



COMMONWEALTH of the NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NO. 2020-02

SUBJECT: CONTINUED DECLARATION OF STATE OF SIGNIFICANT EMERGENCY ESTABLISHING RESPONSE, QUARANTINE, AND PREVENTIVE CONTAINMENT MEASURES CONCERNING CORONAVIRUS DISEASE 2019 (COVID-19)

WHEREAS, Coronavirus Disease 2019 (COVID-19) is a novel virus that is the cause of severe acute respiratory illness. It was first detected in Wuhan, Hubei Province, People's Republic of China ("PRC") in December of 2019. As of February 26, 2020, 81,830 confirmed cases of COVID-19 infection in China and more than forty other countries have been reported. There have been 2,771 deaths attributable to the disease, including 56 outside mainland China.

WHEREAS, COVID-19 is considered to be highly contagious. The method or manner of transmission is not completely known. Of more concern, there is no confirmed treatment for COVID-19 other than quarantine, isolation and containment. The U.S. Centers for Disease Control ("CDC") is undertaking emergency research and developing protocols to develop a biomedical response or vaccine for COVID-19. The potential pandemic impact of COVID-19 cannot be understated.

WHEREAS, travelers from mainland China and several countries such as Hong Kong, Macau, Thailand, Australia, Malaysia, Singapore, Taiwan, South Korea have been identified with COVID-19. The recent rise of confirmed cases of COVID-19 in the Republic of Korea (South Korea) is particularly worrisome as that is a major tourism source market for the CNMI. Many countries, including neighboring jurisdictions such as the Republic of Palau and Republic of the Marshall Islands have implemented travel bans from mainland China due to the risk of COVID-19 to their communities due to their isolation and capacity limitations in dealing with infectious diseases

WHEREAS, the public health threat of a traveler carrying COVID-19 is significant and cannot be understated. The CDC states that the complete clinical picture of COVID-19 is still not fully clear. Reported illnesses have ranged from infected people with little to no symptoms to people being severely ill and dying. This is a serious public health threat. The fact that this virus has caused severe illness and sustained person-to-person spread in China and other countries is concerning, but it's unclear how the situation in the United States will unfold at this time. Further, CDC informs us that the risk to individuals is dependent on exposure. For the general American public, who are unlikely to be exposed to this virus, the immediate health risk from COVID-19 is considered low. However, for the CNMI and its tourism dependent economy, the risk is substantial due to incubation times, the sourcing of travelers and the developing protocols to deal with a virus that has yet to be contained.

WHEREAS, on January 29, 2020, the Governor issued Executive Order 2020-01 declaring a state of significant emergency regarding the COVID-19 outbreak that ordered the Commonwealth

Healthcare Corporation to implement quarantine and preventive containment measures and directed the Secretary of Finance and Special Assistant for Management and Budget to assess the fiscal impact of the outbreak on the government's budget.

WHEREAS, on January 30, 2020 the International Health Regulations Committee of the World Health Organization declared the COVID-19 outbreak a “public health emergency of international concern”; On January 31, 2020, the Secretary of Health & Human Services, Alex M. Azar II, declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19.

WHEREAS, on January 31, 2020, the President of the United States, Donald J. Trump, issued a proclamation suspending entry into the United States, including the CNMI, of all aliens, immigrants or nonimmigrants, who were physically present within the People's Republic of China, excluding the Special Administrative Regions of Hong Kong and Macau, during the 14-day period preceding their entry or attempted entry into the United States, subject to certain exceptions. This same proclamation also ordered the Secretary of Homeland Security to “take all necessary and appropriate steps to regulate the travel of persons and aircraft to the United States to facilitate the orderly medical screening and, where appropriate, quarantine of persons who enter the United States and who may have been exposed to [COVID-19].”

WHEREAS, reduced travel from the PRC due to the COVID-19 outbreak combined with the Governor's Executive Order and President's Proclamation led to the cessation of all flights from the PRC. This has led to the stranding of a number of tourists from the PRC due to flight cancellations.

WHEREAS, the CNMI Commonwealth Healthcare Corporation (“CHCC”) is charged with ensuring the safety of our community as to communicable and infectious diseases. 1 CMC § 2603(b) grants CHCC the power and duty to minimize and control communicable disease. 1 CMC § 2605 directs the CHCC to adopt rules and regulations regarding those matters over which it has jurisdiction, including quarantine of communicable disease and inspection. 1 CMC § 2605(n). 3 CMC § 2148 provides that persons suffering from contagious diseases, and persons exposed to such diseases, may be isolated and quarantined in accordance with regulations issued pursuant to Commonwealth Code, Title 3, division 2. NMIAC § 140-10.3 sets forth the Communicable Diseases Rules and Regulations which discuss, among other things, the manner of regulating potential travelers carrying communicable diseases and the quarantine process. While this process is perhaps an appropriate measure, the risk, scope and threat of COVID-19 requires a more compelling and immediate response through this emergency declaration; and,

WHEREAS, by this declaration of a state of significant emergency, I intend to direct and instruct the Commonwealth Healthcare Corporation, Commonwealth Ports Authority, the CNMI Customs Division and the Marianas Visitors Authority to undertake immediate emergency COVID-19 containment measures. This Declaration is necessary to protect the health and safety of our children, our senior citizens, businesses, and all other CNMI residents and visitors.

NOW THEREFORE, I, ARNOLD I. PALACIOS, pursuant to the authority vested in me as Acting Governor of the Commonwealth of the Northern Mariana Islands by Article III, § 10 of the

Commonwealth Constitution and PL 18-4, § 104 of the Homeland Security and Emergency Management Act of 2013, do hereby declare a State of Significant Emergency for the Commonwealth of the Northern Mariana Islands due to the imminent threat Coronavirus Disease 2019 (COVID-19). COVID-19 poses a significant and imminent threat of harm to the community, environment and people of the CNMI and this emergency declaration issues in order to respond, quarantine and ensure the prevention of or containment of COVID-19 in the CNMI.

Additionally, I hereby invoke my authority under Article III, § 10 of the Commonwealth Constitution and PL 18-4 § 104(c), to take all necessary measures to address the threats facing the Commonwealth of the Northern Mariana Islands including, but not limited to, the authority to:

1. Suspend all statutory or regulatory provisions as required; and
2. Utilize all available resources of the Commonwealth government and its political subdivisions as reasonably necessary to respond to the emergency.

It is hereby **ORDERED** that:

This Declaration of a State of Significant Emergency shall take effect immediately and all memoranda, directives, and other measures taken in accordance with this Declaration shall remain in effect for thirty (30) days from the date of this Executive Order unless I, prior to the end of the thirty (30)-day period, terminate the declaration of a state of significant emergency. PL 18-4, § 104(g).

Under the authority of this Declaration and with the goal of mitigating or ameliorating the above described crises, I immediately direct the following:

DIRECTIVE 1: The Commonwealth Healthcare Corporation (“CHCC”) shall coordinate with the Commonwealth Ports Authority (“CPA”), the CNMI Customs Service, Marianas Visitors Authority (“MVA”) and any other necessary government agency, commonwealth or federal, to develop and implement protocols, quarantine measures and other increased monitoring and controls at the Commonwealth airports and seaports as to all arriving travelers, passengers and cargo for screening for COVID-19.

Such measure may include bolstering staff and resources at airports and seaports in order screen all arrivals from Japan and South Korea. Such measures may also include working with MVA and the Hotel Association of the Northern Mariana Islands to implement COVID-19 surveillance activities at hotels, bed and breakfasts, and other forms of temporary lodging utilized by visitors; requiring visitors from or who have transited through Korea and Japan to provide contact information to CHCC health screeners upon arrival into Saipan; subjecting such visitors to mandatory follow-up with CHCC field staff for assessment of signs of possible COVID-19 infection; and if such signs are identified, subjecting such visitors to a CHCC administered COVID-19 evaluation period. Any regulation or rule of any commonwealth agency that could be construed as preventing, hindering, or delaying the implementation of the measures outlined in this paragraph are hereby suspended.

DIRECTIVE 2: CPA and MVA shall coordinate efforts to effectuate the sustenance and repatriation of tourists stranded in the CNMI. In effectuating the sustenance and repatriation of the stranding tourists, CPA and MVA shall work with United States Customs & Border Protection Service and any other federal or commonwealth government agency necessary to accomplish the goal.

DIRECTIVE 3: Because of the complete suspension of flights from China and the reduction in flights from Korea and the predictable resulting decreased revenue from visitors impacting our economy, I direct the Secretary of Finance and the Special Assistant for Management and Budget to continue to monitor the fiscal impact on the FY2020 budget and to provide a weekly (or more often if deemed necessary) report to the Governor and/or the Lt. Governor. As part of this report, the Secretary of Finance and the Special Assistant for Management and Budget shall make recommendations for adjustments to our FY2020 budget consistent with the CNMI Planning and Budgeting Act if such adjustments are deemed necessary by the Secretary and Special Assistant.

The above described Directives are in no way meant as the limits of actions or authority under this Declaration. Accordingly, I reserve the right under this Declaration to issue any and all directives necessary to prevent, mitigate or ameliorate the adverse effects of the emergency.

SIGNED AND PROMULGATED ON THIS 28th **day of February, 2020**



ARNOLD I. PALACIOS
ACTING GOVERNOR