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FOR IMMEDIATE RELEASE—March 04, 2026

Governor Asks Supreme Court to Clarify Organic Act Authority to Establish and Maintain Hospitals for Guam

Hagåtña, Guam—Governor Lourdes A. Leon Guerrero filed a request with the Supreme Court of Guam Wednesday seeking clarification regarding the scope of her authority under the Organic Act of Guam to establish public health services on Guam, including hospitals.

The Governor’s request asks the court to issue a declaratory judgment addressing how that federally assigned responsibility operates alongside laws enacted by the Guam Legislature and whether these statutes can be interpreted or applied in a way that prevents the Governor from carrying out that responsibility assigned by the Organic Act.

“This request is about clarity in the law,” Governor Leon Guerrero said. “Congress placed the responsibility to establish and maintain hospitals in Guam with the Governor. The Court’s guidance will help ensure that responsibility can be carried out in a way that is both consistent with the Organic Act and Guam law.”

Clarifying the Relationship Between Federal Duties and Guam Law

The Governor emphasized that the petition does not challenge the Legislature’s authority to enact laws governing appropriations, procurement, or other matters of public policy.

“This request respects the Legislature’s important role in shaping public policy,” the Governor said. “At the same time, when Congress assigns a specific duty to the Executive Branch, the law must be clear about how that duty can be carried out.”

Why This Clarification Matters

The Governor said resolving this issue now will help prevent legal uncertainty whenever the Executive Branch carries out responsibilities assigned under the Organic Act. Without clear guidance from the Court, disagreements over the interaction between Guam statutes and federally assigned duties could create delays when the government carries out critical public health responsibilities.

Because traditional litigation could take years to resolve, the Governor has asked the Supreme Court to address the legal question directly under its declaratory judgment authority.

“Seeking clarity from the Court allows us to resolve this question in a timely manner so our government can remain focused on serving the people of Guam,” the Governor said.

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