

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](mailto:speaker@guamlegislature.org)**

November 19, 2021

**HONORABLE THERESE M. TERLAJE**

*Speaker*

*I Mina'trentai Sais Na Liheslaturan Guåhan*

*36<sup>th</sup> Guam Legislature*

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

**RE: Executive Order No. 2021-29**

*Hafa Adai* Madame Speaker:

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

**EXECUTIVE ORDER NO. 2021-29: Relative to Amending  
Vaccination Requirements for Certain Establishments and Activities,  
Limitations on Social Gatherings, and Restrictions for Incoming  
Travelers and Quarantine Facilities**

Thank you.

*Senseremente,*



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

Enclosure: Executive Order No. 2021-29

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



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**EXECUTIVE ORDER NO. 2021-29**

**RELATIVE TO AMENDING VACCINATION REQUIREMENTS FOR CERTAIN ESTABLISHMENTS AND ACTIVITIES, LIMITATIONS ON SOCIAL GATHERINGS, AND RESTRICTIONS FOR INCOMING TRAVELERS AND QUARANTINE FACILITIES**

**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 two hundred sixty-two (262) COVID-19 related deaths; and

**WHEREAS**, as of the time of this writing, over nineteen thousand (19,000) individuals have tested positive for COVID-19 in Guam; and

**WHEREAS**, as of the time of this writing, our daily new cases average 27.4 and our effective retransmission value is calculated at 0.69; and

**WHEREAS**, since June 2020, Guam has relied on the Covid Area Risk (“CAR”) Score to assess the risk of COVID-19 spread, which is calculated using three (3) main data points – effective retransmission rate, test positivity rate, and new cases per 100,000 persons; and

**WHEREAS**, while Guam’s CAR Score is presently calculated at 2.5; and

**WHEREAS**, at the time of this writing, twenty-three (23) patients are hospitalized with COVID-19 in Guam, including three (3) in intensive care and one (1) on a ventilator; and

**WHEREAS**, notwithstanding the continued presence of COVID-19 on our island, several factors have fortified our community against its prevalence, enabling most of us to return to work and gather safely; and

**WHEREAS**, the vaccine continues to be our island’s primary weapon against COVID-19 infection, hospitalization, and death; and

**WHEREAS**, U.S. Food and Drug Administration (FDA)-approved and authorized COVID-19 vaccines are safe, free, and widely available to all members of our community; and

**WHEREAS**, through Department of Public Health and Social Services (“DPHSS”) and the Guam National Guard community vaccination clinics, and in partnership with our mayors, hospitals and private clinics, our island has achieved one of the highest vaccination rates in the country and in the world; and



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**WHEREAS**, as of the time of this writing, in the U.S., approximately 79.8% of individuals over the age of twelve (12) are vaccinated; and

**WHEREAS**, as of the time of this writing, over 124,000 of Guam residents are fully vaccinated. This means that approximately 88.13% of our (5+) eligible population and 81.13% of our entire population is fully vaccinated; and

**WHEREAS**, on October 20, 2021, the FDA authorized booster shots for FDA-approved and authorized vaccines in eligible populations, and allowed eligible populations to mix-and-match available booster doses with different primary series vaccines, further enhancing vaccine effectiveness and the protection available to our community; and

**WHEREAS**, a substantial portion of our island population is eligible to receive boosters immediately, including those who are pregnant and those who have diabetes, obesity, depression, a history of smoking or other conditions that place them at a higher risk of severe illness from COVID-19; and

**WHEREAS**, on October 29, 2021, the FDA granted Emergency Use Authorization for administration of the Pfizer-BioNTech vaccine to children ages 5-11; and

**WHEREAS**, FDA authorization of vaccines in younger children further facilitates their safe return to in-person learning and mitigates against the spread of COVID-19 among our families; and

**WHEREAS**, in addition to our island's robust vaccination rate, our COVID-19 response is further bolstered by the availability of safe and effective monoclonal antibody (mAb) therapy treatment for mild to moderate COVID-19 cases; and

**WHEREAS**, mAb therapy treatment is, again, safe and free, and is administered at the Mangilao Community Center, the Guam Memorial Hospital, and the Guam Regional Medical Center to eligible individuals; and

**WHEREAS**, while hospitalizations for COVID-19 continue at the Guam Memorial Hospital and the Guam Regional Medical City, they disproportionately occur among our island's unvaccinated population, and are expected to reduce as our vaccination rate increases; and

**WHEREAS**, most of our people are educated in COVID-19 mitigation measures, and continue to be cognizant of and avoid factors that increase their risk of contracting COVID-19; and

**WHEREAS**, most of our island is as prepared as we can be to weather the COVID-19 pandemic; however, we must continue to be vigilant, encourage the people we love to get vaccinated, and implement common sense measures to protect those who choose to not receive the vaccine; and

**WHEREAS**, with the concurrence of DPHSS, the Physicians Advisory Group ("PAG") and the Guam National Guard Surgeon Cell, it is time to slowly and deliberately ease some



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of the restrictions on outdoor dining, and on social gatherings, which we imposed at the height of the Delta Variant surge; and

**WHEREAS**, while unvaccinated persons remain at an enhanced risk of COVID-19 infection, hospitalization, and death, which necessitates additional protections for these individuals in congregate settings wherein mask use is compromised, the risk of infection is mitigated in outdoor settings; and

**WHEREAS**, consequently, several U.S. cities, including New York City, New Orleans, San Francisco, and Los Angeles, have implemented dining restrictions that allow unvaccinated persons to dine outdoors; and

**WHEREAS**, as we take this step towards allowing for unvaccinated individuals to participate in activities in more public spaces, it remains necessary, however, to continue with restrictions that protect our workers, particularly those who work in these congregate settings wherein mask use is compromised; and

**WHEREAS**, since March 16, 2020, pursuant to Executive Order No. 2020-04, I imposed restrictions on incoming travelers to the island, requiring quarantine of certain travelers in quarantine facilities to mitigate against the spread of COVID-19 in Guam; and

**WHEREAS**, on June 16, 2021, in Executive Order No. 2021-13, we modified these restrictions to exempt travelers who have been fully vaccinated with an FDA-EUA or WHO-EUL approved COVID-19 vaccine from quarantine at a government facility and allowing unvaccinated travelers who present a negative PCR or antigen test taken within seventy-two (72) hours of arrival to quarantine at home; and

**WHEREAS**, effective November 8, 2021, the United States has mandated that non-citizen, non-immigrant air travelers to the United States shall be required to be fully vaccinated and to provide proof of COVID-19 vaccination status prior to boarding an airplane to fly to the United States, subject to limited exceptions, and that all unvaccinated travelers to the United States regardless of immigration status must be tested no more than one (1) day of their departure from an international destination; and

**WHEREAS**, with the concurrence and advice of DPHSS, the PAG, and the Surgeon Cell, it is appropriate to expand quarantine exemptions to incoming travelers who present either a negative PCR or a negative antigen test upon arrival; and

**WHEREAS**, we must 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 by getting vaccinated; and

**WHEREAS**, we must encourage our friends and family, especially those with comorbidity factors, to get vaccinated and boosted to keep themselves and their loved ones safe; and

**WHEREAS**, as our community works to recover from this global pandemic's impact on our lives, it is important to recognize that the public health emergency has not yet ended





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and that we are now, and will continue to be for some time, engaged in emergency response; and

**WHEREAS**, by getting vaccinated and continuing to practice 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. **AMENDED VACCINATION REQUIREMENTS FOR EATING AND DRINKING ESTABLISHMENTS.** Effective at 8:00AM on November 20, 2021, outdoor dining at eating and drinking establishments shall be permitted regardless of a patron's vaccination status, subject to applicable DPHSS guidance. Indoor dining at eating and drinking establishments shall continue to be restricted to patrons who provide proof of vaccination, as provided in Executive Order No. 2021-20 and in applicable DPHSS guidance. Restrictions for patrons, employees, and staff of other covered establishments previously established in Executive Order No. 2021-20 and in applicable DPHSS guidance, shall remain in effect. Further, eating and drinking establishments may impose stricter vaccination restrictions, subject to local and federal law.

Covered establishments and activities, including eating and drinking establishments, must continue to require all staff to show proof that they are vaccinated to enter and/or use their facilities or premises, or submit to weekly testing, as provided in Executive Order No. 2021-20, and in applicable DPHSS guidance.

All covered establishments must continue to comply with applicable DPHSS guidance, including requirements for mask-wearing and social distancing.

2. **SOCIAL GATHERINGS OR CONGREGATIONS.** A "congregation" or "social gathering" is a meeting for a common and singular purpose of more than one (1) person where the individuals are not members of a single household. Effective at 8:00AM on November 20, 2021, social gatherings or congregations shall be limited to no more than twenty-five (25) persons indoors or seventy-five (75) persons outdoors, regardless of vaccination status, subject to applicable DPHSS guidance. Due to the enhanced risk of infection to unvaccinated individuals, groups are encouraged to limit social gatherings to vaccinated individuals.
  - a. **PLACES OF WORSHIP.** Places of worship may continue services, ceremonies, and operations as provided in Executive Order No. 2021-16, but must strictly comply with requirements provided in applicable DPHSS guidance, including mask-wearing requirements.



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3. **QUARANTINE FOR INCOMING TRAVELERS.** Individuals traveling from a foreign country must comply with federal requirements to board a flight into the United States, including Guam. Upon arrival in Guam, individuals traveling on both domestic and international flights are further subject to quarantine at a government facility.
  - a. **EXEMPTIONS.** Effective at 12:01AM on November 20, 2021, individuals traveling to Guam may be exempt from quarantine upon presentation of proof of (1) full vaccination with FDA authorized or approved or WHO-EUL approved COVID-19 vaccines; or (2) a negative PCR or antigen test, as provided in DPHSS Guidance.
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.
5. **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 19<sup>th</sup> day of November 2021.

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

**Attested by:**

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

