

GOVERNMENT OF PUERTO RICO
LA FORTALEZA
SAN JUAN, PUERTO RICO

Administrative Bulletin Number: OE-2020- 058

EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, HON. WANDA VÁZQUEZ-GARCED, TO ORDER THE USE OF THE PERSONNEL AND EQUIPMENT OF THE MILITARY FORCES OF PUERTO RICO TO MANAGE EMERGENCY SITUATIONS THAT MAY OCCUR BEFORE, DURING AND AFTER THE PASSAGE OF THE TROPICAL STORM KNOWN AS "INVEST 92L" AND FOR OTHER RELATED PURPOSES

WHEREAS: The National Hurricane Center, part of the National Weather Service, issued a tropical storm warning for Puerto Rico and other Caribbean islands. This is in response to the possible passage through the region of the tropical storm known as "Invest 92L."

WHEREAS: In view of the possible passage of this atmospheric phenomenon through our Island and watching over the safety of our citizens, it is necessary to be prepared to adequately attend to any emergency situation that may occur before, during and after the event.

WHEREAS: Section 4 of Article IV of the Puerto Rico Constitution establishes that the Executive Power will be exercised by the Governor, who, by reason of the subordination of military authority to the civil authority imposed by the democratic regime, is the Commander-in-Chief of the Militia, with the power to call the militia to active state military service.

WHEREAS: In turn, Act No. 62 of June 23, 1969, as amended, better known as the Military Code of Puerto Rico, empowers the Governor to call the military forces of Puerto Rico, composed of the National Guard and the State Guard, into active state military service in support of civilian authorities, to maintain or restore public order and guarantee the security of lives and property, as well as to provide essential services when public security requires it and when civilian authorities are not capable of guaranteeing social welfare.

WHEREAS: Section 207 of the Military Code also empowers the Governor to order the Puerto Rico National Guard or any part thereof to active state military service when public safety requires it, and to order the use of equipment, assets, and personnel of the Puerto Rico National Guard when the latter constitutes a viable alternative for providing specialized health, technical engineering, or educational services

and because they are not reasonably available from civilian, public, or commercial sources. The agency requesting such services shall pay, from the funds available to it, the costs incurred by the National Guard in providing the required service.

THEREFORE: I, WANDA VÁZQUEZ GARCED, Governor of Puerto Rico, by virtue of the powers vested in me by the Constitution and the laws of the Government of Puerto Rico, decree and order the following:

SECTION 1: In order to guarantee the security of our citizens, mitigate losses and prevent damages in the event of the possible passage of the tropical storm known as "Invest 92L", the use of the National Guard is authorized for the purpose of assisting and supporting the civil authorities in attending to any emergency situation that may occur before, during and after the passage of the aforementioned tropical storm.

SECTION 2: The General Assistant of the National Guard is delegated the power to determine the identity of the units and troops that will be activated to the State Active Military Service for the security operation authorized herein.

SECTION 3: The officers and enlisted men of the military forces of Puerto Rico activated in the State Active Military Service, in compliance with this Executive Order, are designated as law enforcement officers, with all the powers and obligations inherent in such character, as provided in Section 228 of the Military Code of Puerto Rico.

SECTION 4: I authorize the Assistant General of the National Guard to incur those reasonable expenses inherent to the activation of troops and equipment of the armed forces of Puerto Rico in the items indicated below:

- A. Compensation to personnel of the Military Forces of Puerto Rico called to state Active Military Service under this Executive Order in accordance with the Military Code of Puerto Rico.
- B. Groceries and provisions for activated military personnel.
- C. Materials and other articles necessary for the performance of the functions assigned hereto to the Military Forces of Puerto Rico.
- D. Insurance premiums necessary to perform the functions authorized herein.

- E. Fuels, lubricants and oils necessary for land, air and sea transportation of the Military Forces of Puerto Rico to be used during the authorized operation.
- F. Costs of renting vehicles for the transportation of the personnel activated.
- G. Hospital and medical expenses incurred for of injury or illness to members of the Forces Puerto Rico's military suffered while in the performance of their duties under the mobilization here authorizes and until they are discharged by authorities competent doctors.
- H. Any other expenses incurred necessary to carry out the mission here assigned to the Military Forces of Puerto Rico.

SECTION 5: The Secretary of the Treasury and the Director of the Office of Management and Budget (OMB) are authorized to assign the Assistant General of the National Guard the necessary economic resources from the emergency fund, to carry out the operation which is authorized here. It shall be the duty of the Assistant General of the National Guard to provide detailed reports to the Secretary of the Treasury and the Director on expenditure incurred at closure of the operation carried out in the exercise of the duties and powers delegates by this Executive Order.

SECTION 6: The provisions of Administrative Bulletin Number: OE-2020- 057, Executive Order of the Governor of Puerto Rico, Hon. Wanda Vázquez Garced, to amend Administrative Bulletin Number: OE-2020-054 to adopt more restrictive measures to control the spread of COVID-19 in Puerto Rico, shall continue in full force.

SECTION 7: DEROGATION. This Executive Order supersedes any other executive order that in whole or in part is incompatible with this one to the extent that such incompatibility exists.

SECTION 8: NON CREATION OF ENFORCEABLE RIGHTS. This Executive Order is not intended to create any rights, substantive or procedural, enforceable at law or equity, by any person or entity, in any matter, civil, criminal, or administrative, against the Government of Puerto Rico or its agencies, officials, employees, or any other person.

SECTION 9: VALIDITY. This Executive Order shall be effective immediately and shall remain in force until it is amended or revoked by a subsequent executive order or by operation of law, or until and as soon as the mission that is the subject of this Executive Order is completed.

SECTION 10: PUBLICATION. This Executive Order is to be filed immediately with the Department of State and the widest possible publication is hereby ordered.



IN WITNESS WHEREOF, I hereby issue this Executive Order under my signature and cause the Great Seal of the Government of Puerto Rico to be affixed in San Juan, Puerto Rico, on this 29th day of July of 2020.


WANDA VÁZQUEZ-GARCED
GOVERNOR

Enacted in accordance with the law on this 29th day of July of 2020.


ELMER L. ROMÁN GONZÁLEZ
SECRETARY OF STATE