



**THE UNITED STATES VIRGIN ISLANDS
OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE
Charlotte Amalie, V.I. 00802
340-774-0001**

EXECUTIVE ORDER NO. 537 – 2024

**ORDER AND PROCLAMATION
BY THE GOVERNOR
OF THE UNITED STATES VIRGIN ISLANDS
DECLARING A STATE OF ENERGY EMERGENCY IN THE
UNITED STATES VIRGIN ISLANDS
TO AVERT AN ENERGY CRISIS**

WHEREAS, Title 23, Section 1005(a), Virgin Islands Code, vests in the Governor the responsibility for meeting the dangers to the Territory of the United States Virgin Islands and its people presented by emergencies or major disasters; and

WHEREAS, since Russia invaded the country of Ukraine in February of 2022, the price of a barrel of oil has been in a constant flux and the cost of both diesel fuel and liquid propane has steadily increased; and

WHEREAS, the conflict in the Middle East also continues to affect the uncertainty of the price of a barrel of crude oil; and

WHEREAS, the inability of independent government agencies to timely pay WAPA for its services has impacted WAPA's ability to pay its critical vendors; and

WHEREAS, due to lack of payment, WAPA's critical vendors have begun to withhold services; and

WHEREAS, without services from critical vendors, WAPA has been forced to curtail power generation leading to rotating power outages that threatens the health, safety and economic stability of the population of the United States Virgin Islands; and

WHEREAS, WAPA's inability to reduce its accounts payable also delays its payments to the vendors that are creating and implementing the various pathways to utilize more efficient and affordable ways to produce energy, including solar and wind projects that are already underway to reduce the United States Virgin Islands dependence on fossil fuel; and

WHEREAS, residents and businesses are forced to supplement their energy supply, or forgo electrically dependent items due to the fluctuation and instability of electric production caused by power outages; and

WHEREAS, many residents and visitors are dependent on constant reliable power generation to operate their vital medical equipment and inability to access consistent power threatens their health and very lives; and

WHEREAS, businesses are forced to curtail their operating hours due to the power outages and suffer economic hardship; and

WHEREAS, social service providers' ability to provide necessary care is impaired due to office closures and inability to access electronically stored files; and

WHEREAS, the Government of the Virgin Islands must take immediate action to stabilize the production of energy in the Territory to ensure the safety and operation of critical services to its residents; and

WHEREAS, Title 23, Section 1005(d), Virgin Islands Code, vests in the Governor the authority to declare a State of Emergency when it is determined that an emergency or major disaster has occurred or is imminent; and

NOW, THEREFORE, I, Albert Bryan Jr., Governor of the Virgin Islands of the United States, by virtue of the authority granted to me by Section 11 of the Revised Organic Act of 1954, as amended, and afore-cited sections of the Virgin Islands Code, do hereby DECLARE as follows:

1. Effective April 22, 2024, a State of Energy Emergency exists in the United States Virgin Islands due to WAPA's inability to provide continuous power generation, and such State of Emergency shall continue in effect until the Governor finds that the threat or danger has passed or that the response and recovery to the point that a state of emergency no longer exists, unless earlier lifted or extended by Order of the Governor of the United States Virgin Islands consistent with Title 23, Section 1005(d) of the Virgin Islands Code; and
2. I direct the Director of the Virgin Islands Territorial Emergency Management Agency ("VITEMA") to activate the Emergency Operation Center on St. Croix ("EOC") on April 22, 2024, at 10 a.m. I have designated Daryl D. Jaschen, the VITEMA Director, the Territorial Coordinating Officer ("TCO"); and
3. In accordance with Title 23, Section 1005 of the Virgin Islands Code, I designate the Director of the Office of Management and Budget, Jenifer O'Neal, territorial official, as Incident Commander, to direct the territorial response pursuant to the authority granted by the Governor in order to execute the directives for enforcement of this order. The Incident Commander and the TCO shall advise the Executive Office of the Governor on the implementation of these emergency response activities; and

4. In accordance with Title 3, Section 4 and Title 3, Section 177 of the Virgin Islands Code, I direct the Incident Commander and the TCO to take all actions necessary to protect the public health, safety and economic stability of the population of the United States Virgin Islands; and
5. The disaster preparation, response and recovery aspects of the territorial and inter-jurisdictional emergency and major disaster plans applicable to the area in question, shall be activated, and the deployment and use of any forces to which the plan or plans apply and the use or distribution of any supplies, equipment, materials, and facilities assembled, stockpiled, or arranged to be made available shall also be authorized pursuant to the provisions of Title 23, Section 1005(e) and any other provision of law relating to emergencies or major disasters; and
6. I hereby direct all agencies under the direction of the Governor to fully cooperate with the Office of Management and Budget and the Incident Commander, and any representative thereof in furtherance of this Order. All agencies not under the direction of the Governor are requested to provide such assistance as is required. All local resources available are designated as being available for the enforcement of this Order; and
7. The provisions of Title 31, Chapter 23, Section 236 of the Virgin Islands Code, establishing the procedures for formal advertising of competitive bids and the attendant rules and regulations promulgated thereunder, are hereby suspended during the Declared State of Emergency for purchases of goods and services related to the production of energy in the United States Virgin Islands.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Government of the Virgin Islands of the United States to be affixed at Charlotte Amalie, St. Thomas, Virgin Islands, this 22nd day of April, A.D., 2024.




Albert Bryan Jr.
Governor