clerks@guamlegislature.org

From: Speaker's Office <speaker@guamlegislature.org>
Sent: Saturday, August 22, 2020 10:45 AM
To: Clerks Office
Cc: Rennae Meno
Subject: M&C Fwd: Letter from the Board of the Guam Election Commission on the 2020 Primary Election
Attachments: 20200821_GEC ltr re Primary Election.pdf

08-21-20	9:43 PM	08-21-20	Letter from the Board on the 2020 Primary Election.*	Guam Election Commission	35GL-20-2165

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
T: (671) 477-2520/1
speaker@guamlegislature.org

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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'.

---------- Forwarded message ---------
From: **Maria Pangelinan** <maria.pangelinan@gec.guam.gov>
Date: Fri, Aug 21, 2020 at 9:43 PM
Subject: Letter from the Board of the Guam Election Commission on the 2020 Primary Election
To: Gov. Lourdes A. Leon Guerrero <governor@guam.gov>, Speaker's Office <speaker@guamlegislature.org>, Senator Joe S. San Agustin <senatorjoessanagustin@gmail.com>
Cc: Jon Junior M Calvo <jon.calvo@guam.gov>, Leslie Travis <leslie.travis@guam.gov>, Sophia Diaz <sophia.diaz@guam.gov>

Please see signed copy attached.

Håfa Adai Governor Leon Guerrero, Speaker Muña Barnes, and Senator San Agustin:

We write regarding the Primary Election scheduled for August 29, 2020. The resurgence of the COVID-19 virus and the return of the island to PCOR 1 has necessitated a stringent shutdown order until August 28 and reflects the sad reality that we remain in a continued state of public health emergency. This has prompted the GEC to further evaluate whether the Primary Election can be safely conducted on August 29. For the reasons set forth in this letter**,** the Guam Election Commission, by unanimous vote, believes that the health and safety considerations of the public and election workers require that 2020 Primary Election be cancelled and all candidates to be placed on the ballot for the General Election in November. Because we do not believe that we have the statutory authority to recommend cancellation we stop short of submitting this to you as a recommendation and leave that decision to your discretion. If you decide that the Primary Election should be held, we recommend that the Primary Election be postponed to September 12, 2020.

The Commissioners do not make this recommendation lightly. The GEC takes seriously its duty to conduct timely, fair, and safe elections. As we hope you know, the GEC staff have been working diligently preparing to conduct an election which complies as fully as possible with the safeguards recommended by the Department of Public Health. For the past three weeks, we have been conducting In Office Absentee Voting and have serviced over 2,200 voters. We are very proud of our Executive Director and staff and their tremendous dedication, but the reality is that, even with all the safeguards we have implemented, there remains a deep concern whether holding a Primary Election on August 29 can be done without undue risk to the health and safety of the citizens who vote and our election workers.

An election is an intensely public function involving face to face contact between thousands of voters and hundreds of election workers. The following are factors we have considered:

I. Anticipated voter turnout: est. 16,410 to 19,145

II. Election Workers and Support Personnel

- GEC employees: 27
- Precinct officials: 335 (additional in-person training required during week of 8/24)
    - 15 precinct workers have dropped out due to COVID-19 considerations
    - We anticipate other precinct workers may decide it is too dangerous and not show up on election day
- Screeners/curbside assistants: 150 (in-person training required during week of 8/24)
- Poll Site Managers (troubleshooters): 19 – 22 (in-person training required during week of 8/24)
- Poll maintenance workers (open schools/janitorial/facilities maintenance): 44
- Bus Drivers: 25
- Police Officers to accompany bus drivers: 25

- Police Officers at Precincts: 23
- Nurses: 22
- Telephone Operators: 8
- Tabulators: 8

III. Critical ES&S Vendor Representative Will Not Be Available

- The GEC was informed this morning that the Election System and Software ("ES&S") representative who was scheduled to be here for a test run on the new tabulation equipment is not able to travel to Guam. His replacement will not arrive until the evening of August 27, which is too late for our scheduled test of the new equipment.
- More critically, according to DPHSS guidelines effective today, even essential workers must be quarantined upon arrival on Guam and the ES&S representative will not be available on election night, as required by law, or during the week after the election when they must be available to address any questions or problems which come up.

IV. We have lost support, or are only able to have partial support, of Key partners. To go forward we need cooperation of our partners. Unhappily, because of the COVID-19 shutdown, several of our key partners are not able to provide critical support for the Primary election.

- **UOG**: UOG will continue to make the Fieldhouse available, but they cannot supply a backup generator (which is normally acquired from East-West Rental).
- **GPD**: GPD has informed us that due to the demands of the pandemic it will not be able to supply the number of officers needed for the election. The GEC is reaching out to the National Guard, Guam Airport, and Port Authority to see if those organizations can supply the required security officers.
- **Graphic Center:** This vendor prints our voter signature rosters and is an absolutely critical vendor. The sixty-seven (67) Signature Rosters must be finalized with 800 new names added by Monday, August 24. This is a firm deadline because Graphic Center is at reduced staffing because of COVID-19 restrictions.
- **East West Rental:** East West has canceled our reservation of a box truck, which we use to transport ballot tabulators because it is closing in response to the COVID-19 directives. Our other source of a truck, Morrico Equipment, has also informed us that it cannot provide a truck for delivering voting booths to polling sites. We believe a suitable truck can be obtained from another vendor, but this remains an open item.
- **Food Vendors:** Meals for election workers. Our election workers put in long days from 5:30 a.m. to 11:00 p.m. – and often much later. They need to be on the job the entire time which means we need to feed them. We do not know the status of our regular food vendors at this time.

V. Health Issue

- The health considerations are just that – health issues. They are not political issues. The Commissioners have addressed this as a public health question and have sought guidance from the Department of Public Health.

- The seriousness of the health threat is underscored by the fact that the Legislature is not able to meet until August 28 because one of its members tested positive and they have been advised by Public Health not to go into session.

- Even with masks, hand washings, frequent wipe downs of public areas, and safe distancing, GEC staff and election workers must work in close contact and will have exposure to the voting public.

- Public Health has advised us that testing election workers before the Primary will not be effective

- The Fieldhouse, while large, is not large enough to accommodate all precincts with proper social distancing since ballots must be kept in the same room as they are being counted.

If the Primary Election does go forward, we will need the assistance of the Office of the Governor to help us address the shortfalls described above. In particular, we may need your assistance in helping ensure there is a backup generator at the UOG, that we have adequate security, and that we have the transportation vehicle needed to deliver voting booths and move the tabulation machines to Election Return Center

We know it is Friday evening, but there is a tremendous amount of work to be done if the election is going to go forward on August 29. Given the recent resurgence of the COVID-19 virus, we heed your direction on whether the Primary Election will be held as scheduled.

Sincerely,

Board of the Guam Election Commission

GUAM ELECTION COMMISSION
Kumision Ileksion Guåhan

Your **VOTE** is your voice. √ **BOTA** ya un ma kuenta.

August 21, 2020

VIA ELECTRONIC TRANSMISSION

The Honorable Lourdes A. Leon Guerrero
Maga'hågan Guåhan Governor of Guam
Office of the Governor
513 West Marine Drive
Governor Ricardo J. Bordallo Complex Adelup
Hagatna, Guam 96910
E-mail: governor@guam.gov

The Honorable Tina Muña Barnes
Speaker, *I Mina'trentai Singko Na Liheslaturan Guåhan*
Guam Congress Building
163 Chalan Santo Papa
Hagatna, Guam 96910
E-mail: speaker@guamlegislature.org

The Honorable Joe S. San Agustin
Chairman, Committee on General Government Operations
I Mina'trentai Singko Na Liheslaturan Guåhan
Ran-Care Commercial Building, 2nd Floor
761 S. Marine Corps Drive
Tamuning, Guam 96913
E-mail: senatorjoessanagustin@gmail.com

Re: 2020 Primary Election

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Sincerely,

Michael J. Perez
Chairman

Alice M. Taijeron
Vice Chairperson

G. Patrick Civille
Member

Joseph P. Mafnas
Member

Gerard C. Crisostomo
Member

Antonia R. Gumataotao
Member

Carissa E. Pangelinan
Member