



Arnold I. Palacios
Governor

David M. Apatang
Lieutenant Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NO. 2024-005

SUBJECT: Executive Order 2019-09, signed on July 6, 2019, which established the Commonwealth Bureau of Military Affairs within the Office of the Governor, is hereby amended.

AUTHORITY: NMI Const art. III, § 1 provides that “[t]he executive power of the Commonwealth shall be vested in a governor who shall be responsible for the faithful execution of the laws;” and NMI Const art. III, § 15 permits the governor to “make changes in the allocation of offices, agencies and instrumentalities and in their functions and duties that are necessary for efficient administration.” Further, 1 CMC § 2052 provides that the “Governor may employ staff as required to assist the office of the Governor in performing its functions . . .”

WHEREAS, the United States Department of Defense has initiated five independent Environmental Impact Statements/Overseas Environmental Impact Statements that impact the Commonwealth; and

WHEREAS, the five Environmental Impact Statements/Overseas Impact Statements have independent proposed actions, all of which entail training throughout the islands of the Commonwealth of the Northern Mariana Islands and its surrounding waters; and

WHEREAS, the United States Department of Defense, through the various departments and commands of the armed forces, has programmatic agreements with the Commonwealth arising from duties under Section 106 of the National Historic Preservation Act and is seeking to amend or renegotiate a number of the programmatic agreements; and

WHEREAS, the recent execution of a 40-year lease agreement between the Commonwealth Ports Authority and the United States Department of Defense as part of the Divert Activities and Exercises Initiative will lead to construction projects on the island of Tinian that would support military training initiatives and will lead to increased military presence and engagement in the Commonwealth; and

WHEREAS, numerous United States Department of Defense initiatives, studies, training exercises and other engagements require communication, response, and coordination from the various agencies of the Commonwealth government; and

WHEREAS, due to the increase in military activities, and in anticipation of even more frequent, complex, and robust Department of Defense engagements with the Commonwealth, the Commonwealth Bureau of Military Affairs was organized pursuant to E.O. 2019-09 to aid, assist, and coordinate the Commonwealth government and its various departments, agencies, instrumentalities, and public corporations in their engagements with the Department of Defense and its various departments and commands; and

WHEREAS, realignment of the Commonwealth Bureau of Military Affairs' responsibilities within the Office of the Governor is necessary to streamline authorization procedures and provide for efficiency and transparency in coordinating engagements with the Department of Defense and its component departments and commands;

NOW, THEREFORE, I, Arnold I. Palacios, by virtue of the power vested in me by the Constitution and laws of the Commonwealth of the Northern Marianas Islands, and in order to achieve effective and efficient government administration so as to better serve the interests of the Commonwealth and its people, hereby amend E.O. 2019-09 as follows:

Section 1. Amendment. Section 1 is amended as follows:

1. There is established in the Office of the Governor a Commonwealth Bureau of Military Affairs ("Bureau") which shall be headed by a Special Assistant to the Governor for Military Affairs ("Special Assistant"), who shall be appointed by and shall serve at the pleasure of the Governor. The purpose of the Bureau is to aid the Governor and the government of the Commonwealth as to military and military-related matters connected to the United States Department of Defense and its various departments and commands. Such aid is to serve as a means to improve communication, coordination, and response of the Commonwealth government vis-à-vis the United States Department of Defense and its various departments and commands, facilitate the military's integration into the community, and ensure the relationship between the military and the Commonwealth government and its people is one based on mutual respect and benefit. The Bureau and the Special Assistant remain under the direct supervision of the Governor or his designee. Any of the Special Assistant's powers, duties and responsibilities may be rescinded and reassigned to the Governor's designee.

Section 2. Amendment. Section 2 of EO 2019-09 is amended to read as follows:

2. In furtherance of its purpose, the Bureau will have the following powers, duties and responsibilities:
 - a. Act as a liaison between the Department of Defense, its various departments and commands, and the government of the Commonwealth and its various departments, agencies, offices, instrumentalities, and the heads of each independent entity of the Commonwealth government including any public corporations.
 - b. Assist and coordinate the Commonwealth government and its various departments, agencies, offices, instrumentalities, and other entities of the executive branch, and the head of each independent entity of the Commonwealth government including any public corporations in their engagements with the Department of Defense and its various departments and commands.
 - c. Execute the authority, powers, duties, functions, and responsibilities found in Title 1, Division 2, Part 1, Chapter 1, Article 7, section 20123, subsections (a)–(f) and (h) of the Commonwealth Code to the extent outlined in paragraph 3 below.

- d. In coordination with the Office of Grants Management and State Clearinghouse, identify all Office of Local Defense Community Cooperation (OLDCC) programs of assistance and other federal grants related to the United States Department of Defense, its various departments and commands, and military affairs and provide the information identified to the Governor or his designee in a timely manner.
- e. Create and manage a depository into which all documents, records, reports, studies and official communications between the Department of Defense, its various departments and commands, and the government of the Commonwealth and its various departments, agencies, offices, instrumentalities, and other entities of the executive branch, and the heads of each independent entity of the Commonwealth government including any public corporations shall be deposited.
- f. In coordination with any necessary or appropriate Commonwealth or local government agencies, the Special Assistant, with the express approval of the Governor or his designee, may engage with the Department of Defense and its various departments and commands to promote economic opportunities and activities for the Commonwealth and its residents.
- g. Monitor military and military-related matters for the Governor and provide weekly reports to the Governor.
- h. Perform any other duty that the Governor may from time to time direct the Special Assistant or Bureau to undertake.

Section 3. Amendment. Section 4 of EO 2019-09 is amended to read as follows

4. All authority, powers, duties, functions, and responsibilities of the Civil Military Liaison Office established within the Office of the Governor through the program of assistance by the Office of Local Defense Community Cooperation (OLDCC) are transferred to the Bureau.

Section 4. Amendment. Section 6 of EO 2019-09 is amended to read as follows:

6. The Special Assistant, with the approval of the Governor, may make such internal organizational changes to the Bureau as may be administratively necessary to fulfill the purpose, duties and responsibilities outlined in this executive order and may, with the approval of the Governor, employ staff.

Section 5. Amendment. Section 7 of EO 2019-09 is amended to read as follows:

7. The responsibility to acquire, manage, and utilize as the Authorizing Official for all Office of Local Defense Community Cooperation programs shall be the Governor or his designee.

Section 6. Amendment. Section 8 of EO 2019-09 is amended to read as follows:

8. All departments, agencies, offices, instrumentalities, and other entities of the executive branch, and the heads of each independent entity of the Commonwealth government including any public corporations are directed to forward to the Bureau all documents, records, reports, studies, and official communications between the Department of Defense, its various departments and commands for deposit in the depository to be created by the Bureau. Heads of departments, agencies, offices, instrumentalities, or other entities of the executive branch, and the heads of each independent entity of the Commonwealth government including any public corporations, are directed to cooperate with the Bureau in the performance of its duties to the maximum extent practical.

Section 7. General Provisions.

- (a) Nothing in this executive order shall be construed to impair or otherwise affect the authority granted to the Bureau under E.O. 2019-09 unless otherwise amended by this executive order.
- (b) This executive order shall be implemented consistent with applicable law.
- (c) This executive order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Commonwealth, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

It is So Ordered,

SIGNED AND PROMULGATED on this 15th day of October 2023.


ARNOLD I. PALACIOS
Governor