

LOURDES A. LEON GUERRERO  
MAGA'HÅGA • GOVERNOR



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

November 27, 2020

**HONORABLE TINA ROSE MUÑA BARNES**

*Speaker*

*I Mina'trentai Singko Na Liheslaturan Guåhan*

35<sup>th</sup> Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

**Re: Executive Order No. 2020-41**

*Hafa Adai* Madame Speaker:

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

**EXECUTIVE ORDER NO. 2020-41:**  
RELATIVE TO EXTENDING THE PUBLIC HEALTH  
EMERGENCY DECLARED TO RESPOND TO NOVEL  
CORONAVIRUS (COVID-19)

If you have any questions, please contact my office at # (671) 473-1118.

*Senyaramente,*

  
**LESLIE A. TRAVIS**  
*Legal Counsel*

Enclosure(s): Executive Order No. 2020-41

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**  
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**HAGÁTÑA, GUAM 96932**  
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**EXECUTIVE ORDER NO. 2020-41**

**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 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, under which some of the most restrictive conditions are in effect, including reduced capacities in all facilities with indoor operations; and

**WHEREAS**, since first declaring a public health emergency, Guam has suffered One Hundred Eleven (111) COVID-19 related deaths in our community; and

**WHEREAS**, as of the time of this writing, over Six Thousand Seven Hundred (6,700) individuals have tested positive for COVID-19 in Guam; and

**WHEREAS**, as of the time of this writing, Guam has a 7-day rolling average of over Twenty-Seven (27) positive cases per one hundred thousand (100,000) persons daily, and a test positivity rate of 8.9%; and

**WHEREAS**, as of the time of this writing, Forty-Five (45) COVID-19 positive patients are hospitalized, including Nine (9) in intensive care, some of whom are on ventilators; and

**WHEREAS**, the Department of Public Health and Social Services ("DPHSS"), as the Public Health Authority, has issued and implemented Guidance Memoranda and Directives by which it continues to implement and administer a comprehensive quarantine policy for incoming travelers; and

**WHEREAS**, DPHSS has also issued several Guidance Memoranda and Directives aimed at establishing parameters for the safe operation of both essential and non-essential businesses, organizations, houses of worship, and government offices; and

**WHEREAS**, since June, Guam has relied on the Covid Area Risk ("CAR") Score to assess 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**, the Guam National Guard's Surgeon Cell and the Physicians' Advisory Group have recommended that safe commencement of additional public activities on Guam be conditioned on achievement of a CAR Score of five (5) or below for a sustained period of time, ideally, a two (2) week period; and

**WHEREAS**, on November 14, 2020, Guam's CAR Score reached a high of 47.4; and



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**WHEREAS**, Guam's recent spike in COVID-19 cases coincides with spikes experienced around the country and the world; and

**WHEREAS**, following a series of community testing events, the deployment of DPHSS rapid engagement teams to highly vulnerable communities, and the adoption of Enforcement Regulations by DPHSS, as of the time of this writing, Guam's CAR Score is now 6.8; and

**WHEREAS**, while we have made considerable strides in lowering our CAR Score, we still have not reached our target number of a CAR Score of 5; and

**WHEREAS**, as the island celebrates the holiday season, our CAR Score remains in flux, there is potential that Guam will experience another spike in positive cases as a result of relaxed community behavior, and it is necessary that we stay the course in regulating our individual behavior to contain the spread of COVID-19 in our 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. 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 and 2020-38 shall be extended for an additional thirty (30) day period, effective November 30, 2020. The public health emergency is now set to expire on December 29, 2020.
- 2. PANDEMIC CONDITION OF READINESS 1.** Guam continues to be in PCOR 1, during which restrictive conditions are imposed in an effort to slow the spread of COVID-19 in our community.
- 3. "SAFER AT HOME" ADVISORY.** Guam continues to be under a Safer at Home Advisory, during which all individuals, especially vulnerable persons, are encouraged to minimize travel outside the home. When it is necessary to leave the home, all persons are instructed to exercise mitigation measures outlined in applicable DPHSS Guidance Memoranda, to help slow the spread of COVID-19. "Vulnerable persons" means individuals aged 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.
- 4. PROHIBITION ON IN-PERSON INSTRUCTION.** All public and private schools serving students in grades kindergarten through 12th grade continue to be



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prohibited from in-person instruction. Schools may open for faculty and staff to facilitate distance learning and ensure operational continuity subject to applicable DPHSS Guidance and Directives.

5. **CONTINUED OPERATIONS OF AUTHORIZED ACTIVITIES.** All businesses and activities already authorized to operate under applicable DPHSS Guidance Memoranda or Directives may continue do so subject to mitigation measures identified in such Guidance Memoranda or Directives, including social distancing and the wearing of masks.
6. **SOCIAL GATHERINGS OR CONGREGATIONS.** A “congregation” or “social gathering” is a meeting for a common and singular purpose where individuals are not members of a single household. Social gatherings and congregations shall be limited to no more than five (5) persons, unless otherwise provided herein or in applicable DPHSS Guidance or Directives. 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.
7. **CONTINUED AUTHORIZATION FOR ELECTRONIC ATTENDANCE AT GOVERNMENT MEETINGS.** To ensure safe participation of both government officials and members of the public, Section 4 of Executive Order No. 2020-16 continues to be in effect. For clarity, all requirements in local law expressly or impliedly requiring the physical presence of members, other personnel of the body, or of the public as condition of participation or quorum for a public meeting, including executive sessions as set out in Section 8111, Title 5 of Guam Code Annotated, are hereby waived.
8. **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.
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 27<sup>th</sup> day of November, 2020.

*Lou de la Guerrero*

**LOURDES A. LEON GUERRERO**

*Maga'hågan Guåhan*

Governor of Guam

Attested by:

*Joshua F. Tenorio*

**JOSHUA F. TENORIO**

*Sigundo Maga'låhen Guåhan*

Lt. Governor of Guam

