

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

Administrative Bulletin Number: OE-2023-032

**EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, HON. PEDRO R. PIERLUISI, FOR THE PURPOSES OF DECLARING A STATE OF EMERGENCY IN THE MUNICIPALITIES OF SAN JUAN, GUAYNABO, AND LOÍZA DUE TO THE FLASH FLOODING CAUSED BY RAINSTORMS.**

**WHEREAS:** The Governor of Puerto Rico has a constitutional responsibility to safeguard public order and protect the lives, property and safety of all of its residents.

**WHEREAS:** In light of the great volume of rainfall caused by the storms experienced by Puerto Rico, on October 27, 2023, the National Meteorology Service issued a flash flood warning for several municipalities due to the passage of a low-pressure system.

**WHEREAS:** Rainfall was concentrated within the North and Northeast sectors of Puerto Rico, where the volume of rainfall fluctuated between two and five inches. In particular, in the San Juan area, a maximum daily rainfall of 5.20 inches was recorded. These rainstorms caused flooding, erosion, and landslides in different communities.

**WHEREAS:** Due to its magnitude, the weather event caused an emergency situation in the areas of public safety, basic services and utilities, infrastructure, public roads, economic activity, and the social wellbeing of Puerto Rico. Similarly, the floods caused direct damage to the community, including damage to their homes.

**WHEREAS:** Specifically, those from the following municipalities were affected in a significant manner: San Juan, Guaynabo, and Loíza.

**WHEREAS:** Article 5.10 of Law 20-2017, as amended, known as the "Puerto Rico Public Safety Department Act," authorizes the Governor to decree a state of emergency on the island and "enact any regulations, orders, plans, or state measures for emergency, disaster, or similar situations based on their judgment," as well as to "dictate, amend, and annul any regulations, and issue, amend, and rescind any orders they deem convenient to governing during the state of emergency or disaster."



**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 the Government of Puerto Rico, hereby declare and order the following:

**Section 1:** **EMERGENCY DECLARATION.** I hereby declare a state of emergency in the following municipalities due to the flash flooding that has occurred during the past several days: San Juan, Guaynabo, and Loíza. I authorize and delegate to the Secretary of the Department of Public Safety (DSP, for its initialism in Spanish), to add, as part of this emergency declaration, any other municipality deemed necessary. They shall do so in coordination with the Office of the Chief of Staff.

**Section 2:** **STATE COORDINATING OFFICER.** I hereby order the State Coordinating Officer, the Secretary of the DSP, to proceed with the necessary coordination to accept and use the federal assistance provided in response to the requests made by the Government of Puerto Rico and its municipalities.

**Section 3:** **PURCHASES.** This emergency declaration complies with the requirements for the General Services Administration, the agencies, and the municipalities can activate the special emergency purchasing procedures to procure essential materials and services to respond to the emergency.

**Section 4:** **ESTIMATE OF REQUIRED FUNDS.** The DSP shall prepare and present to the Governor, the Director of the Office of Management and Budget (OGP, for its initialism in Spanish), the Secretary of the Treasury, and the Director of the Puerto Rico Fiscal Agency and Financial Advisory Authority (AAFAF, for its initialism in Spanish), an estimate of the funds required to carry out the evacuation, rescue, response, and recovery at the affected regions. The above shall include any expenses incurred as of this moment and any that shall be uncured to carry out the abovementioned work.

**Section 5:** **SPECIAL BUDGET.** Based on the estimate presented by the DSP, the Secretary of the Department of the Treasury and the Director of the OGP shall assign the available funds to the



agencies and municipalities they identify to comply with what is established in this Executive Order. The Secretary of the Treasury and the Director of the OGP are hereby authorized to establish, in collaboration with the Executive Director of the AAFAF, from any available funds, including the Emergency Reserve, a special budget to cover any expenses needed to carry out the evacuation, rescue, response, and recovery work in accordance with this Executive Order. The above applies to any necessary task before the Puerto Rico Fiscal Agency and Financial Advisory Authority.

The procurement of any services and mitigation work shall be carried out in compliance with the applicable state and federal laws and regulations.

**Section 6:**                    **REPORT.** The DPS and other involved agencies must submit to the Secretary of the Treasury, the Director of the OGP, and the Director of the AAFAF, a detailed report of the expenses incurred at the conclusion of the work performed in accordance with this Executive Order. This report must be submitted on or before thirty (30) days after the conclusion of the abovementioned work.

**Section 7:**                    **PROMOTION OF ASSISTANCE PROGRAMS.** The agencies are hereby ordered to promote and carry out efforts aimed at making it so that the affected communities are aware of and benefit from the various available assistance programs.

**Section 8:**                    **DEFINITION OF THE TERM AGENCY.** For the purposes of this Executive Order, the term “agency” refers to any agency, department, office, or division of the Executive Branch of the Government of Puerto Rico, including public corporations, regardless of their name.

**Section 9:**                    **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 10:**                    **SEVERABILITY.** The provisions of this Executive Order are separate and independent of each other, and if any part, section, provision, or sentence of this Executive Order is declared unconstitutional, void, or invalid by a court of jurisdiction and venue, such decision shall not affect the validity of the remaining provisions, which shall remain in full force.



**Section 11:**            **PRIOR ORDERS SUPERSEDED.** This Executive Order shall supersede the parts of any executive order that may, in whole or in part, be inconsistent with the provisions herein, to the extent of such inconsistency.

**Section 12:**            **PUBLICATION.** This Executive Order must be filed immediately with the Department of State and the widest possible publication is hereby ordered.

**Section 13:**            **VALIDITY.** This Executive Order shall enter into force immediately and remain in effect until it is amended or annulled by a future Executive Order or by law.

**IN TESTIMONY 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 29<sup>th</sup> day of October, 2023.



**PEDRO R. PIERLUISI  
GOVERNOR**

Enacted in accordance with the law on this 29<sup>th</sup> day of October, 2023.

**OMAR J. MARRERO DÍAZ  
SECRETARY OF STATE**