

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

November 1, 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. 2021-28

Hafa Adai Madame Speaker:

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

**EXECUTIVE ORDER NO. 2021-28: Relative to Launching the Guam
Child Care Provider Assistance Program**

Thank you.

Senseremente,

A handwritten signature in blue ink, appearing to read "Sophia Santos Diaz".

SOPHIA SANTOS DIAZ

Legal Counsel

Enclosure: Executive Order No. 2021-28

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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**ISLAND OF GUAM
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EXECUTIVE ORDER NO. 2021-28

**RELATIVE TO LAUNCHING THE GUAM CHILD CARE
PROVIDER ASSISTANCE PROGRAM**

WHEREAS, since March of 2020, Guam has been in a state of public health emergency to respond to and recover from the adverse impacts resulting from the global spread of COVID-19; and

WHEREAS, child care centers throughout Guam have struggled to stabilize their operations in the face of closures and occupancy restrictions imposed in response to the several surges in COVID-19 cases our island experienced over the past year and a half; and

WHEREAS, these child care centers and providers provide a critical service to our people, ensuring that parents are able to work, go to school, and contribute to our island community; and

WHEREAS, the American Rescue Plan Act (“ARPA”) made available one-time supplemental funding geared at stabilizing this fragile child care market, with a focus on rebuilding a stronger child care system that supports the development and learning needs of children, meets parents’ needs and preferences with equal access to high-quality child care, and supports a professionalized workforce that is fairly and appropriately compensated for the essential skilled work that they do; and

WHEREAS, the ARP child care stabilization grant program requires that grant funds are directed to qualified and eligible child care providers to cover operational expenses, to stabilize the fragile child care industry and the small businesses (ie. qualified child care centers) that comprise the child care market; and

WHEREAS, in Executive Order No. 2021-26, on the recommendation of the Department of Public Health and Social Services (“DPHSS”), I established the Division of Children’s Wellness (“DCW”) within DPHSS, with the intent that the DCW ultimately assume responsibility for administration of federal funds intended to assist child care centers and providers; and

WHEREAS, as the DCW operationalizes and develops capacity to administer federal grants, it is necessary to identify an interim administrator for the ARPA Child Care Stabilization Grant, to ensure funds are directed to their intended beneficiaries in a timely manner; and

WHEREAS, the Guam Economic Development Authority (“GEDA”) is proficient in administering grant programs that offer financial relief to businesses that suffered adverse financial impact as a result of the COVID-19 global pandemic, having structured protocols and methodology to administer financial assistance programs during the



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pandemic through the Guam Small Business Pandemic Assistance Grant in 2020 and 2021, the Small Business Rent Assistance Grant, and the Healthcare System Stabilization Grant program, and, at present, the Local Employers Assistance Program; and

WHEREAS, in the interest of administering these critical funds to child care providers expeditiously, GEDA would serve as an appropriate and competent administrator of federal child care industry grants while the DCW operationalizes and builds structural capacity to ultimately serve this function.

NOW THEREFORE, I, LOURDES A. LEON GUERRERO, *I Maga'hagan Guahan*, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, and the laws of Guam, do order as follows:

- 1. GUAM CHILD CARE PROVIDER ASSISTANCE PROGRAM. The GEDA shall launch the Guam Child Care Provider Assistance Program for the purpose of administering federal ARPA grant funds to eligible child care providers. GEDA shall serve as the administrator for the program, and shall collaborate with DPHSS as provided herein. The Administrator of GEDA is designated as the official responsible for overseeing the program, and shall undertake the following responsibilities:**
 - a. Creating the program, including applications, promotional materials, standard operating procedures, and other relevant documentation, in collaboration with the DPHSS;
 - b. Distributing \$20 million in child care stabilization funds as authorized by the ARPA for the purpose of providing assistance to licensed child care providers, including any associated administrative costs incurred;
 - c. Receiving and reviewing applications in a timely manner and periodically reporting a payment schedule to the Department of Administration for check issuance to small businesses;
 - d. Providing a system of reporting, including auditable certification to ensure accountability;
 - e. Accepting applications until such time the \$20 million authorized is exhausted as set forth, in accordance with applicable federal guidance; and
 - f. Maintaining a schedule of reimbursements for costs outside of regularly budgeted items associated with the program.
- 2. 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**



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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 Hagátña, Guam, this 31st day of **October 2021**.

Handwritten signature of Lourdes A. Leon Guerrero.

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

Attested by:

Handwritten signature of Joshua F. Tenorio.

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

