

**GOVERNMENT OF PUERTO RICO
LA FORTALEZA
SAN JUAN, PUERTO RICO**

Administrative Bulletin Number: OE-2017-047

**EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, HON. RICARDO
ROSSELLÓ-NEVARES, DECLARING A STATE OF EMERGENCY DUE TO
IMPENDING HURRICANE MARIA, AS WELL AS DEPLOYING THE NATIONAL
GUARD TO PROVIDE SUPPORT DURING THIS EMERGENCY**

WHEREAS: This Government shall take all necessary measures to safeguard public order and protect the life, security, and property of citizens and of the Government of Puerto Rico.

WHEREAS: On September 17, 2017, the National Weather Service stated that there is a high possibility that Puerto Rico will face strong winds and heavy rain, with the potential to cause severe flooding at some point during the next 48 hours, in the face of Hurricane María.

WHEREAS: This weather event threatens to cause substantial damage and has created an emergency situation that jeopardizes public safety, basic services to citizens, economic activity, and Puerto Rico's social welfare. The situation is all the more pressing due to the fact that Hurricane María hit our region just 10 days ago, leaving our already weak infrastructure more vulnerable to the effects of a weather phenomenon.

WHEREAS: Law Number 211-1999, as amended (Law No. 211) authorizes the Governor to declare a state of emergency whenever there is any situation or circumstance for which state or municipal efforts are required in order to minimize the risk of a disaster, to save lives, and to protect property, health, and security.

WHEREAS: Sections 207 and 226 of Law Number 62 of June 23, 1969, as amended (Puerto Rico Military Code), authorize the Governor to deploy the National Guard to address public safety situations.

WHEREAS: I, RICARDO A. ROSSELLÓ-NEVARES, Governor of Puerto Rico, by virtue of the authority vested in me by the Constitution and the Laws of Puerto Rico, hereby declare and order the following:

SECTION 1 A state of emergency is declared throughout Puerto Rico as a result of impending Hurricane María and its potential impact on the island.

CERTIFIED TRANSLATION

SECTION 2 This Emergency Declaration meets the requirements to enable all agencies and municipalities to activate the special “emergency procurement” procedures to purchase any materials and services that may be essential to respond to the emergency. The Office of Management and Budget Director shall ensure that these purchases are conducted in a responsible manner by all agencies of the Executive Branch, and may require the issuance of such reports and the implementation of such budget controls as he may deem necessary to discharge this responsibility.

SECTION 3 The Puerto Rico Emergency Management Administration (AEMEAD, for its Spanish acronym) shall prepare an estimate of the funds needed to conduct all evacuation, rescue, response, and recovery efforts across the affected regions, and shall submit said estimate to the Governor, to the Office of Management and Budget Director, and to the Secretary of Treasury.

SECTION 4 Based on the estimate submitted by the AEMEAD and the National Guard’s Adjutant General, the Treasury Department Secretary and the Office of Management and Budget Director shall allocate the available funds to the AEMEAD Executive Director and other involved Agencies (as identified by the Secretary of Treasury and the Office of Management and Budget Director) in order to comply with the provisions of this Executive Order. The Secretary of Treasury and the Office of Management and Budget Director are hereby authorized a special budget, from any available funds, including the Emergency Fund, to cover all expenses necessary to conduct the evacuation, rescue, response, and recovery efforts in accordance with this Executive Order.

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SECTION 5 Upon the completion of work, the AEMEAD and other involved agencies shall submit a detailed report to the Secretary of Treasury and to the Office of Management and Budget Director, regarding the costs incurred in accordance with this Executive Order.

SECTION 6 By virtue of the authority vested in me by the Military Code, I hereby deploy the National Guard to assist the State in the preparation and management of the state of emergency declared under this Executive Order.

SECTION 7 I hereby delegate to the National Guard’s Adjutant General the authority to determine the identity of the units and personnel that shall be deployed for Active State Military Duty based on the support requested from them during this emergency.

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SECTION 8 All Puerto Rico Military officers and enlisted members deployed for Active Duty in compliance with this Executive Order are hereby designated as law enforcement officials, with all the powers and obligations inherent to said designation.

SECTION 9 I hereby authorize the National Guard's Adjutant General to incur in such reasonable costs as may be inherent to the deployment of Puerto Rico Military troops and equipment in the following areas:

- A. Compensation to Puerto Rico Military personnel called to Active State Military Duty under this Executive Order, in accordance with the Military Code.
- B. Food and supplies for active military personnel.
- C. Materials and other necessary items to perform the functions assigned to the Military of Puerto Rico under this Executive Order.
- D. Insurance premiums necessary to execute the functions authorized in this Executive Order.
- E. Fuel, lubricants, and oil necessary for ground, air, and maritime transportation of the Military of Puerto Rico and used during the authorized operation.
- F. Vehicle rental costs for the transportation of deployed personnel.
- G. Hospital and medical costs incurred due to injuries or illness suffered of members of the Puerto Rico Military in the performance of their duties under the mobilization authorized in this Executive Order, and until they are discharged by the competent medical authorities.
- H. Any other necessary costs incurred to fulfill the mission assigned herein to the Puerto Rico Military.

SECTION 10 The Office of Management and Budget Director and the Secretary of Treasury are hereby ordered to authorize the distribution and release the Emergency Fund or any other available funds, as they may be identified, to reimburse and cover all expenses related to the operation authorized in this Executive Order.

SECTION 11 The National Guard's Adjutant General shall submit detailed reports to the Secretary of Treasury and the Office of Management and Budget Director with regard to all expenses incurred, at the closure of the operation conducted in the exercise of the duties and powers delegated under this Executive Order.

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SECTION 12 DEFINITION OF AGENCY. As used in this Executive Order, the term “agency” refers to all agencies, instrumentalities, offices, or departments of the Executive Branch of the Government of Puerto Rico, including public corporations, regardless of their name.

SECTION 13 NON-CREATION OF ENFORCEABLE RIGHTS. This Executive Order is not aimed at creating substantive or procedural rights on behalf of third parties, whether legally enforceable, administrative, or of any other nature, against the Government of Puerto Rico or its agencies, officials, employees, or any other person.

SECTION 14 VALIDITY. This Executive Order shall come into force immediately.

SECTION 15 PUBLICATION. This Executive Order must be filed immediately with the Department of State and the widest possible publication is hereby ordered.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the Government of Puerto Rico to be affixed, in San Juan, Puerto Rico, on this 17th day of September of 2017.




RICARDO ROSSELLÓ NEVARES
GOVERNOR

Enacted in accordance with the law, on this 17th day of September of 2017.



LUIS GERARDO RIVERA-MARÍN
SECRETARY OF STATE

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