDITION OF READINESS 1 (“PCOR 1”)**

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 the potential dangers posed by the 2019 novel coronavirus (“COVID-19”); and

WHEREAS, under Guam’s Pandemic Conditions of Readiness (“PCOR”) system, the island continues to be in PCOR 1, implementing restrictive conditions on businesses and individuals to mitigate against the spread of COVID-19; and

WHEREAS, on August 21, 2020, I signed Executive Order No. 2020-28, implementing a Stay-at-Home Order, under which non-critical businesses were closed and activities limited to encourage our community to stay home, in an effort to level an extreme spike in the COVID-19 curve; and

WHEREAS, I extended stay-at-home conditions four (4) more times in Executive Order Nos. 2020-29, 2020-30, 2020-31, and 2020-32; and

WHEREAS, on September 24, 2020, in Executive Order No. 2020-34, I instituted a Safer-at-Home Advisory, authorizing the reopening of additional businesses and services, in an effort to enhance the quality of life of our community while continuing to preserve the health and safety of our community by limiting personal interactions between individuals; and

WHEREAS, the Safer-at-Home Advisory was continued on October 1, 2020, in Executive Order No. 2020-36, with additional allowances for small social gatherings, services at places of worship, outdoor recreation, the operation of fitness-related businesses and activities as well as childcare facilities, subject to applicable mitigation measures; and

WHEREAS, employers, including government of Guam employers, have been encouraged to permit their employees work from home whenever feasible; and

WHEREAS, the government of Guam’s financial and human resource management information systems have not been able to accommodate the demands of a remote workforce and it is apparent that a modern system is necessary to ensure that the record-keeping and reporting requirements found in both local and federal law are complied with; and

WHEREAS, federal law governing the receipt of Coronavirus Aid, Relief, and Economic Security Act funding requires comprehensive reporting regarding its use



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and the Department of Administration has been challenged by the limitations of its current financial information management system to ensure appropriate compliance; and

WHEREAS, on December 11, 2020, the U.S. Food and Drug Administration issued an emergency authorization for use of the first COVID-19 vaccine in the U.S., a milestone that will, in time, help slow the spread of the virus nationally and in Guam; and

WHEREAS, on December 15, 2020, the first batch of COVID-19 vaccines arrive in Guam, and the first of our frontline workers began receiving their vaccinations on December 17, 2020; and

WHEREAS, our island utilizes the COVID Area Risk (“CAR”) Score as a quick-reference metric of the state of Guam’s response to the COVID-19 pandemic, which is derived from a mathematical calculation that takes into account the incidence of new cases, the test positivity rate, and the effective reproduction number or rate of spread; and

WHEREAS, on November 9, 2020, I announced the Strive for Five Campaign, which encourages our community to exercise individual responsibility to help prevent the spread of COVID-19, with the goal of bringing Guam’s CAR Score below 5.0 and maintaining such score for a period of over two (2) weeks, at which time it would be appropriate to consider additional allowances for social gatherings during the holidays; and

WHEREAS, on December 14, 2020, in Executive Order No. 2020-43, with our island having achieved a sustained CAR Score below 5.0 for a period of two (2) weeks, and as promised in our Strive for Five campaign, we amended several restrictions while remaining in PCOR 1, including increasing allowances for social gatherings to 10 persons, as well as occupancy at houses of worship; and

WHEREAS, as of the time of this writing, Guam continues to sustain a CAR Score below 5.0; and

WHEREAS, it is timely and appropriate to further amend restrictions during PCOR 1; and

WHEREAS, notwithstanding our island’s sustained low CAR Score, it is critical that we remain vigilant and continue to exercise best practices and judgment to protect our loved ones and larger island community.

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. **PANDEMIC CONDITION OF READINESS 1.** Guam continues to be in PCOR 1, during which some of the most restrictive conditions are imposed in an effort to slow the spread of COVID-19 in our community.
2. **CONTINUED “SAFER AT HOME” ADVISORY.** All individuals, especially vulnerable persons, are encouraged to continue to minimize travel outside the home.



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When it is necessary to leave the home, all persons are instructed to exercise mitigation measures outlined in applicable DPHSS Guidance, to help slow the spread of COVID-19. “Vulnerable persons” means individuals sixty-five (65) years and older or individuals with serious underlying health conditions, including high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune system is compromised such as by chemotherapy for cancer and other conditions requiring such therapy.

- a. **MANDATORY SOCIAL DISTANCING.** All authorized activities under this Order or applicable DPHSS Guidance shall be conducted utilizing mitigation measures including, but not limited to, social distancing of at least six (6) feet, the posting of appropriate signage, and the frequent cleaning of all surfaces.
 - b. **MANDATORY WEARING OF FACE COVERINGS.** Except as provided in applicable DPHSS Guidance, all individuals in Guam shall wear face coverings over the nose and mouth when: inside a business, a public building, or other indoor place open to the public; at an outdoor public space; when using public transportation or while using a taxi, private care service or ride-sharing vehicle. Individuals in private offices are not required to wear masks when no other individuals are present.
 - c. **OPERATION OF AUTHORIZED BUSINESSES AT INCREASED OCCUPANCY LIMITS.** Authorized businesses, occupancy load limitations and mitigation requirements are set forth in applicable DPHSS guidance.
3. **EMERGENCY PROCUREMENT FOR FINANCIAL AND HUMAN RESOURCE MANAGEMENT SYSTEMS.** Pursuant to Section 5215, Chapter 5 of Title 5, Guam Code Annotated, I declare and certify the existence of an emergency relative to the need for financial and human resource management systems for the government of Guam. Therefore, the Chief Procurement Officer for the Department of Administration’s General Services Agency is authorized to enter into contracts and incur obligations necessary to secure services, supplies or goods, required for the implementation of systems for the management of the government of Guam’s financial and human resource management operations, which are critical to administering the several programs necessary to address and are responsive to the current public health emergency.
4. **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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5. 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 18th day of **December, 2020.**

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

