

**TWENTY-FIRST NORTHERN MARIANAS COMMONWEALTH**

**LEGISLATURE**

**IN THE HOUSE OF REPRESENTATIVES**

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\_\_\_\_\_ Session, 2020

**H. J. R. 21-8, HS1**

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**A HOUSE JOINT RESOLUTION**

Requesting that the Honorable Governor Ralph Deleon Guerrero Torres oppose any increase in destructive military training and testing in the Northern Mariana Islands.

1           **WHEREAS**, the people of the Mariana Islands have, in the past two  
2 decades, been presented with ever-expanding and compounding plans by the U.S.  
3 Military—including the Marine Relocation to Guam, Mariana Islands Range  
4 Complex (MIRC), Mariana Islands Training and Testing (MITT), Divert Activities  
5 and Exercises, and CNMI Joint Military Training (CJMT)—many of which involve  
6 irreparable damage to the land, sea, air, biological systems and cultural well-being  
7 of the people and islands of the Mariana Islands Archipelago; and

8           **WHEREAS**, Section 802(a) of the CNMI Covenant states that “the  
9 following property will be made available to the Government of the United States  
10 by lease to enable it to carry out its defense responsibilities: 1) on Tinian Island,  
11 approximately 17,799 acres (7,203 hectares) and the waters immediately adjacent  
12 thereto; 2) on Saipan Island, approximately 177 acres (72 hectares) at Tanapag  
13 Harbor; and 3) on Farallon de Medinilla Island, approximately 206 acres (83  
14 hectares) encompassing the entire island, and the waters immediately adjacent

1 thereto.” Furthermore, Section 802(b) states, “the United States affirms that it has  
2 no present need for or present intention to acquire any greater interest in property  
3 listed above than that which is granted to it under Subsection 803(a), or to acquire  
4 any property in addition to that listed in Subsection (a), above, in order to carry out  
5 its defense responsibilities;” and

6           **WHEREAS**, Section 806 of the CNMI Covenant states that “the United  
7 States will continue to recognize and respect the scarcity and special importance of  
8 land in the Northern Mariana Islands,” and the January 2017 Report to the President  
9 on 902 Consultations states, “...in the native Chamorro and Carolinian cultures of  
10 the CNMI, land is not merely ‘property’ in the Western sense—it is also a spiritual  
11 matter, a place to commune with ancestors, a place where plants with unique  
12 healing properties can be gathered, a place to pass along traditions from generation  
13 to generation;” and

14           **WHEREAS**, the CNMI has made significant good faith efforts to honor the  
15 Covenant with the United States in terms of cooperating with military training and  
16 accommodating the United States’ concerns regarding national security, and has  
17 even sacrificed its very people in support of the US military through high rates of  
18 enlistment; and

19           **WHEREAS**, a 1957 Army study found that “Pagan is poorly suited for  
20 military operations and engineering development,” (Military Geology of Pagan,  
21 Mariana Islands by Gilbert Corwin, Lawrence D. Bonham, Maurice J. Termin, and  
22 George W. Viele prepared under the direction of the Chief of Engineers of the US

1 Army) and an author of the Congressionally-funded RAND Corporation report of  
2 2014 entitled “Overseas Basing of U.S. Military Forces: An Assessment of Relative  
3 Costs and Strategic Benefits” notes that investing in relocation and readiness for  
4 Marines on Guam “is an expensive option, one that comes without proof that the  
5 investment would yield improved security,” (Should the U.S. Marines move to  
6 Guam? by Michael Lostumbo); and

7           **WHEREAS**, the CNMI government has historically supported the military  
8 when presented with non-destructive, mutually-beneficial military projects in the  
9 Marianas, most recently when the 19th Legislature adopted HJR 19-002 “to support  
10 the position of the Honorable Governor Eloy S. Inos and the Commonwealth Ports  
11 Authority that Tinian be the sole location of the proposed construction and  
12 implementation of the military exercises to expand the divert capabilities of the  
13 United States Air Force,” as such plans are expected to increase economic  
14 opportunities and improve existing infrastructure and facilities on Tinian; and

15           **WHEREAS**, military exercises proposed in the CJMT may cause severe  
16 and dangerous disruptions to daily life on Tinian and Pagan, including but not  
17 limited to civilian injuries and deaths resulting from errors during military training  
18 exercises (as occurred during military training range exercises in the Puerto Rican  
19 island of Vieques) and inter-island travel restrictions which limit valuable cultural  
20 and economic activities and restrict mobility necessary for residents seeking  
21 medical transport to Saipan; and

1           **WHEREAS**, the U.S. Armed Forces has a long record of contaminating the  
2 natural environment of the Pacific region with munitions, munition constituents,  
3 nuclear radiation, PCB contamination, and general debris (including on  
4 Kaho’olawe, Marshall Islands and Vieques, Puerto Rico) and the military has yet  
5 to adequately clean or mitigate the waste it has left behind in the CNMI; and

6           **WHEREAS**, the increased militarization of the Northern Mariana Islands  
7 threatens to destabilize complex life webs of terrestrial and marine species in the  
8 Mariana Islands Archipelago through the introduction of invasive species (such as  
9 in the case of the Brown Tree Snake on Guam) and, according to multiple  
10 Environmental Impact Statements provided by the Navy, will result in irreparable  
11 destruction, contamination, and pollution from heavy metals, propellants and  
12 toxins; and

13           **WHEREAS**, the deterioration of the natural habitat of the Mariana Islands  
14 poses a dire threat to the health of the indigenous peoples, plants and animals of the  
15 Marianas in various ways, through ordnance-related contamination of local food,  
16 sand, soil, sediment, and water sources (including aquifers and medicinal plants),  
17 noise pollution, and sonar-related injuries to marine life; and

18           **WHEREAS**, the degradation of the natural environment, human health and  
19 local economy of the Marianas threatens to detrimentally affect Mariana Islanders’  
20 capacity to participate in cultural practices and access sites of cultural importance  
21 (including tangible and intangible culture such as the use of our indigenous  
22 languages, the protection of artifacts and historical landmarks above and below

1 ground and in the sea), corroding a sense of shared cultural identity and threatening  
2 the survival of our indigenous cultures; and

3           **WHEREAS**, in 2015, the CNMI House of Representatives and Senate both  
4 adopted H.J.R.19-3 “requesting that the Honorable Governor Eloy S. Inos oppose  
5 any and all proposed military use of Pagan and oppose any increase in military  
6 activities in the Northern Islands;” and

7           **WHEREAS**, the physical taking and/or regulatory restriction proposed by  
8 the U.S. military for the islands north of Saipan would permanently destroy any  
9 meaningful opportunity for resettlement, sustainable community-building and re-  
10 development by residents who have vested rights pursuant to CNMI public laws  
11 governing village and agricultural homesteads dating back to the early 1970’s; and

12           **WHEREAS**, on July 9, 2015, the 34th General Assembly of the  
13 Association of Pacific Island Legislatures (APIL) set an important precedent for the  
14 treatment of our islands and people amidst increasing militarization by adopting  
15 APIL Resolution No. 34-GA-16, CD1 “expressing opposition to any and all  
16 proposed military use of the Northern Mariana Islands of Pagan and any increase  
17 in military activities on Tinian, Commonwealth of the Northern Mariana Islands”;  
18 and

19           **WHEREAS**, militarization efforts by foreign governments currently  
20 constitute a Pacific-wide existential threat; and

21           **WHEREAS**, empowered local leadership and the development of global  
22 solidarity among islander and indigenous peoples is absolutely indispensable to the

1 proper exercise of self-determination in an effort to protect all indigenous people’s  
2 homelands from unsustainable practices;

3 **NOW, THEREFORE, BE IT RESOLVED,** by the House of  
4 Representatives of the Twenty-First Northern Marianas Commonwealth  
5 Legislature, the Senate concurring, that the Legislature requests Governor Ralph  
6 DLG. Torres to ensure that our islands, people, and culture are protected and  
7 preserved for future generations by opposing any increase in destructive military  
8 training and testing in the Northern Mariana Islands; and

9 **BE IT FURTHER RESOLVED,** that the CNMI values its relationship  
10 with the United States and respects the Covenant that established the terms and  
11 conditions that govern this political relationship; and

12 **BE IT FURTHER RESOLVED,** that protecting our natural environment  
13 in the Marianas is a fundamental human right, as it is essential to fostering a healthy  
14 local workforce, an empowered local community, and a prosperous economy—all  
15 of which are critical to maintaining the strength of our social, economic and  
16 political institutions; and

17 **BE IT FURTHER RESOLVED,** that we recognize the importance of the  
18 National Environmental Policy Act (NEPA) process and support increased  
19 community engagement in military planning procedures that concern the Mariana  
20 Islands to enable a greater degree of informed and empowered self-governance in  
21 the CNMI, a positive change which could be reinforced significantly through a

1 series of public town hall meetings held by the administration to disseminate  
2 information regarding military planning to CNMI constituents; and

3           **BE IT FURTHER RESOLVED**, that the Speaker of the House of  
4 Representatives and the President of the Senate shall certify and the House Clerk  
5 and the Senate Legislative Secretary shall attest to the adoption of this joint  
6 resolution and thereafter the House Clerk shall transmit a copy to the Honorable  
7 Donald J. Trump, President, United States of America; Honorable Mark Esper,  
8 United States Secretary of Defense; Honorable David L. Bernhardt, Secretary,  
9 United States Department of the Interior; Honorable Ralph DLG. Torres, Governor,  
10 Commonwealth of the Northern Mariana Islands; Honorable Arnold I. Palacios,  
11 Lieutenant Governor, Commonwealth of the Northern Mariana Islands; Honorable  
12 Gregorio Kilili C. Sablan, CNMI Delegate, 116th United States Congress;  
13 Honorable Victor B. Hocog, Senate President, Twenty-First Northern Marianas  
14 Commonwealth Legislature; Honorable Blas Jonathan T. Attao, Speaker of the  
15 House of Representatives, Twenty-First Northern Marianas Commonwealth  
16 Legislature; Honorable Members of the Twenty-First Northern Marianas  
17 Commonwealth Legislature; Honorable David M. Apatang, Mayor, Municipality  
18 of Saipan; Honorable Edwin P. Aldan, Mayor, Municipality of Tinian and  
19 Aguiguan; Honorable Efraim M. Atalig, Mayor, Municipality of Rota; Honorable  
20 Vicente C. Santos Jr., Mayor, Municipality of the Northern Islands; Mr. John  
21 Tagabuel, Executive Assistant, Carolinian Affairs Office; Mr. Roman Tudela Jr.,  
22 Resident Executive, CNMI Indigenous Affairs Office; Mr. Robert Hunter, Acting

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1 Secretary, CNMI Department of Community and Cultural Affairs; Mr. Anthony T.  
2 Benavente, Secretary, CNMI Department of Lands and Natural Resources; Mr.  
3 Eliceo D. Cabrera, Administrator, CNMI Bureau of Environmental and Coastal  
4 Quality; Dr. Neil Jacobs, Administrator, National Oceanic and Atmospheric  
5 Administration (NOAA); CNMI Women's Association; CNMI Historic  
6 Preservation Office; Northern Marianas Descent Corporation; Second Marianas  
7 Political Status Commission; Alternative Zero Coalition Member Organizations:  
8 Guardians of Gani; PaganWatch; Tinian Women Association; Our Common  
9 Wealth 670; and Oceania Resistance.

Prefiled: 3/10/2020

Date: 3/10/2020

Introduced by: /s/ Rep. Sheila J. Babauta

Reviewed for Legal Sufficiency by:

/s/ John F. Cool  
House Legal Counsel