



OFFICE OF THE GOVERNOR
HAGATNA, GUAM 96910
U.S.A.

EXECUTIVE ORDER NO. 2004-11

RELATIVE TO DECLARING A STATE OF EMERGENCY IN ORDER TO EXPEDITE THE ISLAND-WIDE PREPARATION AND RECOVERY FROM TROPICAL STORM TINGTING AND FOR THE PROVISION OF SERVICES BY THE GUAM NATIONAL GUARD TO ASSIST THE GOVERNMENT OF GUAM

WHEREAS, as of 8:00 a.m., CST, Saturday, June 26, 2004, the Government of Guam has been advised by the National Weather Service, that Guam and the southern Mariana Islands has been placed on Tropical Storm Watch (tropical storm conditions possible within 48 hours); and

WHEREAS, as of 12:00 a.m., Sunday, June 27, 2004, the Government of Guam has been advised by the National Weather Service, that Tropical Storm Tingting will be making its closest point of approach to the island of Guam between 9:00 am and 12:00 pm, Monday, June 28, 2004; and

WHEREAS, the Emergency Operations Center at the Office of Civil Defense has been established and Response Activity Coordinators (RACs) have been activated to duty as of 8:00 am, Sunday, June 27, 2004 in preparation for the onset of potential damaging winds and rains from Tropical Storm Tingting; and

WHEREAS, the Government of Guam is in need of heavy equipment for use throughout the island in anticipation of heavy rainfall, widespread flooding, and heavy accumulation of debris island-wide caused by Tropical Storm Tingting; and

WHEREAS, the Government is now in dire need of funds and resources to pay for basic equipment and rental, supplies, personnel overtime costs, and other response and recovery expenses that will be borne in order to get the recovery process underway and to ensure that the basic needs of the people of Guam are met; and

WHEREAS, the US Department of Homeland Security and the Federal Emergency Management Agency, FEMA, has been informed of current activities related to the response to and recovery from potential disaster situations and is awaiting further advisement to assist the Government of Guam with its preliminary damage assessments;

NOW, THEREFORE, I, FELIX P. CAMACHO, *I Maga'lahaen Guåhan*, 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 for the island of Guam as a result of Tropical Storm Tingting.
2. **Preliminary damage assessments.** All department and agency heads of the Government of Guam are hereby directed to conduct preliminary damage assessments in conjunction with the Office of Homeland Security/Office of Civil Defense and the Bureau of Statistics and Plans, as soon as the island is returned to Condition of Readiness 4.



3. **Reporting Requirement.** As much as possible, initial reports on preliminary damage assessments and expenses are due from all departments and agencies within Twenty-four (24) hours from the date of this Executive Order.
4. **Emergency procurement and emergency expenses.** Pursuant to 5 G.C.A. §5215, authorizing emergency procurement upon executive order, and pursuant to 5 G.C.A. § 22402, authorizing the Governor to utilize no more than Two Hundred Fifty Thousand Dollars (\$250,000.00) from General Fund appropriations for the Executive Branch for expenses resulting from civil defense, public safety or health care emergencies, the Director of the Bureau of Budget and Management Research ("BBMR") is authorized to transfer to the Department of Military Affairs an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) from outstanding appropriations within the General Fund for immediate procurement by the Department of Military Affairs to provide goods and services to respond appropriately to the **island-wide preparation and recovery from Tropical Storm Tingting**
5. **Documentation of expenses.** Appropriate documentation on all expenses pertaining to such emergency procurement must be kept for inspection by the Executive and Legislative Branches and by 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.
6. **Purpose of emergency procurement and expenditure of funds.** Emergency procurement may be used for procurement of any goods and supplies provided by the Department of Military Affairs with the Office of Civil Defense as the lead agency in coordination with Homeland Security relative to the response and recovery from Tropical Storm Tingting; and continuing for Thirty (30) days after the date of this executive order as provided in § 5215 of Title 5, Guam Code Annotated.
7. This executive order shall authorize overtime from 8:00 am, June 27, 2004 until 8:00 am June 30, 2004, unless further renewed by the Governor, in response to the **island-wide preparation and recovery from Tropical Storm Tingting.**
8. **Government of Guam support.** The Guam Fire Department, the Guam Police Department, the Guam Department of Public Works, the Guam Environmental Protection Agency, the Guam Department of Public Health and Social Services, and the Guam Waterworks Authority shall provide such emergency services as are requested by the Department of Military Affairs.



9. **Cost Reimbursement.** The Department of Military Affairs in coordination with the various responding departments and agencies of the government of Guam shall pursue costs reimbursement from the appropriate responsible parties to the full extent provided by law, including subsequent legal proceedings as may be necessary.

SIGNED AND PROMULGATED at Hagatna, Guam this 27th day of June, 2004.

FELIX P. CAMACHO

I Maga'lahen Guåhan
Governor of Guam

COUNTERSIGNED:

KALIO S. MOYLAN
Segundo Maga'lahen Guåhan
Lieutenant Governor of Guam

