

**GOVERNMENT OF PUERTO RICO
LA FORTALEZA
SAN JUAN, PUERTO RICO**

Administrative Bulletin Number: OE-2021-073

EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, THE HON. PEDRO R. PIERLUISI, TO AMEND ADMINISTRATIVE BULLETIN OE-2021-037 IN ORDER TO EXEMPT PASSENGERS ARRIVING IN THE AIRPORTS OF PUERTO RICO WHO HAVE THEIR VACU-ID ISSUED BY THE GOVERNMENT OF PUERTO RICO FROM HAVING TO COMPLETE THE TRAVEL DECLARATION FORM.

WHEREAS: For over a year, Puerto Rico and the rest of the world have been facing an emergency due to the COVID-19 pandemic. This has called for the implementation of certain necessary precautionary measures at the national and international level, aimed at safeguarding the lives of people. Noteworthy among these measures are the screening procedures conducted at airports and the handling of passenger traffic.

WHEREAS: Administrative Bulletin No. OE-2021-037 was promulgated on May 20, 2021, to establish the rules for passengers arriving in Puerto Rico on flights from the United States of America or any international destination in order to implement certain precautionary measures against COVID-19. Contrary to the previous executive orders, the rules provided therein included the possibility for passengers arriving in Puerto Rico to show proof of being fully vaccinated against COVID-19 in order to enter, given that these vaccines have been recognized as safe and highly effective to prevent such disease. Such actions were consistent with the guidelines issued by the Centers for Disease Control and Prevention (CDC).

WHEREAS: Yesterday, October 25, 2021, the President of the United States, Joseph R. Biden Jr., issued a proclamation entitled, "Advancing the Safe Resumption of Global Travel During the COVID-19 Pandemic," which established the new COVID-19 rules for inbound passengers from international flights. Particularly, it mandated United States noncitizens nonimmigrants international passengers to be fully vaccinated in order to be allowed entry to the United States. In turn, the Centers for Disease Control and Prevention (CDC) issued various orders, among which is the "Order Implementing Presidential Proclamation on Safe Resumption of Global Travel During the COVID-19 Pandemic," which established the framework to implement the President's proclamation. The other was the "Amended Order Requirement for Proof of Negative COVID-19 Test Result or Recovery from COVID-19 Test Result or Recovery from COVID-19 for All Airline

I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

Passengers Arriving into the United States,” which amended certain aspects of the order issued on January 25, 2021, entitled “Requirement for Negative Pre-Departure COVID-19 Test Result or Documentation of Recovery from COVID-19 for All Airline or other Aircraft Passengers Arriving into the United States from any Foreign Country.” It specifically required all passengers, even international passengers to show a negative COVID-19 viral test result for. However, let us clarify that passengers who are fully vaccinated against COVID-19 must furnish a result of up to three (3) days before the flight; while unvaccinated passengers must furnish a negative COVID-19 test result of up to one (1) day before their flight.

WHEREAS: Given the need to avoid fake vaccination record cards and facilitate the mandatory proof of vaccination, on August 11, 2021, the Government of Puerto Rico launched a digital vaccination identification for people. This tool known as “Vacu-ID” —and developed and implemented by the Puerto Rico Innovation and Technology Services (“PRITS”), in conjunction with the Department of Health and the Department of Transportation and Public Works— has been so successful that, to this date, over 1,032,903 have been registered.

WHEREAS: In view of the changes made by President Biden and the CDC to the international travel requirements, it is necessary to update Administrative Bulletin No. OE-2021-037. Moreover, because of the technological advances it is feasible and necessary to render the requirement to complete a Travel Declaration Form, COVID-19 Alert more flexible for people holding the Vacu-ID. The vaccination information of these people is available at the Puerto Rico Electronic Immunization System (“PREIS”) as well as their personal information, and it is also in the platform CESCO Digital. This shall render the process to enter the Island swifter for a large number of residents.

THEREFORE: I, PEDRO R. PIERLUISI, Governor of Puerto Rico, by virtue of the powers inherent to my office and the authority vested in me by the Constitution and the Laws of the Government of Puerto Rico, hereby declare and order the following:

Section 1: Section 1 of Administrative Bulletin No. OE-2021-037 is hereby amended to read as follows:

SECTION 1: TRAVEL DECLARATION FORM. Any passenger older

than age two (2) who arrives in Puerto Rico from any state or territory of the United States of America or from any international destination – except for those who have a Vacu-ID issued by the Government of Puerto Rico shall be required to fill out the “Declaración de viajero, Alerta COVID-19” or “Travel Declaration Form, COVID-19 Alert,” which may be accessed online prior to their arrival at the following webpage: <https://1link.travelsafe.pr.gov/>. If access to said document by electronic means is impossible, the passenger shall be able to fill out the form in person upon arrival at the airport. Completing the travel declaration form includes, among other things, attaching a copy of the “COVID-19 Vaccination Record Card” or a negative COVID-19 test result from a qualified SARS-CoV2 viral test (Nucleic Acid Amplification Test (“NAAT”) or antigen test), as required herein. In the aforementioned declaration, the passenger will certify, under oath, that he/she will comply with all the orders imposed regarding their behavior during their stay on the Island.

Any Passenger having a Vacu-ID issued by the Government of Puerto Rico shall be exempt from having to complete the “Declaración de viajero, Alerta COVID-19” or “Travel Declaration Form, COVID-19 Alert.” Instead, they shall furnish –at the special line created for such purposes– their Vacu-ID with the QR Code, in order to be validated in the existing system and automatically registered in the “Secure monitoring and reporting for public health” (“SARA Alert”). Said person may furnish it through the CESCO Digital or Apple Wallet applications or through another mechanism approved by the Puerto Rico Innovation and Technology Services (“PRITS”). If furnished through the CESCO Digital application, no additional document shall be required. However, if furnished through the Apple Wallet application or another mechanism approved by PRITS, the staff in charge may request an identification for the sole purpose of verifying the identity of the person and such identification may not be photocopied.

Furthermore, any adult with the Vacu-ID who is travelling with a minor older than the age of two (2) must complete the “Declaración de viajero, Alerta COVID-19” or the “Travel Declaration Form, COVID-19 alert” of the minor, and both of them may use the special line for people with a Vacu-ID.

To the extent that the Vacu-ID system is integrated into other United

States jurisdictions, the use of the platforms shall be allowed in Puerto Rico, once they are validated by the Department of Health and PRITS.

Section 2: Section 3 of Administrative Bulletin No. OE-2021-037 is hereby amended to read as follows:

SECTION 3: PASSENGERS ON INTERNATIONAL FLIGHTS.

Passengers arriving on flights from any international destination must adhere to the rules imposed by the President of the United States, Joseph R. Biden Jr., through the proclamation issued on October 25, 2021, entitled "Advancing the Safe Resumption of Global Travel During the COVID-19 Pandemic", and the orders issued by the CDC "Order Implementing Presidential Proclamation on Safe Resumption of Global Travel During the COVID-19 Pandemic" and "Amended Order Requirement for Proof of Negative COVID-19 Test Result or Recovery from COVID-19 for All Airline Passengers Arriving into the United States." This includes, but is not limited to requiring every international passenger other than United States noncitizens and nonimmigrants to be fully vaccinated against COVID-19, subject to the rules and exceptions established in the proclamation and the CDC's orders

Moreover, in accordance with the above rules, every passenger over the age of two (2) must furnish: (a) a negative COVID-19 test result from a qualified SARS-CoV2 viral test (Nucleic Acid Amplification Test ("NAAT") or antigen test) approved by a relevant national authority, performed up to three (3) days prior to their arrival, in the case of fully vaccinated passengers; or up to one (1) day, in the case of unvaccinated passengers; or (b) a positive COVID-19 test result from ninety (90) days before the flight, along with documentation confirming their recovery, including a letter from a certified healthcare provider or from any government health official certifying that the passenger has recovered and is ready to travel. However, all persons exempted under the aforementioned CDC orders shall continue to be exempt.

If President Biden or the CDC modify the aforementioned rules, the provisions of the new rules shall be complied with. If, on the contrary, they are eliminated, all passengers arriving in Puerto Rico on an international flight shall be required to fulfill the requirements

established in Section 2 of this Executive Order.

Section 3: Section 5 of Administrative Bulletin No. OE-2021-037 is hereby amended to read as follows:

SECTION 5: PRECAUTIONARY MEASURES. Any passenger arriving in a flight from any state or territory of the United States of America or from any international destination —regardless of his vaccination status and of whether or not he has a negative COVID-19 test result from a qualified SARS-CoV2 viral test (Nucleic Acid Amplification Test (“NAAT”) or antigen test)— shall be required to comply with all the precautionary measures provided in the executive orders of the Governor or the administrative orders of the Department of Health. In addition, they shall monitor their health for COVID-19 symptoms, interact directly with the “Secure Monitoring and Reporting for Public Health” (“SARA Alert”) tool, and provide all required information, either electronically, by phone, via text messages, or in person.

Section 4: Section 6 of Administrative Bulletin No. OE-2021-037 is hereby amended to read as follows:

SECTION 6: EXCEPTIONS TO THIS EXECUTIVE ORDER. Any flight crew member or aircraft mechanic who will not be staying in Puerto Rico for more than seventy-two (72) hours, as well as any federal or state agent or official working on an extradition case, active military personnel, and any other personnel as determined by the Puerto Rico Department of Health, shall be exempt from compliance with this Executive Order. Likewise, people who are returning to Puerto Rico from a trip lasting less than seventy-two (72) hours shall be exempt from compliance with the provisions herein. However, they must furnish evidence of their departing flight from Puerto Rico.

In all the aforementioned exceptions, the person must comply with the following: (1) filling out the travel declaration form as provided in this Executive Order, to allow for proper follow up and monitoring by the Puerto Rico Department of Health, except for those persons who hold a Vacu-ID, whom may present it; (2) complying with all orders, instructions, protocols, and requests for information issued by the Puerto Rico Department of Health, the Puerto Rico National Guard, and any other



concerned government agency; and (3) complying with all the precautionary measures provided in the executive orders of the Governor or the administrative orders of the Department of Health.

Section 5:

Section 7 of Administrative Bulletin No. OE-2021-037 is hereby amended to read as follows:

SECTION 7: COMPLIANCE. The Puerto Rico Department of Health—in coordination with the Puerto Rico National Guard, the Puerto Rico Ports Authority, the Puerto Rico Public Safety Department, and any other government entity, as deemed pertinent— shall take all measures as are necessary to implement the provisions of this Executive Order. Among them, a specific protocol shall be kept establishing in detail the process to collect information from each passenger, as applicable, the manner in which government authorities shall manage said information, and the due notification to passengers of the provisions of this Executive Order and their rights, including the strictest confidentiality when handling this information.

The Puerto Rico Department of Health is hereby delegated the power to impose more stringent restrictions than those provided in this Executive Order, through all applicable legal mechanisms, if infection rate so warrants it.

No passenger may leave the airport premises without completing the process established by the Department of Health, in coordination with the Puerto Rico National Guard, and in accordance with the provisions of this Executive Order, which includes filling out the travel declaration form.

The concerned government entities are hereby directed to create a separate fast lane for passengers with Vacu-ID who may show it together with its QR Code in lieu of filling out the travel declaration form. These entities are further directed to take all measures as are necessary to automatically register passengers in the SARA Alert by validating the Vacu-ID QR Code at the airports.

The Puerto Rico Tourism Company and the Puerto Rico Ports Authority shall establish communication with travel agencies, airlines, and the hotel industry to ensure proper collaboration in notifying passengers of the requirements to travel to Puerto Rico.

Section 6:

SEVERABILITY. The provisions of this Executive Order are separate and independent from each other, and if any part, section,



provision, or sentence of this Executive Order is held to be unconstitutional, void, or invalid by a court with competent jurisdiction, such holding shall not affect the validity of the remaining provisions, which shall remain in full force.

Section 7: **NON-CREATION OF ENFORCEABLE RIGHTS.** This Executive Order is not intended to create any rights, substantive or procedural, enforceable at law or equity, by any person or entity, in any matter, civil, criminal, or administrative, against the Government of Puerto Rico or its agencies, officials, employees, or any other person.

Section 8: **REPEALING CLAUSE.** This Executive Order renders without effect as of its effective date all parts of any other executive order that may be inconsistent, whether in whole or in part, with the provisions herein to the extent of such inconsistency.

Section 9: **EFFECTIVENESS.** This Executive Order shall take effect on Friday, October 29, 2021, except for the provisions of Section 2 this Executive Order, which shall take effect on November 8, 2021, in accordance with the proclamation of President Biden and the CDC's orders.

Section 10: **PUBLICATION.** This Executive Order must be filed immediately with the Department of State and the widest possible publication thereof is hereby ordered.



IN WITNESS WHEREOF, I hereby issue this Executive Order under my signature and cause the Great Seal of the Government of Puerto Rico to be affixed in San Juan, Puerto Rico, on this 26th of October of 2021.

PEDRO R. PIERLUISI
GOVERNOR

Promulgated in accordance with the law on this 26th of October of 2021.

OMAR J. MARRERO DÍAZ
SECRETARY OF STATE