

David M. Apatang
Governor



Dennis James C. Mendiola
Lieutenant Governor

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NO. 2026-003

SUBJECT: Transfer of the Office of Vocational Rehabilitation from the Office of the Governor to the Department of Labor.

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.”

WHEREAS; the Office of Vocational Rehabilitation is the designated state entity tasked with providing vocational rehabilitation services for individuals with disabilities under the Rehabilitation Act of 1973, as amended *inter alia* by the Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014, and its implementing regulations under 34 CFR Part 361; and

WHEREAS; at the time of Executive Order 94-3 in 1994, there existed a State Rehabilitation Advisory Council, which was allocated by that E.O. to what was then the Department of Public Health; and

WHEREAS; pursuant to Section 509(a) of Executive Order 94-3, there existed a Director of Vocational Rehabilitation Services, appointed by the Governor, within a Division of Vocational Rehabilitation Services at the Department of Public Health; and

WHEREAS; Public Law 14-81 in 2005 transferred the Office of Vocational Rehabilitation from the Department of Public Health to the Office of the Governor; and

WHEREAS; the primary purpose of the Office of Vocational Rehabilitation is to assist eligible individuals with disabilities to prepare for, secure, retain, or regain employment and independence, which relates closely to the core functions of the Department of Labor;

NOW, THEREFORE, I, David M. Apatang, Governor of the Commonwealth of the Northern Mariana Islands, by virtue of the power vested in me by the Constitution and laws of the Commonwealth, and in order to achieve effective and efficient government administration so as to better serve the interests of the Commonwealth and its people, hereby order as follows:

Section 1. Transfer.

Notwithstanding any law to the contrary, the Office of Vocational Rehabilitation is hereby transferred from the Office of the Governor to the Department of Labor and shall be redesignated the Division of Vocational Rehabilitation.

Consistent with 1 CMC § 20151, the Division of Vocational Rehabilitation shall continue to be the designated State agency for administration of the CNMI's State Plan for vocational rehabilitation under 34 CFR § 361.13.

Section 2. Director.

Notwithstanding any law to the contrary, the Director of the Division of Vocational Rehabilitation shall be a Civil Service employee reporting to and under the supervision of the Secretary of Labor.

Section 3. Transition.

Except as specifically provided in Sections 1 and 2 of this executive order, all personnel of the Office of Vocational Rehabilitation shall continue to exercise their functions without alteration. The Acting Director of the Office of Vocational Rehabilitation and the Secretary of Labor shall take all necessary and appropriate measures to facilitate an orderly transition upon the effective date of this executive order.

Section 4. State Rehabilitation Council.

Consistent with Section 105 of the Rehabilitation Act of 1973, as amended, and with 34 CFR § 361.17, the members of the State Rehabilitation Council shall continue to be appointed by the Governor as provided by its bylaws.

Section 5. General Provisions.

- (a) This executive order shall be implemented consistent with applicable law.
- (b) The provisions of 1 CMC §§ 20151–20154 shall remain in force to the extent not inconsistent with this executive order.
- (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.
- (d) In accordance with NMI Const. art. III, § 15, this executive order shall be submitted to the legislature and shall become effective sixty days after submission, unless specifically modified or disapproved by a majority of the members of each house of the legislature.
- (e) If any provision of this executive order or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the

remainder of this executive order or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

It is so Ordered,

SIGNED AND PROMULGATED on this 17th day of March 2026.


David M. Apatang
Governor