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From: Speaker's Office <speaker@guamlegislature.org>
Sent: Tuesday, June 2, 2020 4:33 PM
To: Clerks Office
Cc: Rennae Meno; Tina Muna Barnes
Subject: Messages and Communications
Attachments: Gov Executive Order No. 2020-19.pdf

06-02-20	4:25 PM	06-02-20	Executive Order 2020-19*	Office of the Governor of Guam	35GL-20-1849

Sinseru yan Minagåhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todu siha I kopian mensåhi. Si Yu'os ma'åse'.

UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

35GL-20-1849
Speaker Tina Rose Muña Barnes

JUN 0 2 2020
Time 4:25 ( )AM ✓PM
Received By:

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

June 2, 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. 2020-19

Dear Madame Speaker:

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

> **EXECUTIVE ORDER NO. 2020-19:**
> RELATIVE TO SAFELY ADDRESSING THE CRITICAL SHORTAGE OF PERSONAL PROTECTIVE EQUIPMENT NECESSARY FOR RESPONDING TO THE COVID-19 PUBLIC HEALTH EMERGENCY

If you have any questions, please contact my office at # 475-9475/76.

Senseramente,

SOPHIA SANTOS DIAZ
Legal Counsel

Enclosure(s): Executive Order No. 2020-19

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
HAGÅTÑA, GUAM 96932
U.S.A.

EXECUTIVE ORDER NO. 2020-19

RELATIVE TO SAFELY ADDRESSING THE CRITICAL SHORTAGE OF PERSONAL PROTECTIVE EQUIPMENT NECESSARY FOR RESPONDING TO THE COVID-19 PUBLIC HEALTH EMERGENCY

WHEREAS, on March 14, 2020, I, Lourdes A. Leon Guerrero, *I Maga' hågan Guåhan*, Governor of Guam, acting pursuant to the power provided to me by the Organic Act and the laws of Guam, declared a public health emergency in the island of Guam due to the dangers posed by the 2019 novel coronavirus ("COVID-19"); and

WHEREAS, this public health emergency has been extended by additional Executive Order Nos. 2020-09, 2020-11 and 2020-16; and

WHEREAS, Section 19403(a)(1), Article 4, Chapter 19, Title 10, Guam Code Annotated, authorizes *I Maga'hågan Guåhan*, Governor of Guam, to suspend provisions of any regulatory statute and rules and regulations of any government of Guam agency to the extent that strict compliance with the same would prevent, hinder or delay necessary action by the Department of Public Health and Social Services ("DPHSS") to respond to the public health emergency, or increase the health threat to the population; and

WHEREAS, in response to the COVID-19 pandemic, there has been an increased demand for COVID-19 related commodities; and

WHEREAS, all food, cosmetics, drugs and medical devices are regulated under the provisions of the Guam Food, Drug and Cosmetic Act set forth in Chapter 40, Title 10, Guam Code Annotated, Chapter 40; and

WHEREAS, there is a critical shortage of personal protective equipment and supplies, such as masks, antiseptic wipes, hand sanitizers, and alcohol, on island that are not available to consumers; and

WHEREAS, to assist with the shortage, the federal government has eased some of its regulations regarding personal protective equipment; and

WHEREAS, DPHSS is appropriately positioned to develop guidelines and criteria for temporarily regulating personal protective equipment to ensure adequate public protection while addressing the critical need for such personal protective equipment 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. **TEMPORARY GUIDANCE POLICY FOR COVID-19 RELATED COMMODITIES.** DPHSS may develop and adopt temporary guidance policies to be communicated to the Guam Customs and Quarantine Agency ("GCQA") to allow for the importation, distribution, and sale of specific COVID-19 related commodities under local

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law. The applicability of such temporary guidance shall be limited in duration and shall expire no later than July 15, 2020.

2. **IMPLEMENTATION.** The GCQA and DPHSS shall ensure that commodities meet the criteria of the applicable temporary guidance for that category upon importation.

3. **RESPONSIBILITY.** It shall be the responsibility of manufacturers, importers, and consignees to ensure that all COVID-19 related commodities intended for consumer use meet all the criteria of DPHSS temporary guidance policies and federal law. All such commodities that fail to comply with the provisions of the temporary guidance may be refused entry and either destroyed or sent back to the point of origin at the owner's, importer's, or consignee's expense. Satisfaction of all criteria under the DPHSS temporary guidance shall not relieve owners, importers, or consignees of any of their obligations under federal law.

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.

SIGNED AND PROMULGATED at Hagåtña, Guam, this **2nd** day of **June 2020**.

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

Attested by:

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