**clerks@guamlegislature.org**

**From:** Committee on Rules 36GL <cor@guamlegislature.org>
**Sent:** Tuesday, May 3, 2022 9:28 AM
**To:** Clerks; Rennae Meno
**Cc:** Speaker Therese M. Terlaje
**Subject:** Messages and Communications for Doc. No. 36GL-22-1997*
**Attachments:** 36GL-22-1997.pdf

*Håfa Adai* Clerks,

Please see attached M&C Doc. No. 36GL-22-1997 for processing:

| | | |
|---|---|---|
| 36GL-22-1997 | Executive Order No. 2022-13: Relative to Extending the Public Health Emergency and Rescinding the Mask Mandate* | Office of the Governor of Guam |

*Si Yu'os Ma'åse'*,


**COMMITTEE ON RULES**
Vice Speaker Tina Rose Muña Barnes
36th Guam Legislature
*I Mina'trentai Sais Na Liheslaturan Guåhan*
163 Chalan Santo Papa Hågatña Guam 96910
Email: cor@guamlegislature.org



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---------- Forwarded message ---------
From: **Speaker Therese M. Terlaje** <speaker@guamlegislature.org>
Date: Tue, May 3, 2022 at 8:58 AM
Subject: Messages and Communications for 36GL-22-1997
To: Legislative Secretary Amanda Shelton <officeofsenatorshelton@guamlegislature.org>, Committee on Rules 36GL <cor@guamlegislature.org>

*Håfa Adai,*

Please see attached M&C Doc. No. 36GL-22-1997.

| | | |
|---|---|---|
| 36GL-22-1997 | Executive Order No. 2022-13: Relative to Extending the Public Health Emergency and Rescinding the Mask Mandate* | Office of the Gove |

*Si Yu'os Ma'åse'*,

Maria Abante
Legislative & Special Projects Assistant

**Office of Speaker Therese M. Terlaje**
Committee on Health, Land, Justice and Culture
*I Mina'trentai Sais na Liheslaturan Guåhan*
36th Guam Legislature
Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
T: (671) 472-3586 F: (671) 989-3590 Email: speaker@guamlegislature.org
website: www.senatorterlaje.com

---------- Forwarded message ---------
From: **Brianne LG Dunstan** <brianne.dunstan@guam.gov>
Date: Mon, May 2, 2022 at 9:25 PM
Subject: Executive Order No. 2022-13: Relative to Extending the Public Health Emergency and Rescinding the Mask Mandate
To: Speaker Therese M. Terlaje <speaker@guamlegislature.org>
Cc: GOVERNOR Lourdes A. Leon Guerrero <governor@guam.gov>, LT. GOVERNOR Joshua F. Tenorio <lt.governor@guam.gov>, Guam Compiler of Laws <guamcompiler@gmail.com>, Geraldine A. Cepeda <gcepeda@guamcourts.gov>, Lisa C. Ibanez <libanez@guamcourts.gov>, CHIEF OF STAFF Jon Junior Calvo <jon.calvo@guam.gov>, DEPUTY COS Alice Taijeron <alice.taijeron@guam.gov>, Legal <legal@guam.gov>, Leslie Travis <leslie.travis@guam.gov>, Jeffrey Moots <jeffrey.moots@guam.gov>, Cheerful Catunao <cheerful.catunao@guam.gov>, Bertha Duenas <bertha.duenas@guam.gov>, Stephanie G. Flores <stephanie.flores@guam.gov>, Lester Carlson <lester.carlson@bbmr.guam.gov>, Jessica Cruz <jessica.cruz@guam.gov>, Eliza G. Dames <eliza.dames@guam.gov>, Shamra L.A. Chargualaf <shamra.chargualaf@guam.gov>, Josephine C. Cepeda <josephine.cepeda@guam.gov>, Kathleen C. Cepeda <kathleen.cepeda@guam.gov>, Richard B. Arroyo <richard.arroyo@guam.gov>, Rhea Chang <rhea.chang@guam.gov>, Krystal Paco-San Agustin <krystal.paco@guam.gov>, Rikki Orsini <rikki.orsini@guam.gov>, Analyn Eustaquio <analyn.eustaquio@bbmr.guam.gov>, BBMR Administrative Staff <admin@bbmr.guam.gov>, <pmblas@ggrf.com>, Jacqueline M. Blas <jmblas@ggrf.com>, Jennifer Louise Dulla <jennifer.dulla@guam.gov>, Logan Reyes <logan.reyes@guam.gov>

*Hafa Adai* Madame Speaker,

Please find attached letter dated May 2, 2022 from *I Maga'hågan Guahan's* Legal Counsel, Jeffrey Moots, with *enclosed* Executive Order No. 2022-13:

- **Executive Order No. 2022-13:** Relative to Extending the Public Health Emergency and Rescinding the Mask Mandate

A hard copy will be delivered to your office.

Thank you.

Respectfully,

--

**Brianne LG Dunstan**
Unisifan I Maga'hågan Guåhan
Office of the Governor of Guam
*Office of Legal Counsel*
513 West Marine Corps Drive
Ricardo J. Bordallo Governor's Complex
Hagåtña, Guam 96910
Office: 671.473.1118
brianne.dunstan@guam.gov

Speaker Therese M. Terlaje <speaker@guamlegislature.org>

# Executive Order No. 2022-13: Relative to Extending the Public Health Emergency and Rescinding the Mask Mandate

dlt 9:25pm

**Brianne LG Dunstan** <brianne.dunstan@guam.gov> Mon, May 2, 2022 at 9:32 PM
To: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>
Cc: "GOVERNOR Lourdes A. Leon Guerrero" <governor@guam.gov>, "LT. GOVERNOR Joshua F. Tenorio" <lt.governor@guam.gov>, Guam Compiler of Laws <guamcompiler@gmail.com>, "Geraldine A. Cepeda" <gcepeda@guamcourts.gov>, "Lisa C. Ibanez" <libanez@guamcourts.gov>, CHIEF OF STAFF Jon Junior Calvo <jon.calvo@guam.gov>, DEPUTY COS Alice Taijeron <alice.taijeron@guam.gov>, Legal <legal@guam.gov>, Leslie Travis <leslie.travis@guam.gov>, Jeffrey Moots <jeffrey.moots@guam.gov>, Cheerful Catunao <cheerful.catunao@guam.gov>, Bertha Duenas <bertha.duenas@guam.gov>, "Stephanie G. Flores" <stephanie.flores@guam.gov>, Lester Carlson <lester.carlson@bbmr.guam.gov>, Jessica Cruz <jessica.cruz@guam.gov>, "Eliza G. Dames" <eliza.dames@guam.gov>, "Shamra L.A. Chargualaf" <shamra.chargualaf@guam.gov>, "Josephine C. Cepeda" <josephine.cepeda@guam.gov>, "Kathleen C. Cepeda" <kathleen.cepeda@guam.gov>, "Richard B. Arroyo" <richard.arroyo@guam.gov>, Rhea Chang <rhea.chang@guam.gov>, Krystal Paco-San Agustin <krystal.paco@guam.gov>, Rikki Orsini <rikki.orsini@guam.gov>, Analyn Eustaquio <analyn.eustaquio@bbmr.guam.gov>, BBMR Administrative Staff <admin@bbmr.guam.gov>, pmblas@ggrf.com, "Jacqueline M. Blas" <jmblas@ggrf.com>, Jennifer Louise Dulla <jennifer.dulla@guam.gov>, Logan Reyes <logan.reyes@guam.gov>

*Hafa Adai* Madame Speaker,

Please find attached letter dated May 2, 2022 from *I Maga'hågan Guahan's* Legal Counsel, Jeffrey Moots, with *enclosed* Executive Order No. 2022-13:

- **Executive Order No. 2022-13:** Relative to Extending the Public Health Emergency and Rescinding the Mask Mandate

A hard copy will be delivered to your office.

Thank you.

Respectfully,

36GL-22-1997
OFFICE OF THE SPEAKER
THERESE M. TERLAJE
05- 02 2022
Time: 9:25pm
Received: dlt

--


**Brianne LG Dunstan**
Unisifan I Maga'hågan Guåhan
Office of the Governor of Guam
*Office of Legal Counsel*
513 West Marine Corps Drive
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Hagåtña, Guam 96910
Office: 671.473.1118
brianne.dunstan@guam.gov


**EO 2022-13 Relative to Extending the Public Health Emergency and Rescinding the Mask Mandate.pdf**
374K

COMMITTEE ON RULES
RECEIVED:
May 3, 2022
8:58 A.M.

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

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

May 2, 2022

**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. 2022-13**

*Hafa Adai* Madame Speaker:

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

**EXECUTIVE ORDER NO. 2022-13: RELATIVE TO EXTENDING THE PUBLIC HEALTH EMERGENCY AND RESCINDING THE MASK MANDATE**

Thank you.

*Senseremente,*

**JEFFREY A. MOOTS**
*Legal Counsel*

Enclosure: Executive Order No. 2022-13

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
OFFICE OF THE GOVERNOR
HAGÅTÑA, GUAM 96932
U.S.A.

# EXECUTIVE ORDER NO. 2022-13

## RELATIVE TO EXTENDING THE PUBLIC HEALTH EMERGENCY AND RESCINDING THE MASK MANDATE

**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 on the island of Guam due to dangers posed by the 2019 novel coronavirus ("COVID-19"); and

**WHEREAS**, mindful of our limited healthcare resources in Guam, as well as the comorbidities prevalent in our community, I implemented a policy by which community-level restrictions were set and adjusted in response to measurable COVID-19 metrics, including our daily new cases, test positivity rate, retransmission rate, and, ultimately, our vaccination rate; and

**WHEREAS**, on February 25, 2022, the U.S. Centers for Disease Control and Prevention ("CDC") announced new metrics that monitor the transmission of COVID-19, using community-level indicators that focus on reducing medically significant illness and minimizing strain on the healthcare system; and

**WHEREAS**, the CDC Community Level metrics are intended to inform community actions and local decisions, including implementation and easing of restrictions, individual preventive behaviors, testing strategies, and vaccine outreach; and

**WHEREAS**, the CDC Community Level metrics track the following items: the cumulative 7-day new COVID-19 cases per 100,000, which is presently 111.2 in Guam; the 7-day new hospital admissions per 100,000, which is currently recorded at 7; and the percent of staffed inpatient beds occupied by COVID-19 patients, which presently stands at 2% locally; and

**WHEREAS**, based on the CDC Community Level metrics, Guam's level of risk is low; and

**WHEREAS**, on March 29, 2022, in Executive Order No. 2022-09, I announced the planned two-phase approach to lifting remaining community COVID-19 restrictions, including the mask mandate; and

**WHEREAS**, pursuant to Executive Order No. 2022-09, on April 5, 2022, the Director of the Department of Public Health and Social Services ("DPHSS") certified that Guam had achieved a low level of community risk pursuant to the CDC Community Level metrics; and

**WHEREAS**, on April 5, 2022, I accepted DPHSS's certification, thereby starting the clock on the first phase of lifting community restrictions, as announced in Executive Order No. 2022-09; and



Doc. No. 36GL-22-1997.*

**WHEREAS**, on April 19, 2022, our Administration implemented the first phase by lifting the outdoor mask mandate, eliminating numerical restrictions on social gatherings, and eliminating social distancing requirements; and

**WHEREAS**, implementation of the first phase started the clock on the second; as announced in Executive Order No. 2022-09, barring a significant unanticipated disruption to the downward trajectory in our level of community risk based on the CDC Community Level metrics, our island could look forward to lifting the final restriction – the indoor mask mandate – on May 3, 2022; and

**WHEREAS**, Lt. Governor Josh Tenorio and I are pleased and proud to announce that through the hard work of our frontliners and essential workers, and the patience and diligence of our community, we have reached our goal; and

**WHEREAS**, with the concurrence of the DPHSS, and the advice of the Guam National Guard Surgeon Cell and Physicians Advisory Group, on May 3rd, prior orders requiring our community to wear masks indoors will be rescinded; and

**WHEREAS**, although we have lifted community restrictions aimed at mitigating the spread of COVID-19, it is critical that we ensure the continuity of the operations and services our community relies upon; and

**WHEREAS**, to this end, it is necessary to continue the public health emergency, and to work towards transitioning to permanent operations the services and operations that will assist our community as the COVID-19 pandemic continues throughout the nation and the world; and

**WHEREAS**, as we look forward to lifting these restrictions that have kept our island safe and strong, and that have helped ensure the continued viability of our fragile healthcare system through the several surges, I urge businesses and individuals to reflect on their practices, and implement for themselves the proven mitigation strategies that reduce the risk of infection to their customers and employees, their families and their community; and

**WHEREAS**, rescinding the mask mandate neither restricts individuals from continuing to wear a mask, nor prevents the practice of other mitigation strategies in public spaces. I encourage our community to continue to implement these strategies for themselves, in consideration of their circumstances and comfort level; and

**WHEREAS**, it continues to be critical to the health of our community that individuals get vaccinated and boosted immediately if they are eligible and medically able to do so; and

**WHEREAS**, as our island continues to be engaged in emergency response, it is important that we utilize our best available tools against COVID-19, including vaccines, therapeutics, testing, and, as always, the practice of strict personal mitigation measures; and

**WHEREAS**, the Lt. Governor and I would like to extend our deepest gratitude and appreciation to our frontliners and essential workers, for their hard work, strength, and dedication. You have carried our island through these dark times. You have stepped up,

made sacrifices, and persevered in the face of seemingly insurmountable odds. You are a gift to our island, and to all the people who call Guam home; and

**WHEREAS**, finally, we would like to thank our people. Although we have asked a lot of you these past two years, you have risen to the challenge to help keep our hospital admissions manageable, our schools open, our families healthy, and our communities safe. Through your efforts, our island can look ahead to recovering from the devastating impacts of this pandemic, and to thriving, through your new energy and ideas, and renewed commitment to move our island forward into the future.

**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, 2020-38, 2020-41, 2020-46, 2021-03, 2021-05, 2021-07, 2021-09, 2021-12, 2021-15, 2021-16, 2021-20, 2021-24, 2021-27, 2021-30, 2021-32, 2022-02, 2022-04, and 2022-09, shall be extended for an additional thirty (30) day period, effective May 4, 2022. The public health emergency is now scheduled to expire on June 3, 2022.

2. **RESCISSION OF MASK MANDATE.**

    a. Effective at 12:01 a.m. on May 3, 2022, the mask mandate first imposed in Section 2(b) of Executive Order No. 2020-44, and most recently amended in Section 2 of Executive Order No. 2022-09, is hereby **rescinded**. Wearing masks in public settings shall be optional. This section is subject to applicable DPHSS guidance.

    b. Businesses may impose stricter restrictions, including requiring mask-wearing and social distancing in their establishments, subject to local and federal law.

    **Individuals are encouraged to continue to wear masks if they are immunocompromised, at high risk for severe illness, or if they prefer to do so. Individuals who are not vaccinated or boosted are at an increased risk of infection, hospitalization, and death as a result of COVID-19. Such individuals are encouraged to get vaccinated immediately, prior to engaging in activities in congregate settings in which mask use is compromised.**

3. **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.

//

4. **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 **2nd** day of **May, 2022.**

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

**Attested by:**

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



Doc. No. 36GL-22-1997.*