

GOVERNMENT OF GUAM
OFFICE OF THE GOVERNOR
AGANA, GUAM

EXECUTIVE ORDER NO. 78-39

ESTABLISHMENT OF PUBLIC ASSISTANCE

OFFICE (FDAA)

WHEREAS, on May 19, 1976, the Territory of Guam was devastated by Super Typhoon Pamela which incurred extensive damage to public facilities; and

WHEREAS, on May 28, 1976, Guam entered into an Agreement with the Federal Disaster Assistance Agency (FDAA), for the implementation of a restoration program pursuant to Public Law 93-299, Title IV, Sections 401, 402 and 403; and

WHEREAS, in excess of Nine Million Dollars (\$9.0 million) has now been approved by the FDAA as an eligible reimbursement contribution towards the costs of debris clearance, protective measures, and the repair, reconstruction or replacement of typhoon damaged public facilities; and

WHEREAS, a total of nineteen Applicants were successful in filing Project Applications with the FDAA for the reimbursement of restoration costs; and

WHEREAS, approximately forty (40) individual programs must now be implemented in accordance with complex and specific federal regulations, procedures, and deadlines, in order to file successful reimbursement claims; and

WHEREAS, the satisfactory implementation of the FDAA Public Assistance Program as defined by Sections 401, 402 and 403 of the Disaster Relief Act of 1974, will now require the careful direction, assistance and full-time efforts of a centralized administrative staff; and

WHEREAS, the Thirteenth Guam Legislature saw fit to enact Public Law 13-145, known as the Typhoon Pamela Relief Fund Act to appropriate funds "for the purpose of providing relief from, and reconstruction of, the damage caused by Typhoon Pamela and also as matching funds for federal disaster loans and grants"; and

WHEREAS, Resolution No. 22-S interprets the intent of Public Law 13-145, and expresses the desire of the Legislature that the Governor "... take all steps necessary to achieve a maximum entitlement for recovery from the Federal Government in the form of reimbursement for money spent for services rendered within the Territory"; and

WHEREAS, Resolution No. 22-S declares that: "Since the federal reimbursement will depend on a large part on the type, quality and quantity of documentations of rehabilitation costs, the Governor is requested to take steps necessary to see to it the utmost care is used in the preparation of documentation of reimbursement expenses"; and

WHEREAS, the Governor did, on January 10, 1977, signed Executive Order No. 77-1; and

WHEREAS, this Executive Order will repeal Executive Order No. 77-1;

NOW, THEREFORE, I, RICARDO J. BORDALLO, Governor of Guam, pursuant to the authority vested in me by the Organic Act of Guam, as amended, and the intent of Resolution No. 22-S, and in order to provide direction and assistance to the nineteen Applicants who have successfully requested FDAA contributions, hereby establish the Public Assistance Office (FDAA), within the Office of the Governor to administer the FDAA Public Assistance program, as defined by Public Law 93-299, Title IV, Sections 401, 402 and 403. The office shall function until the completion of the FDAA Public Assistance program.

Section 1. Functions of Public Assistance Office (FDAA):

The functions of the Office shall be as follows:

- (a) to coordinate and administer the FDAA Public Assistance program according to FDAA rules and regulations;
- (b) to assist Applicants in the implementation of their restoration programs;
- (c) to supervise and monitor progress on reconstruction projects and to prepare Applicants for inspection and audit;
- (d) to schedule, evaluate and respond to Final Inspection and State Internal Audit Reports;
- (e) to assist Applicants file appropriate Claims for reimbursement;
- (f) to coordinate all activities relating to the administration of the Public Assistance program;
- (g) to schedule Interim Inspections on construction projects;
- (h) to submit Monthly Reports on progress to the Governor;
- (i) to act as liaison between the FDAA Regional Office and local Applicants;
- (j) to perform those tasks and responsibilities delegated to the Governor's Authorized Representative (GAR) by FDAA rules and regulations;
- (k) to facilitate the smooth implementation of Guam's efforts towards Post Typhoon Pamela recovery.

Section 2. Funds:

The funding of the Public Assistance Office (FDAA) hereby established shall be drawn from the Typhoon Pamela Relief Fund pursuant to the intent of Public Law 13-145. The Governor's Authorized Representative shall determine the funds required for the support of the Office, and shall request that the necessary amount to cover a period not to exceed the life of the program shall be encumbered from the Typhoon Pamela Relief Fund and placed

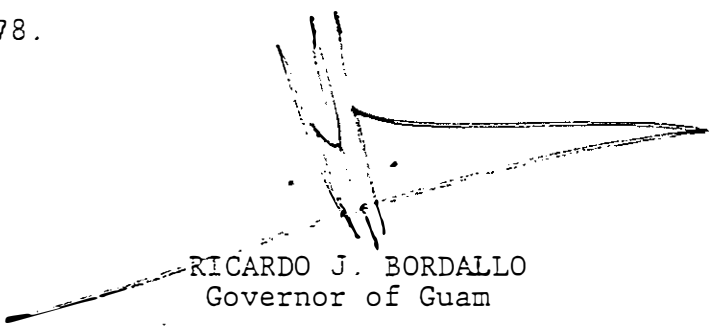
in a separate account for that office. The Governor's Authorized Representative shall be held accountable for the expenditure of such funds.

Section 3. Staff:

The Public Assistance Office (FDAA) shall be headed by the Governor's Authorized Representative (GAR), who, in addition to fulfilling the responsibilities assigned by FDAA regulations, shall act as the Administrator of the Public Assistance program as defined above. The Governor's Authorized Representative (GAR) shall report directly to the Governor, and shall implement those functions listed under Section 1 above.

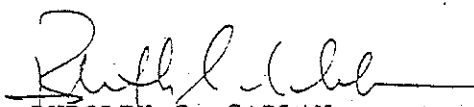
The Governor's Authorized Representative (GAR) is authorized to recruit the staff necessary to the successful implementation of the program for a period of time not to exceed the life of the program.

Signed and promulgated at Agana, Guam this 12th day of December, 1978.



RICARDO J. BORDALLO
Governor of Guam

COUNTERSIGNED:



RUDOLPH G. SABLAN
Lieutenant Governor