

**EXECUTIVE ORDER NO. 2002-25**

**RELATIVE TO DECLARING AN EMERGENCY AT THE GUAM INTERNATIONAL AIRPORT IN ORDER TO EXPEDITE THE ISLAND-WIDE RECOVERY FROM TYPHOON PONGSONA AND FOR THE PROVISION OF SERVICES BY THE GUAM INTERNATIONAL AIRPORT TO ASSIST THE GOVERNMENT OF GUAM**

**WHEREAS**, the Antonio B. Won Pat International Airport Authority, Guam (Guam International Airport Authority), has sustained major damage to its infrastructure, facilities, security perimeter fencing, runway lights, and back-up generators due to damage sustained from Typhoon Pongsona; and

**WHEREAS**, in emergency cases, the Guam International Airport Authority may be called upon to purchase jet fuel to recover and maintain flight operations; and

**WHEREAS**, a fire resulting from damage sustained to jet fuel storage tanks at the Port Authority of Guam perhaps destroying Guam's only source of jet fuel for commercial aircraft continues to rage uncontrollably; and

**WHEREAS**, thousands of travelers have been impacted by the inability of the Guam International Airport Authority to recovery normal flight operations caused by Typhoon Pongsona; and

**WHEREAS**, it is in the best interest of the government of Guam to ensure the rapid recovery and repairs of all damaged Airport facilities;

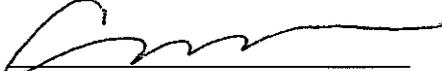
**NOW, THEREFORE, I, CARL T.C. GUTIERREZ, I** Maga'Lahen Guahan, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, do order:

1. **Declaration of State of Emergency.** A state of emergency is hereby declared at the Antonio B. Won Pat International Airport Authority (Guam International Airport Authority) as a result of damage sustained from Typhoon Pongsona.
2. **Definition.** For the purpose of this Executive Order, the Executive Manager shall mean the Executive Manager of the Antonio B. Won Pat International Airport Authority.
3. **Emergency procurement and emergency expenses.** Pursuant to §5215 of Title 5, Guam Code Annotated, authorizing emergency procurement upon executive order, this executive order shall authorize emergency

procurement for the Guam International Airport Authority to be exercised by the Executive Manager or his designee from December 7, 2002 until January 6, 2002, unless further renewed by the Governor, for all related expenses resulting from Typhoon Pongsona. Expenses shall be paid for with funds from the Antonio B. Won Pat International Airport Authority.

4. **Authorization for Overtime.** The Executive Manager is hereby delegated the authority to determine eligibility for all overtime expenditures resulting from work performed by employees of the Guam International Airport Authority in the response and recovery from Typhoon Pongsona.
5. **Contracting Authority.** The Executive Manager is hereby delegated contracting authority, normally reserved for the Director of the Department of Public Works, for the purpose of expediting disaster repairs to the Antonio B. Won Pat International Airport.
6. **Documentation of expenses.** The Executive Manager is hereby directed to maintain and keep appropriate documentation on all emergency expenses resulting from Typhoon Pongsona for inspection by the Executive and Legislative Branches of the government of Guam, the Public Auditor of Guam, and in anticipation of federal disaster assistance approval by the President of the United States to be administered by the Federal Emergency Management Agency.

**SIGNED AND PROMULGATED** at Hagatna, Guam this 9<sup>th</sup> day of December, 2002.

  
**CARL T.C. GUTIERREZ**  
I Maga' Lahen Guahan  
Governor of Guam

**Government of Guam  
Office of the Governor**

**Executive Order 2002 - 26**

**RELATIVE TO ESTABLISHING PRIORITIES FOR GOVERNMENT CONSUMPTION  
OF FUEL AND FOR THE DEVELOPMENT AND IMPLEMENTATION OF AN  
INTERIM ISLAND TRANSPORTATION PLAN**

**WHEREAS**, the island of Guam was hit by Super Typhoon Pongsona, with speeds in excess of 160 miles per hour on December 8, 2002; and

**WHEREAS**, the island suffered extensive damage to all of its infrastructure system including power, water, telephone, extensive damage to facilities at the Port Authority of Guam, the Antonio B. Won Pat International Airport Authority, the Guam Memorial Hospital Authority and other government facilities; and

**WHEREAS**, during Typhoon Pongsona, a Mobil fuel storage facility at Cabras Island caught on fire and has subsequently spread to other storage tanks co-located at this facility; and

**WHEREAS**, this fire has prevented the local gas companies on island from loading the gasoline from the remaining storage facilities at Cabras Island and servicing the island in an adequate and orderly manner; and

**WHEREAS**, such minimal petroleum products currently available must first be rationed to certain agencies of the government and key private industries so that critical supplies and services can continue to be available to the broadest number of people, including the maintenance of services at Guam's Port, Airport and Utility Agencies; and

**WHEREAS**, a unified command center has been established with Mobil Oil Guam, the Office of Civil Defense, and the United States Coast Guard to determine the best course of action to resolve the crisis and to establish a secure method in which shipments of gasoline can be received and distributed for island consumption; and

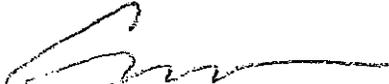
**WHEREAS**, the remaining gasoline on-island has been reserved by industry officials for emergency and critical operations of the government and the island community;

**NOW THEREFORE, I, CARL T.C. GUTIERREZ**, do hereby make the following declarations:

- 1. Establishment of Priorities & Plans for Government Fuel Consumption.**
  - A.** The Director of the Department of Administration and the Chief Procurement Officer of the General Services Agency shall immediately prepare a plan of action for use by local gasoline companies to distribute the remaining reserve to government-licensed vehicles used only for emergency or critical operations to include the following.
    - i.** The authorization of procuring gas at the following rates: ten (10) gallons for sedan vehicles; twenty (20) gallons for mid-sized vehicles (vans, etc.); and thirty (30) gallons for large transportation vehicles.

- ii. The program will require that all odometer readings be taken for all government-vehicles that receive petroleum under this program.
    - iii. The program shall include authorization for gasoline purchase for essential personnel (as determined by the Director of Administration) using their privately-owned vehicles.
    - iv. Identifying which emergency response vendors shall be authorized for fueling (to include basic debris clean-up, gas-powered support vehicles, communications systems, etc.).
    - v. Develop a program for meeting the fueling needs of the Mayors, if possible.
  - B. All Government Agencies shall adhere to and follow the plan of action resulting from this executive order relative to government fuel consumption.
- 2. **Reporting Requirement of Government Vehicle Inventory.** The Director of the Department of Public Works in conjunction with the Director of the Department of Revenue and Taxation shall provide the following information to the Director of Administration:
  - A. A listing of all government-vehicles from each agency and department.
  - B. Such listing shall include all diesel-powered vehicles.
- 3. **Development of Transportation Plan.** The Director of Administration shall direct the Guam Mass Transit Authority Division to integrate the following into a mass transit plan:
  - A. A system for mass transit for all essential personnel.
  - B. A system for Red Cross, Salvation Army and other volunteer programs.
  - C. A system for health and human services (medical professionals, nurses, dialysis patients, cancer patients, etc.)
  - D. A mass transits system for essential employees in the tourism industry, either through public or private means
  - E. If necessary, a system in which critical goods and services are distributed for public consumption
- 4. **Health Care Needs.** The Director of the Department of Public Health and Social Services, in consultation with the Administrator of the Guam Memorial Hospital Authority, and the Director of the Department of Mental Health & Substance Abuse, shall provide the following information to the Director of Administration to address health care needs:
  - A. A listing of homebound patients requiring fuel for gas powered generators.
  - B. Identification of health issues in the villages.
  - C. Other essential health care providers necessary to meet the needs of the community.

Signed and Promulgated in the city of Hagatna, this 11<sup>th</sup> Day of December 2002.

  
CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

**GOVERNMENT OF GUAM  
OFFICE OF THE GOVERNOR**

**EXECUTIVE ORDER # 2002 – 27**

**RELATIVE TO ESTABLISHING A PAY AND LEAVE POLICY FOR GOVERNMENT  
OF GUAM EMPLOYEES AS A RESULT OF TYPHOON PONGSONA AND THE TANK  
FIRE AT THE FUEL FARM IN CABRIS ISLAND**

**WHEREAS**, the island of Guam is in a state of emergency due to damage sustained as a result of Typhoon Pongsona, which battered Guam on December 8, 2002; and

**WHEREAS**, the damage sustained to the island's infrastructure combined with the shortage of gasoline caused by a major fire at the fuel storage facilities located at Cabras Island, Port of Guam, has limited the government's abilities to respond to emergencies and begin the recovery efforts; and

**WHEREAS**, the Honorable George W. Bush, President of the United States of America, in response to a request for a presidential declaration of a major disaster for the island of Guam, has directed the Federal Emergency Management Agency (FEMA) to provide disaster assistance to the island of Guam; and

**WHEREAS**, the Federal Emergency Management Agency has assigned this disaster the following number: FEMA-DR-1446-GU; and

**WHEREAS**, Governor Carl T.C. Gutierrez, Governor of Guam, has requested for all non-critical and non-emergency personnel of the Executive Branch of the Government of Guam, including the Department of Education, to stay home away from work to avoid unnecessary traffic on Guam's roads that have caused significant delays for emergency responders and utility agencies charged with providing services to Guam residents; and

**WHEREAS**, the order for Government of Guam employees to stay home was made in recognition of the need for residents to reserve all fuel in their personal vehicles for emergency purposes and personal needs;

**NOW THEREFORE, I, CARL T.C. GUTIERREZ, I' MAGA' LAHEN GUAHAN, GOVERNOR OF GUAM**, do hereby declare and order the following:

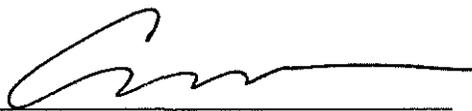
- I. Government-wide Pay & Leave Policy.** For the period beginning Sunday, December 8, 2002 until Sunday, December 15, 2002, or unless otherwise extended by the Governor, the following pay and leave policy shall be adopted for the Government of Guam:
  - A. Administrative Leave.** Administrative Leave is hereby granted to all non-critical and non-emergency personnel of the Government of Guam.
  - B. No Pay or Leave Penalties.** No employee of an executive branch agency, department or instrumentality, shall be penalized with leave without pay status, charged with annual leave or deducted available compensatory time/CTO (if available) for failing to report to work during this period.
  - C. Definition of Critical and Emergency Personnel.** For the purposes of this order, critical and emergency personnel are defined as follows:

1. **Critical Personnel.** Any employee deemed by his or her appointing authority to be critical in the delivery of essential services to the people of Guam, including those mandated by the Emergency Operations Center, Office of Civil Defense.
  2. **Emergency Personnel.** Pursuant to 4103(e) of Title 4, Guam Code Annotated, emergency personnel are defined as those employees critical to the deliverance of public health, safety, and welfare to the people of Guam.
- D. **Failure to Report by Critical and Emergency Personnel.** Employees must make every good faith effort to report to duty as requested by their supervisors and appointing authorities. However, if an employee is not diligent in reporting to duty, the employee may be subject to progressive disciplinary action by their respective managers.
- E. **Pay Policy for Reporting Employees.** The following pay policy is hereby adopted for critical and emergency personnel reporting to work during this period.
1. **Overtime Authorized.** All employees, except for elected officials, appointing authorities and their deputies, are entitled to receive overtime pay beyond a "forty (40) hour" workweek.
  2. **Hazardous Pay.** All employees who reported to work on Condition One (1) and Two (2) are entitled to hazardous pay. Furthermore, essential employees who are exposed to hazardous environment after the typhoon are entitled to receive hazardous pay pursuant to the Civil Service Commission's Pay Policy.
  3. **Night Differential.** All employees who are scheduled to work from 6:00 p.m. to 6:00 a.m. are entitled to receive a 10% night differential pay.

II. **GOVGUAM EMPLOYEES ACTIVATED FOR STATE DUTY GUAM NATIONAL GUARD.** All Government of Guam employees activated for state duty with the Guam National Guard, shall be compensated pursuant to Department of Administration policy.

III. **JUDICIAL AND LEGISLATIVE BRANCH PAY & LEAVE POLICY ENCOURAGED.** The Chief Justice of the Supreme Court of Guam, Presiding Judge of the Superior Court of Guam and the Speaker of the Guam Legislature, are encouraged to adopt this policy for employees of the Judicial and Legislative Branches of Government.

Signed and Promulgated in the city of Hagatna, this 13<sup>th</sup> day of December, 2002.

  
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CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

**GOVERNMENT OF GUAM  
OFFICE OF THE GOVERNOR**

**EXECUTIVE ORDER # 2002-28**

**CONTINUATION OF GUAM NATIONAL GUARD ACTIVATION**

**WHEREAS**, the island of Guam is in a state of emergency due to damage sustained as a result of Typhoon Pongsona, which battered Guam on December 8, 2002; and

**WHEREAS**, the damage sustained to the island's infrastructure additionally caused by a major fire at the fuel storage facilities located at Cabras Island, Port of Guam, has limited the government's abilities to respond to emergencies and continue the recovery efforts; and

**WHEREAS**, the Honorable George W. Bush, President of the United States of America, in response to a request for a presidential declaration of a major disaster for the island of Guam, has directed the Federal Emergency Management Agency (FEMA) to provide disaster assistance to the island of Guam; and

**WHEREAS**, the Federal Emergency Management Agency has assigned this disaster the following number: FEMA-DR-1446-GU; and

**NOW THEREFORE, I, CARL T.C. GUTIERREZ, I' MAGA' LAHEN GUAHAN, GOVERNOR OF GUAM**, do hereby declare and order the following:

- I. **GOVGUAM EMPLOYEES ACTIVATED FOR STATE DUTY GUAM NATIONAL GUARD.** All Government of Guam employees activated for state duty with the Guam National Guard, shall be compensated pursuant to Department of Administration policy.
- II. **Activation Period.** The Guam National Guard will remain activated through 30 December, 2002. The Adjutant General, through consultation with Civil Defense and approval of the Governor, will determine any downsizing necessary during this period. Any downsizing will keep in mind future mission requirements.

**Signed and Promulgated** in the city of Hagatna, this 18<sup>th</sup> day of December, 2002.



**CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM**

**GOVERNMENT OF GUAM  
OFFICE OF THE GOVERNOR**

**EXECUTIVE ORDER #2002 – 29**

**RELATIVE TO CLARIFYING EXECUTIVE ORDER 2002-27, ESTABLISHING  
PAY AND LEAVE POLICY FOR GOVERNMENT OF GUAM EMPLOYEES AS A  
RESULT OF TYPHOON PONGSONA AND THE TANK FIRE AT THE FUEL  
FARM IN CABRAS ISLAND.**

**WHEREAS**, the island of Guam is in a state of emergency due to damage sustained as a result of Typhoon Pongsona, which battered Guam on December 8, 2002; and

**WHEREAS**, the Governor of Guam, Carl T.C. Gutierrez, signed and promulgated Executive Order 2002-27 establishing a pay and leave policy for Government of Guam employees as a result of Typhoon Pongsona and Tank Fire at Fuel Farm in Cabras Island; and

**WHEREAS**, pursuant to Executive Order 2002-27, Administrative Leave was granted to all employees of the Government of Guam, as well as the implementation of a No Pay or Leave Penalty (Section 1, Item B) for the period beginning December 8, 2002 until December 15, 2002; and

**WHEREAS**, pursuant to Section 7.404 (F) of the personnel rules and regulations of the Department of Administration, provides for further compensation to personnel who report for duty during emergencies;

**NOW, THEREFORE, I, CARL T.C. GUTIERREZ, P' MAGA' LAHEN GUAHAN, GOVERNOR OF GUAM**, do hereby declare and order the following:

- I. **Emergency Pay.** Employees occupying classified or unclassified positions, except for Department or Agency Heads and their deputies, by whatever title called, whose regularly scheduled hours of work do not fall within such an emergency period, but who are required to report for, and be on duty, shall be entitled to overtime pay for all such hours worked (at time and a half), including overtime, but not for administrative leave.
- II. **Application.**
  - A. This Emergency Pay provision shall be applicable to all departments and agencies of the Executive Branch, including but not limited to line agencies, autonomous agencies, semi-autonomous agencies, public corporations, and government instrumentalities.
  - B. This Emergency Pay provision shall be applicable from December 7, 2002 (Condition 2) until December 15, 2002.

**Signed and Promulgated**, this 20<sup>th</sup> day of December, 2002.

  
**CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM**