

**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
SAIPAN, TINIAN, ROTA and NORTHERN ISLANDS**



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**COMMONWEALTH REGISTER**

**VOLUME 46  
NUMBER 05  
MAY 15, 2024**

**COMMONWEALTH REGISTER**  
**VOLUME 46**  
**NUMBER 05**  
**May 15, 2024**

**ADOPTED**

Public Notice of Certification and Adoption Of Regulations of CDBG-DR Program <b>Northern Marianas Housing Corporation .....</b>	<b>051076</b>
Public Notice of Certification and Adoption Of Regulations of the Customs Service Division <b>Department of Finance .....</b>	<b>051079</b>

**PROPOSED**

Public Notice of Proposed Amendments to the Rules and Regulations <b>Rota Casino Gaming Commission .....</b>	<b>051081</b>
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**ORDERS**

<b>PUA Case No.</b> 21-0123 <b>Subject:</b> Order Denying Request to Reopen; Final Agency Decision <b>In the Matter of:</b> Milan Fargo v. CNMI Department of Labor <b>Department of Labor .....</b>	<b>051089</b>
<b>PUA Case No.</b> 23-0236 <b>Subject:</b> Administrative Decision <b>In the Matter of:</b> Shopun Mozunder v. CNMI Dept. of Labor <b>Department of Labor .....</b>	<b>051092</b>
<b>PUA Case No.</b> 23-0244 <b>Subject:</b> Administrative Order Granting Appellant's Request for Dismissal <b>In the Matter of:</b> Arwin Reyes v. CNMI Dept. of Labor, Div. of Empl. Servcies-PUA <b>Department of Labor .....</b>	<b>051100</b>

**PUA Case No.** 23-0252  
**Subject:** Administrative Decision Granting Appellant's Request for Dismissal  
**In the Matter of:** Eldrone Quizon v. CNMI Dept. of Labor, Div. of Empl. Services-PUA  
**Department of Labor** ..... **051101**

**PUA Case No.** 24-0276  
**Subject:** Administrative Decision Granting Appellant's Request for Dismissal  
**In the Matter of:** Loreta Dupra v. CNMI Dept. of Labor  
**Department of Labor** ..... **051102**



# NORTHERN MARIANAS HOUSING CORPORATION

P.O. BOX 500514, Saipan, MP 96950-0514

Tel. (670) 234-6866/234-9447/234-7689/234-7670 • Fax. (670) 234-9021 / 234-6890

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## **PUBLIC NOTICE OF CERTIFICATION AND ADOPTION OF REGULATIONS OF The Northern Marianas Housing Corporation**

PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER  
AS PROPOSED REGULATIONS

Volume 46, Number 4, pp. 050914 to 051032 of April, 2024

**Regulations, which are the Northern Marianas Housing Corporations' Community Development Block Grant – Disaster Recovery (CDBG-DR) Program's Homebuyer Activities and Homeowner Rehabilitation and Reconstruction Policies and Procedures.**

**ACTION TO ADOPT PROPOSED REGULATIONS:** The Northern Marianas Housing Corporation (NMHC) HEREBY ADOPTS AS PERMANENT the Proposed Regulations which were published in the Commonwealth Register at the above-referenced pages, pursuant to the procedures of the Administrative Procedure Act (APA), 1 CMC § 9104(a). The NMHC announced that they intended to adopt these regulations as permanent, and now do so.

I also certify by signature below that: as published, Adopted Regulations are a true, complete, and correct copy of the referenced Proposed Amendments to the Northern Marianas Housing Corporation's Homebuyer Activities Program's & Homeowner Rehabilitation and Reconstruction's Policies and Procedures under the Community Development Block Grant – Disaster Recovery (CDBG-DR) Program, and they are being adopted without any modifications.

**PRIOR PUBLICATION:** The prior publication was as stated above.

**MODIFICATIONS FROM PROPOSED REGULATIONS, IF ANY:** None.

**AUTHORITY:** The Northern Marianas Housing Corporation is empowered by the Legislature with the authority to adopt and modify rules and regulations for the administration and enforcement of its housing programs. 2 CMC § 4433(t).

**THE TERMS AND SUBSTANCE:** The Adopted Regulations represent a substantial revision to the NMHC's Community Development Block Grant – Disaster Recovery (CDBG-DR) Homeowner Rehabilitation and Reconstruction Program and Homebuyer Activities Program Policies and Procedures relating to the addition of § 100-100.3-710 and § 100-100.4-202.

COMMONWEALTH REGISTER

VOLUME 46 NUMBER 05 MAY 15, 2024

PAGE 051076



**“NMHC is an equal employment and fair housing public agency”**

1

**Rota Field Office**

Tel: (670) 532-9410 • Fax: (670) 532-9441

**CDBG-DR Office**

Tel: (670)233-9447/9448/9449

**Tinian Field Office**

Tel: (670) 433-9213 • Fax: (670) 433-3690

**DIRECTIONS FOR FILING AND PUBLICATION:** These Regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations, 1 CMC § 9102(a)(1), and posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and in the principal vernacular. 1 CMC § 9104(a)(1).

**EFFECTIVE DATE:** Pursuant to the APA, 1 CMC § 9105(b), these Adopted Regulations are effective 10 days after compliance with the APA, 1 CMC §§ 9102 and 9104(a) or (b), which, in this instance, is 10 days after this publication in the Commonwealth Register.

**COMMENTS AND AGENCY CONCISE STATEMENT:** Pursuant to the APA, 1 CMC § 9104(a)(2), the agency shall consider all written submissions respecting the Proposed Regulations. No oral or written comments were submitted to NMHC during the 30-day comment period.

**ATTORNEY GENERAL APPROVAL:** The Adopted Regulations were approved for promulgation by the Attorney General in the above-cited pages of the Commonwealth Register, pursuant to 1 CMC § 2153(e) (to review and approve, as to form and legal sufficiency, all rules and regulations to be promulgated by any department, agency or instrumentality of the Commonwealth government, including public corporations, except as otherwise provided by law). As such, no further approval is required.

The Adopted Regulations were approved by the Northern Marianas Housing Corporation through the approval of the Board of Directors during its meeting on **February 16, 2024** and the Board of Directors was authorized to promulgate these regulations on behalf of the Northern Marianas Housing Corporation.

I DECLARE under the penalty of perjury that the foregoing is true and correct and that this declaration was executed on \_\_\_\_ day of May, 2024, at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and ordered by:



MERCED "MARCIE" M. TOMOKANE  
Chairperson  
Board of Directors

05/06/2024  
Date

Filed and  
Recorded by:



ESTHER R.M. SAN NICOLAS  
Commonwealth Registrar

05.14.2024  
Date

Pursuant to 1 CMC § 2153(e) (Attorney General approval of regulations to be promulgated as to form) and 1 CMC § 9104(a)(3) (obtain Attorney General approval), the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published, pursuant to 1 CCM § 2153(f)(publication of rules and regulations).

Dated this 7<sup>th</sup> of May, 2024.



EDWARD MANIBUSAN  
Attorney General



Office of the Secretary  
Department of Finance



P.O. Box 5234 CHR, Saipan MP 96950

TEL: (670) 664-1100 FAX: (670) 664-1115

COMMONWEALTH REGISTER

VOLUME 46 NUMBER 05 MAY 15, 2024

PAGE 051079

**PUBLIC NOTICE OF CERTIFICATION AND ADOPTION OF REGULATIONS OF  
THE DEPARTMENT OF FINANCE – DIVISION OF CUSTOMS SERVICE**

*Prior Publication in the Commonwealth Register as Proposed Regulations  
Volume 46 Number 04 pp 051033 – 051060, April 15, 2024*

*Regulations of the Department of Finance: Chapter 70-10 Customs Service Division*

**ACTION TO ADOPT PROPOSED REGULATIONS:** The Commonwealth of the Northern Mariana Islands, Department of Finance ("DOF"), HEREBY ADOPTS AS PERMANENT the Proposed Regulations which were published in the Commonwealth Register at the above-referenced pages, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The DOF announced that it intended to adopt them as permanent, and now does so. (Id.)

I also certify by signature below that as published, such adopted regulations are a true, complete and correct copy of the referenced Proposed Regulations, and that they are being adopted without modification or amendment.

**PRIOR PUBLICATION:** The prior publication was as stated above.

**MODIFICATIONS FROM PROPOSED REGULATIONS, IF ANY:** None

**AUTHORITY:** These regulations are promulgated under the authority set forth in the Commonwealth Code including, but not limited to, 1 CMC 2553, 1 CMC 2557, 1 CMC § 25201, 4 CMC § 1104, 4 CMC § 1402, 4 CMC § 1425 and 4 CMC § 1820.

**EFFECTIVE DATE:** Pursuant to the APA, 1 CMC sec. 9105(b), these adopted regulations are effective 10 days after compliance with the APA, 1 CMC §§ 9102 and 9104(a) or (b), which, in this instance, is 10 days after this publication in the Commonwealth Register.

**COMMENTS AND AGENCY CONCISE STATEMENT:** Pursuant to the APA, 1 CMC sec. 9104(a)(2), the agency has considered fully all written and oral submissions respecting the proposed regulations. Upon this adoption of the regulations, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption. Please see the following pages for this agency's concise statement, if there are any, in response to filed comments.

**ATTORNEY GENERAL APPROVAL FOR NON-MODIFIED REGULATIONS:** The adopted regulations were approved for promulgation by the Attorney General in the above-cited pages of the Commonwealth Register, pursuant to 1 CMC § 2153(e) (To review and approve, as to form and legal sufficiency, all rules and regulations to be promulgated by any department, agency or instrumentality of the Commonwealth government, including public corporations, except as otherwise provided by law.). As such, further approval is not required.

I DECLARE under penalty of perjury that the foregoing is true and correct and that this declaration was executed on 7<sup>th</sup> day of May 2024, at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and ordered by:


  
\_\_\_\_\_

TRACY B. NORITA  
Secretary of Finance  
Department of Finance

05/07/24

Date

Filed and  
Recorded by:

  
\_\_\_\_\_


ESTHER SAN NICHOLAS  
Commonwealth Registrar

05.13.2024

Date

Pursuant to I CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and I CMC §9104(a)(3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published. I CMC § 2153(f) publication of rules and regulations).

Dated the 14<sup>th</sup> day of May, 2024.

  
\_\_\_\_\_

for EDWARD MANIBUSAN  
Attorney General





**PUBLIC NOTICE OF PROPOSED AMENDMENTS TO THE RULES AND REGULATIONS FOR THE ROTA CASINO GAMING COMMISSION**

**INTENDED ACTION TO ADOPT THESE PROPOSED RULES AND REGULATION:**

The Rota Casino Gaming Commission ("the Commission") intends to adopt as permanent regulations the attached Proposed Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

**AUTHORITY:** The Commission has the authority to adopt rules and regulations in furtherance of its duties and responsibilities pursuant to Rota Local Initiative 1, The Rota Casino Act of 2007 (10 CMC §§ 12101-12163).

**THE TERMS AND SUBSTANCE:** The attached Rules and Regulations supplement the current regulations which govern and regulate the casino industry in the First Senatorial District (Rota). The amendments provide regulation of internet casino activities.

**THE SUBJECTS AND ISSUES INVOLVED:** These rules and regulations:

1. Add § 160-20.1-1327 Website Requirement
2. Amend § 160-20.1-015 Definitions (z)
3. Amend § 160-20.1-910 Prohibition On Play (a)
4. Add § 160-20.1-1235 Fees and Taxes (l)
5. Amend § 160-20.1-1301 Definitions (b)

**DIRECTIONS FOR FILING AND PUBLICATION:** These Proposed Regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations (1 CMG § 9102(a)(1)) and posted in convenient places in the civic center and in local government offices in the First Senatorial District; the notice shall be both in English and in the principal vernacular. (1 CMG§ 9104(a)(1)).

**TO PROVIDE COMMENTS:** Send or deliver your comments to Rota Casino Gaming Commission, Attn: New Casino Gaming Commission Rules and Regulations, at the above address, or email address, with the subject line "New Casino Gaming Commission Rules and Regulations". Comments are due within 30 days from the date of publication of this notice. Please submit your data, views or arguments. (1 CMG § 9104(a)(2))



ROTA CASINO GAMING COMMISSION  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
POST OFFICE BOX 1547, ROTA, MP 96951  
PHONE: 1.670.532.7242  
rcgc96951@gmail.com

The Rota Casino Gaming Commission approved the attached Regulations on the 09<sup>th</sup> day of April, 2024.

I DECLARE under penalty of perjury that the above foregoing is true and correct and that this Declaration was executed on the above date stated on Rota, Commonwealth of the Northern Mariana Islands.

Certified and Ordered by:

Viola Jeanne M. Hocog-Atalig, Chairperson  
Rota Casino Gaming Commission

04/17/2024

Date

Received by:

Oscar M. Babauta  
Governor's Special Assistant for Administration

4/25/24

Date

Filed and Recorded by:

Esther M. San Nicolas  
Commonwealth Registrar

05.03.2024

Date

Pursuant to 1 CMG§ 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104(a)(3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published, 1 CMC § 2153(f) (publication of rules and regulations).

Dated the 16 day of April, 2024.

Hon. EDWARD MANIBUSAN  
Attorney General





## Appendix I

**Subchapter 160-20.1 (“ROTA CASINO GAMING COMMISSION RULES AND REGULATIONS”)** is amended by adding the following language: **Website requirement**

### **§ 160-20.1-1327 Website Requirement**

Casino Operators must provide to the Commission for approval of its website or internet accessible software application requirements.

- (a) Domain name of individual website, ie. “example.com”, or name of internet accessible software application
- (b) Country where physical servers are located
- (c) Name and license number of Casino Gaming Service Provider maintaining servers
- (d) Name of hosting or cloud provider company
- (e) Software platform manufacturer
- (f) Software platform documentation
- (g) Software platform testing certification
- (h) List of games offered on website or internet accessible software application
- (i) For each game:
  - (a) Game percentage payout
  - (b) Game specification
  - (c) Jackpot limits
  - (d) Linked jackpot arrangements

**Section 160-20.1-015(z) (Definitions)** is amended by deleting this section in its entirety and replacing with the following: **Clarification**

(z) “Gaming Equipment” means any mechanical, electrical, or electronic contrivance or machine used in connection with gaming or any game and includes, without limitation, roulette wheels, roulette tables, big six wheels, craps tables, tables for card games, layouts, slot machines, cards, dice, chips, plaques, card dealing shoes, drop boxes, **websites, internet-accessible software applications**, and other devices, machines, equipment, items, or articles determined by the Commission to be so utilized in gaming as to require licensing of the manufacturers, distributors, or services or as to require Commission approval in order to contribute to the integrity of the gaming industry.

**Section 160-20.1-910(a) (Prohibition On Play)** is amended by deleting this section in its entirety and replacing with the following: **Clarification of prohibitions specific to websites**

- (a) The Commission finds it necessary to pass this prohibition to protect the welfare of individuals, promote the welfare of the community, minimize social ills and criminality, and promote fiscal responsibility. It is also necessary to maintain the perception and



integrity of the casino industry. Accordingly, the casino operator, shall implement systematic rules and procedures, approved by the commission, to ensure that the following individuals are prohibited from playing in the casino:

- (1) Individuals under 18 years of age;
- (2) Individuals who appear to be intoxicated;
- (3) Individuals who appear to be addicted to gambling, and the casino operator shall implement policies and procedures designed to identify individuals exhibiting behavior evidencing a problem with gambling;
- (4) Members or employees of the Commission, except in casino games where game wins are not treated as gross gaming revenue by the commission, in a jurisdiction where taxes are collected by the commission.
- (5) Officers, directors, or partners of the casino operator and the casino management company, except in casino games where game wins are not treated as gross gaming revenue by the commission.
- (6) Gaming assistants, casino key employees, casino employees or casino clerks of the casino operator, except in casino games where game wins are not treated as gross gaming revenue by the commission.
- (7) Any person who is a current recipient of any welfare federal or local assistance based on low-income such as food stamp recipients.
- (8) **In the case of websites or internet-accessible software applications:**
  - (i) Individuals whose location is determined to be in a state or territory of the United States of America other than the Commonwealth;
  - (ii) Individuals who are playing from a location where the Commission has determined that play shall not be allowed

**Section 160-20.1-1235 (“Fees and Taxes”) is amended by adding the following language:  
Website license fees and virtual currency authorization**

- (I) Website License Fees
  - (1) Website license fees shall be assessed annually on all websites or internet-accessible software applications containing games available for play by patrons of the casino.
  - (2) License fees for each website or internet-accessible software applications shall be two thousand five hundred dollars per year, per website or internet-accessible software application operated by the casino. This fee must be remitted to the Commission by October 1st of each fiscal year
  - (3) In the case of a website or internet-accessible software application, the Rota Gaming Tax, pursuant to subsection (h) shall be paid on each individual player deposit, at the time of deposit, in a manner prescribed by the Commission



**Section 160-20.1-1301(b) (Definitions) is amended by deleting this section in its entirety and replacing with the following: [Clarification](#)**

- (b) “Gaming equipment” means any mechanical, electrical, or electronic contrivance or machine used in connection with gaming or any game and includes, without limitation, roulette wheels, roulette tables, big six wheels, craps tables, tables for card games, layouts, slot machines, cards, dice, chips, plaques, card dealing shoes, drop boxes, [websites](#), [internet-accessible software applications](#), and other devices, machines, equipment, items, or articles determined by the Commission to be so utilized in gaming as to require licensing of the manufacturers, distributors, or services or as to require Commission approval in order to contribute to the integrity of the gaming industry.



**ARONGORONGOL TOULAP REEL PPWOMMWOL LIIWEL NGÁLI ALLÉGH ME MWÓGHUTUGHUT NGÁLI ROTA CASINO GAMING COMMISSION**

**MÁNGEMÁNGIL MWÓGHUT REEL REBWE ADÓPTÁÁLI PPWOMMWOL LIIWEL ME MWÓGHUTUGHUT:** Rota Casino Gaming Commission (“Commission we”) re mángemángil rebwe adóptááli bwe ebwe lléghló mwóghutughut ikka e appasch bwe Ppwommwol Mwóghutughut, sáangi Administrative Procedure Act, 1 CMC § 9104(a). Ebwe bwunguló Mwóghutughut kkaal seigh ráál mwiril aar adóptááli me akkatééwowul me llól Commonwealth Register. (1 CMC § 9105(b))

**BWÁNGIL:** Eyoor bwángil Commission rebwe adóptááli allégh me mwóghutughut llól lemelemil sáangi Rota Local Initiative 1, Rota Casino Act-il 2007 (10 CMC §§ 12101-12163).

**KKAPASAL ME AWEEWEEL:** Allégh me Mwóghutughut ikka e appasch nge sóbweeylól mwóghutughut imwu e lo iye e ayoorai lemelem me mwóghut ngáli casino industry llól Ghommwal Senatorial District (Luuta). Liiwel kkaal e ayoorai mwóghutughut ngáli internet casino.

**KKAPASAL ME AUTOL:** Allégh me mwóghutughut kkaal:

1. Aschuulong § 160-20.1-1327 Website Requirement
2. Liiweli § 160-20.1-015 Weeweel (z)
3. Liiweli § 160-20.1-910 Prohibition On Play (a)
4. Aschuulong § 160-20.1-1235 Fees and Taxes (l)
5. Liiweli § 160-20.1-1301 Weeweel (b)

**AFAL REEL AMMWELIL ME AKKATÉÉWOWUL:** Ebwe akkatééwow Ppwommwol Mwóghutughut kkaal me llól Commonwealth Register llól tálil ppwommwol me ffél mwóghutughut ikka ra adóptááli (1 CMC § 9102(a)(1)) me ebwe appaschetá llól civic center me bwal llól bwulasyiol gobetnameento llól Ghommwal Senatorial District; ebwe lo arongorong llól English fengál me loll mwáliyaasch. (1 CMC § 9104(A)(1)).

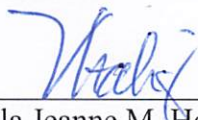
**REEL ISIISILONGOL KKAPAS:** Afanga ngare bwughiló yóómw ischil kkapas ngáli Rota Casino Gaming Commission, Attn: New Casino Gaming Commission Rules and Regulations, reel féféfé iye e lo weiláng, ngare email address, ebwe lo wóól subject line bwe “New Casino Gaming Commission Rules and Regulations”. Ebwe toolong ischil kkapas llól eliigh ráál mwiril aal akkatééwow arongorong yeel.siiisilong yóómw data, views ngare angiiingii. (1 CMC § 9104(a)(2))



Rota Casino Gaming Commission ra átirowa Mwóghutughut ikka e appasch wóól 09<sup>th</sup>  
rááíl April, 2024.


I ARONGA faal penal mis bwe ikka weiláng e wel bwe ARONGORONG e toowow wóól ráál  
imwu weiláng wóól Luuta, Commonwealth Téél Falúw kka Efang llól Marianas.

Átirow sáangi:

  
\_\_\_\_\_  
Viola Jeanne M. Hocog-Atalig, Chairperson  
Rota Casino Gaming Commission

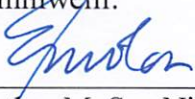
04/17/2024  
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Ráál

Bwughiyal:

  
\_\_\_\_\_  
Oscar M. Babauta  
Layúl Soulemelem Assistant ngáli Administration


4/20/24  
\_\_\_\_\_  
Ráál

Ammwelil:

  
\_\_\_\_\_  
Esther M. San Nicolas  
Commonwealth Register

05.03.2024  
\_\_\_\_\_  
Ráál

Sáangi 1 CMG § 2153(e) (átirowal AG reel mwóghutughut bwe aa lléghló reel fféerúl) me 1  
CMC § 9104(a)(3) (sáangi átirowal AG) reel ppwommwol mwóghutughut ikka e appasch bwe ra  
takka amwuri fischiiy me legal sufficiency sáangi Soulemelemil Allégh Lapalap CNMI me  
ebwe akkatééwow, 1 CMC § 2153(f) (akkatééwowul allégh me mwóghutughut). Ghikill wóól  
26 rááíl April, 2024.

  
\_\_\_\_\_  
HON. EDWARD MANIBUSAN  
Soulemelemil Allégh Lapalap





**NUTISIAN PUBLIKU PUT I MANMAPROPONI NA AMENDA SIHA GI  
AREKLAMENTU YAN  
REGULASIÓN PARA I LUTA KUMISIÓN HUEGUN SALÁPPI'**

**I MA'INTENSIONA NA AKSION NI PARA U MA'ADÁPTA ESTI SIHA I  
MANMAPROPONI NA AREKLAMENTU YAN REGULASION:** I Luta KumisiÓN Huegun Saláppi' ha intensiona para u adápta komu petmanienti na regulasion siha i mañechettun na RegulasiÓN ayu I manmaproponi, sigun gi manera siha gi Áktun Administrative Procedures gi, 1 CMC § 9104(a). I regulasiÓN siha umifektibu siempri gi halum 10 dihas dispues di adáptasiÓN yan publikasiÓN gi hálum i Rehistran Commonwealth. (1 CMC § 9105(b))

**ÁTURIDÁT:** I KumisiÓN gai áturidát para u adápta i areklamentu yan regulasiÓN siha para u atbansa i ubligasiÓN yan responsabilidát-ñiha sigun gi Rota Local Initiative 1, I Áktun Huegun Luta nu 2007 (10 CMC §§ 12101-12163).

**I TEMA YAN SUSTANSIAN I PALÁBRA SIHA:** I mañechettun na Areklamentu yan RegulasiÓN siha sumuplimenta i prisenti na regulasiÓN siha ni gumubietna yan maneha i industrian huegu gi halum i Primét na Distritun Senadot (Luta). I amenda siha prumubeni i regulasiÓN nu aktibidát huegun internet siha.

**I SUHETU NI MASUMÁRIA YAN ASUNTU NI TINEKKA:** Esti na areklamentu yan regulasiÓN siha:

1. Na'hálum § 160-20.1-1327 Mamprisisu na Website
2. Amenda § 160-20.1-015 Sustansian i palábra siha (z)
3. Amenda § 160-20.1-910 PruhibisiÓN Gi Huega
4. Na'hálum § 160-20.1-1235 Ápas yan Taxes (1)
5. Amenda § 160-20.1-1301 Sustansian i palábra siha (b)

**DIREKSION PARA U MAPO'LU YAN MAPUPBLIKA:** Esti i manmaproponi na Regulasion siha debi na u mapupblika gi halum i Rehistran Commonwealth gi halum i seksiona ni maproponi yan ñuebu na ma'adápta na regulasion siha (1 CMC § 9102(a)(1)) yan u mapega gi halum i kumbinienti na lugát siha gi hálum i civic center yan i ufisinan gubietnamentu siha gi halum Primét na Distritun Senadot, parehu Inglis yan prinsipát na lingguáhin natibu. (1 CMC § 9104(a)(1)).

**PARA U MAPRIBENIYI UPIÑON SIHA:** Na'hanáo pat intrega hálum i upiñom-mu guatu gi Luta KumisiÓN Huegun Saláppi', AtensiÓN: Nuebu na Areklamentu yan RegulasiÓN siha gi KumisiÓN Huegun Saláppi', gi sanhilu' na address, osino email address, yan i suhetu na rãya "Nuebu na Areklamentu yan RegulasiÓN siha gi KumisiÓN Huegun Saláppi'". I upiñon siha debi di u fanhálum gi halum 30 dihas ginen i fetchan i publikasiÓN esti na nutisia. Put fabot na'hálum iyom-mu data, views pat agumentu siha. (1 CMC § 9104(a)(2))






i Luta Kumisi3n Huegun Sal4ppi' inapruaba i mañechettun na Regulasi3n siha gi diha 09<sup>th</sup> gi April, 2024.

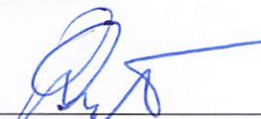
HU DIKL4RA gi p4pa' i penan nu dinagi na i mamensiona siha gi sanhilu' manmag4hit yan mandinanchi yan esti na Diklarasi3n ginen mak4tga huyung gi ha'4ni ni mamensiona gi sanhilu' gi Luta, giya Commonwealth gi Sangkattan na Islas Mari4nas.

Inapruaba yan Inotdin as:

  
\_\_\_\_\_  
Viola Jeanne M. Hocog-Atalig, Kabesiyu  
Luta Kumisi3n Huegun Sal4ppi'


04/17/2024  
Fetcha

Rinisibi as:

  
\_\_\_\_\_  
Oscar M. Babauta  
Ispisi4t Na Ayud4nti Para Atministrasi3n

4/25/24  
Fetcha


Pine'lu yan Ninota as:

  
\_\_\_\_\_  
ESTHER M. San Nicolas  
Rehistran Commonwealth

05.03.2024  
Fetcha

Sigun i 1 CMC § 2153(e) (I Abug4du Hener4t ha aprueba i regulasion siha na para u macho' gui kumu fotma) yan i 1 CMC § 9104 (a)(3) (hentan inapruaban Abug4du Hener4t) i manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan manma' aprueba kumu fotma yan sufisienti lig4t ginin i CNMI Abug4du Hener4t yan debi na u mapupblika, 1 CMC § 2153(f) (pupplikasion areklamentu yan regulasion siha).

Mafetcha gi diha 26, gi April, 2024.

  
\_\_\_\_\_  
Hon. EDWARD MANIBUSAN  
Abug4du Hinir4t





## CNMI DEPARTMENT OF LABOR

### ADMINISTRATIVE HEARING OFFICE

In Re Matter of:	)	PUA Case No. 21-0123
	)	
Milan Fargo,	)	
	)	
Appellant,	)	
	)	<b>ORDER DENYING REQUEST TO</b>
v.	)	<b>REOPEN; FINAL AGENCY DECISION</b>
	)	
CNMI Department of Labor,	)	
	)	
	)	
Appellee.	)	
	)	

#### I. INTRODUCTION

The undersigned issued an Administrative Order in this matter on February 28, 2024. On or around March 6, 2024, Appellant Milan Fargo (“Appellant”) filed a request to reopen and reconsider (collectively, “Request to Reopen”). Appellee CNMI Department of Labor (“Appellee”) acknowledged receipt of Appellant’s Request to Reopen, but Appellee filed no opposition or other response to Appellant’s Request to Reopen.

Pursuant to Hawaii Administrative Rules (“HAR”) § 12-5-93(h), the administrative hearing officer may grant or deny the application for reopening without a hearing. For the reasons stated below, Appellant’s Request to Reopen is **DENIED**. The undersigned affirms that Appellant is not eligible for benefits for the period of February 2, 2020 to September 4, 2021.

#### II. PROCEDURAL BACKGROUND & ISSUES

A request to reopen and reconsider should be supported by legal, factual, or evidentiary reasons to reopen the decision. Cases should not be reopened and reconsidered simply to relitigate issues that have already been decided after a hearing to which both parties had an opportunity to be heard—especially absent new a legal, factual, or evidentiary error demonstrating the unwarranted deprivation of benefits.

1 As a preliminary matter, the Pandemic Unemployment Assistance (“PUA”) and Federal  
2 Pandemic Unemployment Compensation (“FPUC”) were intended to support workers and  
3 employees affected by the COVID-19 pandemic. The undersigned recognizes that the COVID-  
4 19 pandemic posed exceptionally difficult challenges for everyone, especially financial ones. The  
5 undersigned also recognizes that for the many who were already unemployed pre-pandemic, such  
6 as the Appellant, finding gainful employment became even more challenging during the COVID-  
7 19 pandemic. However, the undersigned must continue to uphold the applicable laws and apply  
8 them to the circumstances of this case as all other claims, and speculations about diminishing  
9 business opportunities and job prospects are not COVID-19 related qualifying reasons under the  
10 applicable laws.

11 Here, the undersigned affirmed in the Administrative Order the Appellee’s denial of PUA and  
12 FPUC benefits to the Appellant because Appellant was not considered a “covered individual” in  
13 accordance with the CARES Act and Continued Assistance Act. The evidence and testimony  
14 from the Administrative Hearing demonstrated that Appellant was unemployed well before the  
15 COVID-19 pandemic and Appellant’s business and personal income were not affected by the  
16 COVID-19 pandemic because his business and individual income were already zero before the  
17 COVID-19 pandemic.

18 In support of his Request to Reopen, Appellant included more than 70 pages of type written  
19 statements, annotated copy of the Administrative Order in this case, print outs or screen shots of  
20 Appellant’s PUA portal, and print outs of Appellant’s Smart Seeker profile page. However,  
21 Appellant’s Request to Reopen does not provide any new facts, cite to new law, or evidentiary  
22 error demonstrating that the case should be reopened and reconsidered. Appellant’s most salient  
23 argument is that under subsection (kk) of the Section 2102(a)(3)(A)(ii)(I) of the CARES Act,  
24 “[s]elf-employed individuals...who experienced a significant diminution in customary or usual  
25 services because of the COVID-19 public health emergency, even absent a suspension of services,  
26 may self-certify under item (kk).” Appellant argues that he falls under this eligibility criteria  
27 because he had chances to earn money, but the disaster made this opportunity zero. The  
28 undersigned disagrees with Appellant’s argument and affirms that Appellant is not eligible under  
(kk) or any other provision of the CARES Act because Appellant testified during the  
Administrative Hearing that he has not reported any income or filed any business gross revenue  
with CNMI Department of Finance, Division of Revenue and Taxation because he has not paid

1 himself any income or salary since starting his business because he has not had any success in  
2 raising any income with his business. Appellant provides no new evidence to contradict his own  
3 testimony and evidence presented at the Administrative Hearing. As such, the undersigned finds  
4 that there is no new evidence that Appellant “experienced a significant diminution in customary  
5 or usual services because of the COVID-19 public health emergency.” Appellant’s self-  
6 certification is insufficient. Therefore, the undersigned finds that Appellant is not a “covered  
7 individual” under the CARES Act and the Continued Assistance Act because his unemployment  
8 pre-dated the COVID-19 pandemic and was not a direct result of a COVID-19 qualifying reason.

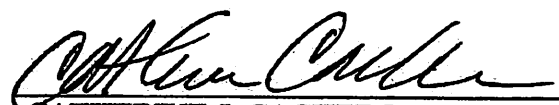
9 The remainder of Appellant’s Request to Reopen are Appellant’s attempts to litigate  
10 Appellant’s labor dispute claims within his appeal of the denial of his PUA and FPUC benefits.  
11 Appellant’s labor dispute claims include claims against Northern Marianas College and the  
12 Department of Community and Cultural Affairs Office of Aging, which Appellant mentioned in  
13 some of his PUA appeal filings, including in his Pre-Hearing Statement. As the undersigned stated  
14 in the Administrative Hearing as well as in the Administrative Order in this case, the undersigned  
15 declines (and continues to decline) to hear these labor dispute claims because these claims are  
16 separate from this appeal and the undersigned’s authority, designation, and jurisdiction to hear  
17 only appeals relating to the denial or eligibility under PUA and FPUC programs.

18 Accordingly, based on the foregoing, upon review of Appellant’s Request to Reopen and  
19 supporting documents filed herein, the Administrative Order, testimony and admitted evidence,  
20 the undersigned finds that there is insufficient evidence to support reopening this case and  
21 reconsidering the decision that Appellant does not qualify for PUA and FPUC benefits.

### 22 III. FINAL AGENCY DECISION

23 A decision can only be reopened once by a particular party. HAR § 12-5-93(j). In the event  
24 that an application to reopen is denied or parties have further objections to a subsequent decision,  
25 the parties may obtain judicial review with the CNMI Superior Court under the local  
26 Administrative Procedures Act. *See* 1 CMC § 9112. All forms, filings fees, and filing deadlines  
27 for judicial review will be as established by the applicable law and court rule.

28 So ordered this 17th day of April, 2024.



CATHERINE J. CACHERO  
Pro Tem Administrative Hearing Officer



## CNMI DEPARTMENT OF LABOR

### ADMINISTRATIVE HEARING OFFICE

In Re Matter of:	)	PUA Case No. 23-0236
	)	
Shopun Mozunder,	)	
	)	
Appellant,	)	ADMINISTRATIVE DECISION
	)	
v.	)	
	)	
CNMI Department of Labor,	)	
	)	
Appellee.	)	

#### I. INTRODUCTION

This matter came before the undersigned for an Administrative Hearing on April 11, 2024 at approximately 1:30 p.m. at the Administrative Hearing Office, Saipan. Appellant Shopun Mozunder (“Appellant”) was present and self-represented.<sup>1</sup> Appellee CNMI Department of Labor (“Appellee” or “Department”) was present and represented by PUA Program Coordinator Ellen Tebuteb and PUA Program Team Leader Esco Francene Kileleman. Interpreter Nasima Uddin was also present to facilitate communications.

A list of the documents that were admitted into evidence at the hearing is appended to the end of this Order.

For the reasons stated below, the Department’s Determination dated March 16, 2023 is **AFFIRMED**. Appellant is not eligible for benefits for the period of July 10, 2021 to September 4, 2021.

#### II. JURISDICTION

On March 27, 2020, the Coronavirus Aid Relief and Economic Security (“CARES”) Act of 2020 was signed into law creating new temporary federal programs for unemployment benefits

<sup>1</sup> Appellant was accompanied by witness, Mariano Pangelinan. The witness was present to serve as witness, but did not provide testimony.

1 called Pandemic Unemployment Assistance (“PUA”)<sup>2</sup> and Federal Pandemic Unemployment  
2 Compensation (“FPUC”).<sup>3</sup> On December 27, 2020, the Continued Assistance for Unemployed  
3 Workers Act of 2020 (“Continued Assistance Act”) amended and created new provisions of said  
4 federal unemployment insurance programs, which, among other things, extended the PUA and  
5 FPUC programs to March 13, 2021.<sup>4</sup> On March 11, 2021, the American Rescue Plan Act of 2021  
6 (“ARPA”) extended the programs to September 6, 2021. The CNMI Department of Labor is  
7 charged with the responsibility in administering the above-mentioned programs in the CNMI in  
8 accordance to applicable law.<sup>5</sup> The CNMI Department of Labor Administrative Hearing Office  
9 has been designated to preside over appeals of agency decisions.

10 Upon review of the records, the appeal is timely filed. Accordingly, jurisdiction is established.

### 11 III. PROCEDURAL BACKGROUND & ISSUES

12 Appellant filed a claim for unemployment benefits under the PUA and FPUC programs. Upon  
13 review of Appellant’s application and supporting documents, the Department issued a  
14 Disqualifying Determination on March 16, 2023. Based on the March 16, 2023 Disqualifying  
15 Determination, Appellant was disqualified from July 7, 2021 to September 4, 2021 for failing to  
16 show that he is a US Citizen, Non-citizen National, Qualified Alien, or Commonwealth Only  
17 Transitional Worker at the time.

18 On March 28, 2023, Appellant filed the present appeal and the matter was scheduled for a  
19 hearing. In preparation for the hearing, the parties were ordered to file a prehearing statement  
20 and proposed exhibits. The Department filed an Amended Prehearing Statement and 12 proposed  
21 exhibits on November 8, 2023. Appellant failed to file a prehearing statement or any proposed  
22 exhibits.

23 As stated in the Notice of Hearing, the issues on appeal are:

- 24 (1) Whether the appeal is timely filed; and
- 25 (2) Whether Appellant is eligible to receive PUA benefits during the disqualified period.

26 <sup>2</sup> See Section 2102 of the CARES Act of 2020, Public Law 116-136.

27 <sup>3</sup> See Section 2104 of the CARES Act of 2020, Public Law 116-136.

28 <sup>4</sup> See Consolidated Appropriations Act, 2021, Division N, Title II, Subtitled A (“Continued Assistance for Unemployed Workers Act of 2020” or “Continued Assistance Act”).

<sup>5</sup> Pursuant to Section 2102(h) of the CARES Act of 2020 (Pub. L. 116-136) and 20 CFR § 625.2(r)(1)(ii), the CNMI Governor issued Executive Order No. 2020-09 declaring Hawaii Employment Security Law as the applicable state law in the CNMI. Hawaii state law applies, to the extent it does not conflict with applicable federal law and guidance.

IV. FINDINGS OF FACT

In consideration of the evidence provided and credibility of witness testimony, the undersigned issues the following findings of fact:

1. Prior to the COVID-19 Public Health Emergency, Appellant was living and working in the CNMI.
2. Beginning August 20, 2019, Appellant worked for JEM Corporation as a part-time gas attendant at the Mobil Gas Station in Chalan Kanoa, Saipan.<sup>6</sup>
3. On or around March 23, 2020,<sup>7</sup> Appellant's work hours were reduced due to the pandemic.<sup>8</sup>
4. On February 18, 2021, Appellant submitted an online application for PUA benefits.<sup>9</sup>
5. As demonstrated by inconsistencies with Appellant's initial application,<sup>10</sup> Appellant's testimony,<sup>11</sup> and other exhibits, Appellant misunderstands his legal status and various employment authorization documents.<sup>12</sup> For that reason, Appellant's statement regarding his status was not credible and given little weight at the hearing.
6. Based on the documents provided, the Department initiated a SAVE verification with USCIS to determine status and eligibility during the pandemic assistance period.<sup>13</sup> The SAVE response and other documents demonstrate:
  - a. Appellant was a parolee from June 29, 2019 to June 29, 2020.<sup>14</sup>
  - b. Appellant had employment authorization under Category C11 from March 19, 2020 to June 29, 2020.<sup>15</sup>
  - c. Appellant became a CNMI Long-Term Resident.<sup>16</sup>
  - d. As a CNMI Long-Term Resident, Appellant was given employment authorization under Category C37 from June 28, 2021 to June 28, 2026.<sup>17</sup>

<sup>6</sup> Exhibits 2-4.

<sup>7</sup> Exhibit 1.

<sup>8</sup> Exhibits 3-4.

<sup>9</sup> Exhibit 1.

<sup>10</sup> See Exhibit 1 (Appellant claimed to be a US permanent resident).

<sup>11</sup> Appellant testified to being a CNMI permanent resident and non-citizen national. However, Appellant did not have sufficient evidence to prove these statements.

<sup>12</sup> See Exhibits 5-8.

<sup>13</sup> Exhibit 7.

<sup>14</sup> Exhibit 5.

<sup>15</sup> Exhibit 7.

<sup>16</sup> Exhibit 7.

<sup>17</sup> Exhibit 8.

- 1 7. On or around June of 2022, Appellant quit his job for personal reasons unrelated to the  
2 COVID-19 pandemic.<sup>18</sup>
- 3 8. On March 16, 2023, the Department issued a Disqualifying Determination. Appellant was  
4 disqualified for benefits from July 10, 2021 to September 4, 2021 because Appellant was  
5 not a U.S. Citizen, non-citizen national, qualified alien, or Commonwealth Only  
6 Transitional Worker during the relevant time.
- 7 9. The Disqualifying Determination was served to Appellant through certified mail. The 10-  
8 day deadline to file an appeal, as stated in the Determination, was March 26, 2023.
- 9 10. Appellant does not have his own PO Box and shared one with his friend.
- 10 11. Appellant claims he checked the PO Box every day. However, the undersigned gives little  
11 weight to this statement considering Appellant could only provide generalized  
12 information about when he received the Disqualifying Determination. Moreover,  
13 Appellant testified that he did not have a vehicle or regular transportation.
- 14 12. Appellant retrieved the Disqualifying Determination at the PO box on March 27, 2023.
- 15 13. Appellant filed an Appeal on March 28, 2023.
- 16 14. Without assistance, Appellant could not read or understand the written instructions  
17 because of the language barrier.
- 18 15. Appellant did not file a prehearing statement or proposed exhibits, as ordered.
- 19 16. During the hearing, Appellant presented voluminous records for the hearing officer to  
20 review.<sup>19</sup> A majority of the documents provided were irrelevant to the issues on appeal.  
21 Based on the records reviewed, there were no additional documents to contest the  
22 Determination or sufficiently establish an eligible status during the denial period.

#### 21 V. CONCLUSIONS OF LAW

22 In consideration of the above-stated findings and applicable law, the undersigned issues the  
23 following conclusions of law:

24 ///

25 ///

26 \_\_\_\_\_  
27 <sup>18</sup> Notably, the employer records were inconsistent with Appellant's testimony. The undersigned hearing officer  
28 assigned more weight and credibility to the sworn testimony from Appellant.

<sup>19</sup> It is the Appellant's burden to prove or establish their claim. In order to maintain impartiality, the hearing officer  
declined to review each document and make Appellant's arguments for him. Instead, the undersigned only requested  
documents specifically to the issues on appeal.



1       **1. Appellant’s appeal is timely filed.**

2       Generally, an appeal should be filed within ten days after the Notice of Determination was  
3 issued or served to the claimant. However, the Department may extend the period to thirty days  
4 by a showing of good cause.<sup>20</sup> Good cause means: (1) illness or disability; (2) keeping an  
5 appointment for a job interview; (3) attending a funeral of a family member; and (4) any other  
6 reason which would prevent a reasonable person from complying as directed.<sup>21</sup>

7       While Appellant filed his appeal the day after receiving the Disqualifying Determination in  
8 the mail, Appellant missed his ten-day deadline. However, the undersigned finds good cause for  
9 the extension given Appellant’s prompt action and language limitations. Based on the 30-day  
10 good cause extension, Appellant’s appeal is timely filed.

11       **2. Appellant is not a U.S. Citizen, Non-citizen National, or Qualified Alien during the  
12 disqualified period.**

13       PUA and FPUC are federal public benefits as defined by 8 USC §1611(c). As a condition of  
14 eligibility for any federal public benefit, the claimant must be a US Citizen, Noncitizen National,  
15 or “qualified alien” at the time relevant to the claim. 8 USC §1611(a). Pursuant to 8 USC §1641,  
16 the term “qualified alien” is:

- 17       1. An alien admitted for permanent residence under the Immigration and Nationality Act  
18       (INA);
- 19       2. An alien granted asylum under § 208 of the INA;
- 20       3. A refugee admitted to the US under § 207 of the INA;
- 21       4. An alien paroled into the US under § 212(d)(5) of the INA for at least one year;
- 22       5. An alien whose deportation is being withheld under § 243(h) of the INA ... or whose  
23       removal is being withheld under § 241 (b)(3) of the INA;
- 24       6. An alien granted conditional entry pursuant to § 203 (a)(7) of the INA;
- 25       7. An alien who is a Cuban or Haitian entrant as defined in § 501(e) of the Refugee  
26       Education Assistance Act of 1980; or
- 27       8. An alien who (or whose child or parent) has been battered or subject to extreme cruelty  
28       in the U.S. and otherwise satisfies the requirements of § 431(c) of the Act.

29       Further, Section 265 of the Continued Assistance Act provides that a Commonwealth Only  
30 Transitional Worker (CW-1) shall be considered a qualified alien for purposes of eligibility under  
31 the PUA and FPUC programs. As provided in UIPL 16-20, change 4, page I-16, “CW-1 workers

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32       <sup>20</sup> HI. Rev. Statute § 383-38(a).

33       <sup>21</sup> HAR § 12-5-81(j).

1 may receive PUA and FPUC if they meet all PUA eligibility requirements beginning with claims  
2 filed after December 27, 2020 (*i.e.*, claim effective dates beginning on or after January 3, 2021).”

3 Appellant does not meet this requirement because he was not a U.S. Citizen, Noncitizen  
4 National, or Qualified Alien during the denial period of July 10, 2021 to September 4, 2021.  
5 Further, while Appellant may misunderstand and argue otherwise, Appellant fails to provide  
6 sufficient evidence to contest the Department’s Disqualifying Determination.

7 Upon review, Appellant used to qualify as a parolee during the earlier phases of PUA. Based  
8 on the record and admitted exhibits, Appellant used to hold parolee status up until June 29, 2020.  
9 Upon inquiry, there were no other documents to show continuing parolee status after June 29,  
10 2020. Considering that Appellant must meet this requirement for each week claimed, this previous  
11 parolee status is not relevant to the denial period.

12 After his parolee status, Appellant transitioned into the CNMI Long Term Resident status and  
13 was given employment authorization to work under category C37 from June 28, 2021 to June 28,  
14 2026. Notably, a CNMI Long Term Resident does not meet the status requirements, as defined  
15 above. Upon further inquiry, Appellant failed to provide sufficient evidence to establish his status  
16 under any other eligible category. described above.

17 Accordingly, based on the law and record, Appellant is not a US Citizen, Non-citizen  
18 National, or Qualified Alien during the disqualified period, July 10, 2021 to September 4, 2021.  
19 For this reason, Appellant failed to meet his burden to prove eligibility for PUA benefits.

## 20 VI. DECISION

21 For the reasons stated above, it is ORDERED that:

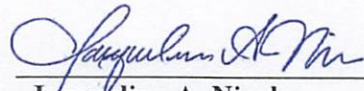
- 22 1. The CNMI Department of Labor’s Disqualifying Determination, dated March 16, 2023,  
23 is **AFFIRMED**;
- 24 2. The Appellant is **NOT ELIGIBLE** to receive PUA benefits for the period of July 10,  
25 2021 to September 4, 2021.

26 If a party is aggrieved by this Order and would like to contest the decision, he or she must  
27 submit a written request to reopen the decision pursuant to Hawaii Admin. Rule § 12-5-93. The  
28 written request should be supported by legal, factual, or evidentiary reasons to reopen the  
decision. The written request must be submitted to the Administrative Hearing Office, either in

1 person at 1331 Ascencion Drive, Capitol Hill Saipan MP 96950 or via email at  
2 hearing@dol.gov.mp.

3 In the event a request to reopen the decision is granted, the matter shall be scheduled for a  
4 subsequent hearing. In the event a request to reopen the decision is denied, or if the Appellant  
5 still disagrees with a subsequent decision, the Appellant may seek judicial review with the CNMI  
6 Superior Court under the local Administrative Procedures Act. *See* 1 CMC § 9112. All forms,  
7 filings fees, and filing deadlines for judicial review will be as established by the applicable law  
8 and court rule.

9 So ordered this 17th day of April, 2024.

10 

11 **Jacqueline A. Nicolas**  
12 Chief Administrative Hearing Officer

**Documents Admitted into Evidence**

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1. Exhibit 1: Copy of Appellant's Application Snapshot, filed February 18, 2021;
2. Exhibit 2: Copy of Appellant's Separation Notice, dated June 17, 2020;
3. Exhibit 3: Copy of Appellant's Verification of Employment, dated March 14, 2023;
4. Exhibit 4: Copy of Appellant's Certification of Employment, dated July, 13, 2023;
5. Exhibit 5: Copy of Appellant's Notice of Parole, dated November 4, 2019;
6. Exhibit 6: Copy of Homeland Security article re: USCIS Extends Transitional Parole for CNMI Long-Term Resident Status Applicants, dated December 31, 2020;
7. Exhibit 7: Copy of Department's SAVE Verification Response, initiated September 13, 2021; and
8. Exhibit 8: Copy of Appellant's EAD Card valid from June 28, 2021 to June 28, 2026.



CNMI DEPARTMENT OF LABOR

ADMINISTRATIVE HEARING OFFICE

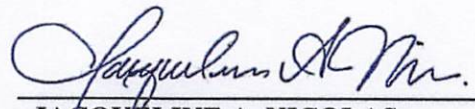
In Re Matter of:	)	PUA Case No. 23-0244
	)	
Arwin Reyes,	)	
	)	
Appellant,	)	ADMINISTRATIVE ORDER GRANTING
	)	APPELLANT'S REQUEST FOR
v.	)	DISMISSAL
	)	
CNMI Department of Labor,	)	
Division of Employment Services-PUA,	)	
Appellee.	)	

On March 21, 2024, the parties were ordered to clarify the pending request for dismissal. Based on the joint statement filed, the undersigned finds:

1. Appellant was requalified for PUA benefits beginning August 22, 2021 to September 4, 2021, and disqualified for weeks beginning December 27, 2020 to March 27, 2021 and July 25, 2021 to August 21, 2021.
2. Appellant was overpaid in the amount of \$8,385 and has agreed to pay all amounts not waived.
3. Appellant does not contest the new determinations.
4. The Department does not oppose dismissal.

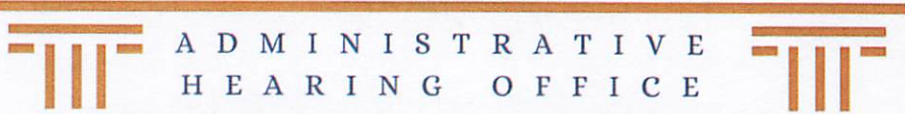
In consideration of the foregoing, the undersigned finds there are no other issues to resolve and dismissal is appropriate. Accordingly, this appeal is **DISMISSED** and the Department's Determinations are final. The Administrative Hearing scheduled for May 2, 2024 at 9:00 a.m. is **VACATED**. In the event that the Appellant disagrees with a subsequent determination or notice, Appellant may file a new appeal.

So ordered this 27th day of March, 2024.

  
 \_\_\_\_\_  
**JACQUELINE A. NICOLAS**  
 Chief Administrative Hearing Officer



CNMI DEPARTMENT OF LABOR



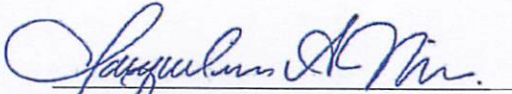
ADMINISTRATIVE HEARING OFFICE

In Re Matter of:	)	PUA Case No. 23-0252
	)	
Eldrone Quizon,	)	
	)	
Appellant,	)	ADMINISTRATIVE DECISION
	)	GRANTING APPELLANT'S REQUEST
v.	)	FOR DISMISSAL
	)	
CNMI Department of Labor,	)	
Division of Employment Services-PUA,	)	
	)	
Appellee.	)	

Pursuant to Appellant's Request to Appeal, this matter was scheduled for an Administrative Hearing for July 11, 2024 at 9:00 a.m. at the Administrative Hearing Office in Saipan. On April 8, 2024, Appellant filed a written request to voluntarily dismiss his appeal due to personal reasons. Specifically, Appellant is no longer interested in contesting the Department's determinations or pursuing an appeal.

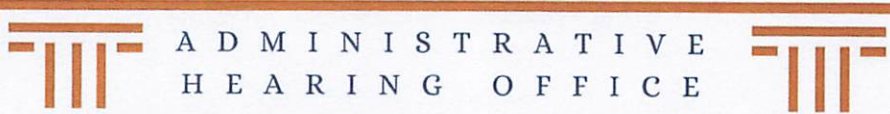
In consideration of the above, the undersigned finds that dismissal is appropriate. Accordingly, this appeal is hereby **DISMISSED** and the Administrative Hearing scheduled for July 11, 2024 at 9:00 a.m. is **VACATED**. The underlying determination, dated June 1, 2023, is hereby final. Appellant is not eligible for PUA benefits from April 12, 2020 to September 4, 2021. In the event that the Appellant disagrees with a subsequent determination or notice, Appellant may file a new appeal.

So ordered this 9th day of April, 2024.

  
 \_\_\_\_\_  
 JACQUELINE A. NICOLAS  
 Chief Administrative Hearing Officer



CNMI DEPARTMENT OF LABOR



ADMINISTRATIVE HEARING OFFICE

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In Re Matter of:	)	PUA Case No. 24-0276
	)	
Loreta Dupra,	)	
	)	
Appellant,	)	ADMINISTRATIVE DECISION
	)	GRANTING APPELLANT'S REQUEST
v.	)	FOR DISMISSAL
	)	
CNMI Department of Labor,	)	
	)	
Appellee.	)	
	)	

On April 15, 2024, Appellant filed a written request to voluntarily dismiss her appeal due to personal matters. Specifically, Appellant is no longer interested in contesting the Department's determinations or pursuing an appeal. The Department does not oppose the dismissal.

In consideration of the above, the undersigned finds that dismissal is appropriate. Accordingly, this appeal is hereby **DISMISSED**. In the event that the Appellant disagrees with a subsequent determination or notice, Appellant may file a new appeal.

So ordered this 18th day of April, 2024.

JACQUELINE A. NICOLAS  
Chief Administrative Hearing Officer

10 OFFICE OF THE  
ATTORNEY GENERAL  
CIVIL DIVISION

2024 APR 19 PM 1:51