

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

June 16, 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. 2021-13

Hafa Adai Madame Speaker:

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

**EXECUTIVE ORDER NO. 2021-13:
RELATIVE TO AMENDING RESTRICTIONS FOR
INCOMING TRAVELERS AND QUARANTINE FACILITIES, AND OTHER CONDITIONS
DURING PCOR 3**

Thank you.

Senseremente,

A handwritten signature in black ink, appearing to read "L. Travis".

LESLIE A. TRAVIS
Legal Counsel

Enclosure: Executive Order No. 2021-13

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
U.S.A.**

EXECUTIVE ORDER NO. 2021-13

**RELATIVE TO AMENDING RESTRICTIONS FOR
INCOMING TRAVELERS AND QUARANTINE FACILITIES, AND
OTHER CONDITIONS DURING PCOR 3**

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-Nine (139) COVID-19 related deaths; and

WHEREAS, as of the time of this writing, over Eight Thousand (8,000) 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-19 Area Risk (CAR) Score to assess the risk of COVID-19 spread, which is calculated using three main data points -- effective reproduction number, 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 0.4 as of the time of this writing; and

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



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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 over 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

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 was 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;

WHEREAS, as the date of this writing, over Eighty-Seven Thousand (87,000) individuals in Guam are fully vaccinated, representing over Seventy (70%) of Guam’s adult population; and

WHEREAS, notwithstanding the strong response in our community to vaccination efforts, thousands of individuals have yet 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, as we begin to normalize activities throughout our island, it is appropriate to recognize the reduced risk that fully vaccinated incoming travelers present to the stabilization of our fragile healthcare system; and



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WHEREAS, on May 13, 2021, in Executive Order No. 2021-10, the travel protocol for arriving passengers into Guam was revised to allow incoming travelers who have been verifiably fully vaccinated with an FDA-EUA approved COVID-19 vaccine an exemption from mandatory quarantine; and

WHEREAS, the revised travel protocol provides an efficient method by which incoming travelers, particularly returning Guam residents, may enter Guam with minimal risk of increased spread of COVID-19 to the community; and

WHEREAS, with the concurrence and advice of the Department of Public Health and Social Services (DPHSS), the Physicians Advisory Group, and the Guam National Guard Surgeon Cell, it is appropriate to expand the vaccination exemption to incoming travelers who have received vaccines approved subject to corresponding international standards for vaccinations imposed for the WHO Emergency Use Listing (EUL); and

WHEREAS, to avoid serious health, safety, welfare, and financial consequences that may result from evictions, and to mitigate against increased vulnerability to transmission of COVID-19, on March 28, 2020, pursuant to Executive Order Nos. 2020-07 and 2020-14, I ordered a moratorium on foreclosure and eviction proceedings and tolled any such proceedings then in process; and

WHEREAS, on September 1, 2020, the Centers for Disease Control and Prevention (CDC) imposed an order temporarily halting residential evictions, subject to several enumerated criteria; and

WHEREAS, on February 19, 2021, in Executive Order No. 2021-04, I announced lifting of the moratorium on eviction and foreclosure proceedings in stages, beginning with commercial property for all causes and residential property for causes unrelated to non-payment, for the purpose of ensuring that landlords and tenants in residential leases have adequate opportunity to pursue resolution of outstanding disputes and to enter into voluntary repayment agreements, as well as to ease the anticipated burden on the Guam judicial system associated with the influx summary eviction complaints; and

WHEREAS, the CDC order banning residential eviction is currently set to expire on June 30, 2021; and

WHEREAS, as the spread of COVID-19 is mitigated by the widespread availability of vaccines, and our community has substantially returned to work, it is time to restore to our local landlords the ability to prosecute eviction actions due to non-payment of rent; and

WHEREAS, more than eighty percent (80%) of our community members aged sixty (60) and above are fully vaccinated against COVID-19; and



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WHEREAS, our island's community senior citizens centers serve as vital meeting points for our *manamko*' and have been closed for more than a year; and

WHEREAS, reopening our community senior citizens centers will provide our seniors with safe gathering spaces to socialize and engage in activities; and

WHEREAS, 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

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, with continued practice of the basic mitigation measures of washing hands, wearing masks, and maintaining social distance, we will continue to make strides towards containing the spread of COVID-19 on our island, and keeping our community safe.

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. **QUARANTINE FOR INCOMING TRAVELERS.** Pursuant to applicable law and the Department of Public Health and Social Services Guidance, all incoming travelers shall be subject to quarantine at a government facility.

a. EXEMPTION FOR VACCINATED TRAVELERS EXTENDED TO INDIVIDUALS WITH WHO AUTHORIZED VACCINES.

Effective at 12:01AM on June 19, 2021, all incoming travelers who have been fully vaccinated with an FDA or WHO authorized COVID-19 vaccine (including, but not limited to, Pfizer-BioNTech, Moderna, Johnson & Johnson/Janssen, and AstraZeneca), upon verification, are exempt from quarantine. Travelers availing of this exemption shall be required to self-monitor for COVID-19 symptoms and comply with applicable DPHSS Guidance, including for verification requirements.



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b. **UNVACCINATED TRAVELERS.** Effective at 12:01AM on June 19, 2021, incoming travelers who, upon 72 hours of arrival in Guam, present a negative PCR or antigen test taken within 72 hours of arrival, are eligible for home quarantine and self-monitoring as provided in applicable to DPHSS Guidance.

2. MORATORIUM ON FORECLOSURE AND EVICTION PROCEEDINGS LIFTED.

- a. All landlords and tenants are strongly encouraged to enter into voluntary repayment agreements to cure rental payment defaults of their original lease agreement. Entering into any such repayment agreement is voluntary. The parties should enter such agreements in good faith, and any payments made pursuant thereto should be reasonable under the totality of the circumstances and consider the tenants' ability to pay rent.
- b. The moratorium on foreclosure and eviction proceedings ordered in Executive Order Nos. 2020-07 and 2020-14, and authorized to continue in effect in Executive Order No. 2021-04, shall be lifted effective July 1, 2021.
- c. Actions instituted may be subject to federal limitations and restrictions.

3. OPERATIONS AT COMMUNITY SENIOR CITIZENS CENTERS. Subject to applicable DPHSS Guidance and in accordance with any operational requirements of the Mayors Council of Guam, Senior Citizens Centers may resume operations effective July 1, 2021.

4. 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.

5. 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.



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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 16th day of June 2021.

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

Attested by:

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

