


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

Administrative Bulletin Number: OE-2022-045


EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, THE HON. PEDRO R. PIERLUISI, TO DECLARE A STATE OF EMERGENCY IN VIEW OF THE IMPENDING PASSAGE OF TROPICAL STORM FIONA THROUGH THE ISLAND; TO DESIGNATE THE STATE COORDINATING OFFICER, AND FOR OTHER RELATED PURPOSES.

WHEREAS: The Government of Puerto Rico has the main duty to safeguard the public order, and protect the life, property, safety, and assets of all the citizens of the Island.

WHEREAS: The National Hurricane Center (NHC) within the National Weather Service issued a tropical storm warning for Puerto Rico. It indicated that, starting today, September 17, 2022 in the evening, Puerto Rico will experience sustained winds of nearly sixty (60) miles per hour, and heavy rains that would produce between five (5) and ten (10) inches of rainfall, with higher amounts in some regions, which could cause flash flooding and mudslides. Moreover, the NHC issued a hurricane watch, which means that hurricane conditions are possible within the watch area. Puerto Rico could experience such conditions late this evening or Sunday.

**WHEREAS:** This atmospheric phenomenon could cause damages. Thus, an emergency situation has arisen in terms of public safety, basic services and utilities in view of the threat posed thereby to the people, the economic activity, and the social welfare of Puerto Rico.

WHEREAS: Section 5.10 of Act No. 20-2017, as amended, known as the "Puerto Rico Public Safety Department Act," (Act No. 20-2017) empowers the Governor to declare a state of emergency or disaster on our Island, and "render effective any state regulations, orders, plans, or measures for emergency or disaster situations or modify them at his discretion," as well as "prescribe, amend, and revoke any regulations as well as issue, amend, and rescind such orders as deemed convenient which shall be in effect for the duration of the state of

I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.


emergency or disaster.”

WHEREAS: In any emergency or disaster where federal assistance is requested for any response, recovery, or mitigation efforts, the Governor shall designate a person who shall serve as the State Coordinating Officer (SCO). The SCO shall be responsible for coordinating the allocation of federal assistance to the petitions submitted by the municipalities or the state government in the event that these are affected by an emergency or a disaster, and a situation where there is a declaration by the President that a disaster or emergency exists. Sections 5.03 (j) and 5.06 of Act No. 20-2017.

THEREFORE: I, PEDRO R. PIERLUISI, Governor of Puerto Rico, by virtue of the powers inherent to my office and the authority vested in me by the Constitution and the laws of Puerto Rico, hereby declare and order the following:

Section 1: **DECLARATION OF EMERGENCY.** I hereby declare that a state of emergency exists across Puerto Rico in view of the impending passage of Tropical Storm Fiona and its potential effects.

Section 2: **STATE COORDINATING OFFICER.** I hereby designate the Secretary of Public Safety, Mr. Alexis Torres- Ríos, as the State Coordinating Officer (SCO), and the acting Commissioner of the Emergency Management and Disaster Administration Bureau, Mr. Nino Correa- Filomeno, as the Alternate State Coordinating Officer.

 **Section 3:** **PROCUREMENT.** This declaration of emergency meets the requirements for the General Services Administration, the agencies, and municipalities to activate special emergency procurement procedures to acquire supplies and services as are essential for emergency response. This declaration of emergency is separate from the declaration of emergency issued to address the COVID-19 pandemic, and any other declared emergency.

Section 4: **REQUIRED FUND ESTIMATES.** The Department of Public Safety (DPS) shall prepare and submit to the Governor, the Director of the Office of

Management and Budget (OMB), the Secretary of the Treasury, and the Director of the Puerto Rico Fiscal Agency and Financial Advisory Authority (FAFAA) an estimate of the funds required to carry out evacuation, rescue, response, and recovery efforts in the affected regions.

Section 5:

SPECIAL BUDGET. Based on the estimate to be submitted by the DPS, the Secretary of the Department of the Treasury, and the Director of the OMB shall allocate the available funds earmarked by them to comply with the provisions of this Executive Order. The Secretary of the Treasury and the Director of the OMB, in collaboration with the Executive Director of FAFAA, are hereby authorized to establish —from any available funds, including the Emergency Fund— a special budget to cover those expenses necessary to carry out the evacuation, rescue, response and recovery efforts in accordance with this Executive Order. The foregoing includes any action to be taken before the Puerto Rico Financial Oversight and Management Board (FOMB).

Section 6:

REPORT. The DPS and the other agencies involved shall file with the Secretary of the Department of Treasury, the Director of the OMB, and the Director of FAFAA a report stating in detail the expenses incurred as of the completion of the works carried out in accordance with this Executive Order.

Section 7:

DEFINITION OF THE TERM AGENCY. For the purposes of this Executive Order, the term “agency” refers to every agency, instrumentality, office, or department of the Executive Branch of the Government of Puerto Rico, including public corporations, regardless of its name.

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:

SEVERABILITY. The provisions of this Executive Order are separate and

independent from one another, and if any part, section, provision, or sentence of this Executive Order is held to be unconstitutional, void, or invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remaining provisions, which shall remain in full force.

Section 10: **REPEALING CLAUSE.** This Executive Order renders ineffective any other executive order that is inconsistent, whether in whole or in part, with the provisions herein to the extent of such inconsistency.

Section 11: **PUBLICATION.** This Executive Order must be filed immediately with the Department of State and the broadest possible publication thereof is hereby ordered.

Section 12: **EFFECTIVENESS.** This Executive Order shall take effect immediately, and shall remain in effect until this Order is amended or repealed by a subsequent Executive Order or by law.

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 17th of September of 2022.




PEDRO R. PIERLUISI
GOVERNOR

Promulgated in accordance with the law on this 17th of September of 2022.


OMAR J. MARRERO DÍAZ
SECRETARY OF STATE