

TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE
IN THE HOUSE OF REPRESENTATIVES

Session, 2026

H. J. R. 24-14

A HOUSE JOINT RESOLUTION

To affirm Commonwealth rights in submerged lands, territorial seas,
and the exclusive economic zone adjacent to the Commonwealth.

1
2 **WHEREAS**, the Covenant to Establish a Commonwealth of the Northern
3 Mariana Islands in Political Union with the United States of America, approved by
4 Public Law 94-241, section 1, 90 Stat. 263 (1976), and set out as a note to 48 U.S.C.
5 § 1801, is a mutual and binding political agreement approved by the people of the
6 Northern Mariana Islands and accepted by the United States, and Section 103
7 thereof guarantees the Commonwealth's right of local self-government in internal
8 affairs; and

9 **WHEREAS**, Sections 801, 802, and 803 of the Covenant show that the
10 Commonwealth entered political union with the understanding that Trust Territory
11 real property in the Northern Mariana Islands would transfer to the Commonwealth,
12 and that federal rights in specified CNMI lands and adjacent waters would be
13 obtained by clear agreement and express lease, not by implication; and

14 **WHEREAS**, during the Trusteeship, public lands of the Trust Territory
15 were held for the benefit of the people of Micronesia, and the Legislature finds that
16 submerged lands, tidelands, lagoons, and related marine areas were part of that

1 public-lands framework and were subject to fiduciary duties owed to the people;
2 and

3 **WHEREAS**, Article XI of the Constitution of the Commonwealth provides
4 that submerged lands off the coast of the Commonwealth, to which the
5 Commonwealth now or hereafter may have a claim of ownership, are public lands
6 of the Commonwealth, and Article XII reflects the Commonwealth's basic policy
7 that land and resources are to be preserved for the benefit of the people of the
8 Northern Mariana Islands; and

9 **WHEREAS**, Congress has already shown that it has the power to change
10 the legal rules governing submerged lands adjacent to the Commonwealth, and
11 Congress has already used that power to convey submerged lands to the
12 Commonwealth out to three geographical miles; and

13 **WHEREAS**, the Legislature finds that further federal legislation
14 recognizing and conveying Commonwealth rights in the twelve nautical mile
15 territorial sea and in marine resources within the exclusive economic zone adjacent
16 to the Commonwealth would be both morally and legally consistent with the
17 Covenant and with the fiduciary history of the Trusteeship; and

18 **WHEREAS**, the Legislature further finds that the Commonwealth of
19 Northern Mariana Islands, as a commonwealth in political union with the United
20 States since 1976, is differently situated from United States "territories" because of
21 our unique relationship with the United States, a relationship that is governed by

1 the Covenant that includes specific property-transfer and lease provisions that
2 authorize the US Congress to enact CNMI-specific legislation; and

3 **WHEREAS**, Congress has previously recognized that the CNMI was the
4 only commonwealth within the United States without title to adjacent submerged
5 lands and that legislation was needed to correct that disparity; and

6 **WHEREAS**, Congress has also recognized that Commonwealth ownership
7 of adjacent waters and submerged lands would support the Commonwealth's
8 economy by allowing local use and management for near-shore infrastructure,
9 minerals, energy, aquaculture, and other activities, while federal ownership has left
10 these areas without meaningful local control and without effective federal
11 management; and

12 **WHEREAS**, international law distinguishes between the territorial sea,
13 where sovereignty extends to twelve nautical miles, and the exclusive economic
14 zone, where the coastal state holds sovereign rights over natural resources and
15 related jurisdiction out to two hundred nautical miles, and the Legislature finds that
16 this distinction supports congressional recognition of Commonwealth ownership
17 and control in the territorial sea, as well as Commonwealth ownership, or at
18 minimum vested beneficial ownership equivalent to ownership, in seabed and
19 marine resources throughout the exclusive economic zone adjacent to the
20 Commonwealth; and

1 **WHEREAS**, the Bureau of Ocean Energy Management reported receiving
2 a total of 65,585 public comment submissions concerning recent offshore mineral
3 activity adjacent to the Commonwealth and is moving forward with further
4 consideration of an area of about 69,101,413 acres, making congressional action
5 both timely and necessary; and

6 **WHEREAS**, the Legislature finds that, when the United States may
7 unilaterally open, expand, lease, or otherwise dispose of seabed resources in marine
8 areas adjacent to the Commonwealth, the Commonwealth's interests cannot be
9 adequately protected by consultation, co-management, or revenue participation
10 alone, but require ownership, or at minimum vested beneficial ownership and
11 primary control, to prevent the further loss of a foundational Commonwealth asset;
12 and

13 **WHEREAS**, the Legislature therefore finds it necessary and proper to
14 reaffirm the Commonwealth's position and to urge Congress to complete a long-
15 overdue federal conveyance consistent with the Covenant, the Constitution of the
16 Commonwealth, and the fiduciary history of the Trusteeship;

17 **NOW, THEREFORE, BE IT RESOLVED**, by the House of
18 Representatives of the Twenty-Fourth Northern Marianas Commonwealth
19 Legislature, the Senate concurring, that the Legislature hereby reaffirms that
20 submerged lands and marine areas appurtenant to the Commonwealth are central to

1 the self-government, economic security, cultural survival, and political dignity of
2 the people of the Northern Mariana Islands; and

3 **BE IT FURTHER RESOLVED**, that the Legislature declares that the
4 Covenant and the fiduciary history of the Trusteeship support a further federal
5 conveyance of Commonwealth rights in submerged lands, territorial seas, and
6 marine resources adjacent to the Commonwealth; and

7 **BE IT FURTHER RESOLVED**, that the Legislature respectfully urges
8 the United States Congress to enact legislation expressly recognizing, confirming,
9 and conveying to the Commonwealth ownership, or at minimum vested beneficial
10 ownership and primary control, in submerged lands, seabed resources, and
11 associated marine resources within twelve nautical miles of the Commonwealth's
12 coasts; and

13 **BE IT FURTHER RESOLVED**, that the Legislature respectfully urges
14 the United States Congress to enact additional legislation expressly recognizing and
15 securing for the Commonwealth ownership, or at minimum vested beneficial
16 ownership equivalent to ownership, revenue rights, and primary control over
17 seabed resources and associated marine resources in the exclusive economic zone
18 adjacent to the Commonwealth, extending seaward to 200 nautical miles, subject
19 only to those federal powers expressly reserved by law for national defense, foreign
20 affairs, navigation, and international obligations; and

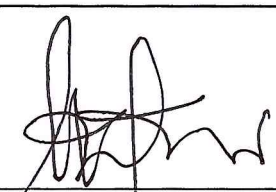
1 **BE IT FURTHER RESOLVED**, that the Governor, the Attorney General,
2 and the Commonwealth's Delegate to the United States House of Representatives
3 are respectfully requested to advance legislation and legal positions consistent with
4 this resolution; and

5 **BE IT FURTHER RESOLVED**, that the Speaker of the House of
6 Representatives and the President of the Senate shall certify and the House Clerk
7 and the Senate Legislative Secretary shall attest to the adoption of this joint
8 resolution and thereafter the House Clerk shall transmit a copy to the Honorable
9 Donald J. Trump, President of the United States of America; the Honorable John
10 Thune, Senate Majority Leader, 119th United States Congress; the Honorable Mike
11 Johnson, Speaker of the House, 119th United States Congress; the Honorable David
12 M. Apatang, Governor of the Commonwealth of the Northern Mariana Islands; the
13 Honorable Kimberlyn King-Hinds, Delegate to the United States House of
14 Representatives for the Commonwealth of the Northern Mariana Islands, 119th
15 United States Congress; the Honorable Mike Lee, Chairman of the Senate
16 Committee on Energy and Natural Resources, 119th United States Congress; the
17 Honorable Bruce Westerman, Chairman of the House Committee on Natural
18 Resources, 119th United States Congress; and the Honorable Edward E.
19 Manibusan, Attorney General of the Commonwealth of the Northern Mariana
20 Islands.

HOUSE JOINT RESOLUTION 24-14

Prefiled: 4/10/2024

Date: 04/10/2024 Introduced by:


Rep. Marissa R. Flores

Reviewed for Legal Sufficiency by:


Joseph L.G. Taijeron, Jr.
House Legal Counsel

Date: 4/9/24

