

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



COMMONWEALTH REGISTER

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COMMONWEALTH PORTS AUTHORITY

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P.O. Box 501055, Saipan, MP 96950-1055

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Website: www.cpa.gov.mp



PUBLIC NOTICE OF CERTIFICATION AND ADOPTION OF REGULATIONS OF Commonwealth Ports Authority

PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER
AS PROPOSED REGULATIONS

Volume 37, Number 2, pp 036032-036071 of February 28, 2015

Proposed Addition to the Title 40 Rules and Regulations of the Commonwealth Ports Authority

ACTION TO ADOPT PROPOSED REGULATIONS: The Commonwealth of the Northern Mariana Islands, Commonwealth Ports Authority HEREBY ADOPTS AS PERMANENT regulations the Proposed Military Exercise Operations and Implemental Plan which was published in the Commonwealth Register at the above-referenced pages, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). CPA announced that it intended to adopt them as permanent, and now does so. (Id.) A true copy is attached]. 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. The CPA Board adopted the regulations as final at its regular board meeting of November 24, 2015.

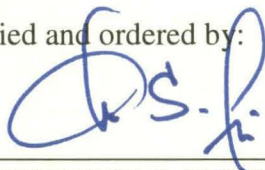
AUTHORITY: CPA is required by the Legislature to adopt rules and regulations regarding those matters over which CPA has jurisdiction, including its regulation of the Military Exercise Operations and Implemental Plan. PL 2-48, "to establish the Commonwealth Ports Authority and for other purposes", July 7, 1980.

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.

I DECLARE under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 20th day of June, 2016, at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and ordered by:

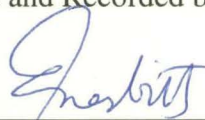


CHRISTOPHER S. TENORIO
Acting Executive Director
Commonwealth Ports Authority

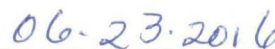


Date

Filed and Recorded by:



ESTHER SN. NESBITT
Commonwealth Register



Date



STATE BOARD OF EDUCATION

Commonwealth of the Northern Mariana Islands — *Public School System*

PO Box 501370 Saipan, MP 96950 • Tel. 670 237-3027 • Fax 670 664-3711



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Teacher Representative

PUBLIC NOTICE OF CERTIFICATION AND ADOPTION OF REGULATIONS OF THE COMMONWEALTH PUBLIC SCHOOL SYSTEM

**PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER AS PROPOSED
RULES AND REGULATIONS**

Volume 38, Number 05, pp 037980-037988, of May 28, 2016

Regulations of the Commonwealth Public School System: 60-20-160

ACTION TO ADOPT THESE PROPOSED RULES AND REGULATIONS: The Commonwealth of the Northern Mariana Islands Public School System (The Commissioner of Education), HEREBY ADOPTS AS PERMANENT regulations the procedural guidelines for the 60-20-160 Teacher Representative Election Process that 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 Public School System announced that it intended to adopt them as permanent, and now does so. I 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. The Regulations would become effective 10 days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

PRIOR PUBLICATION: The prior publication was as stated above.

AUTHORITY: The proposed regulation is promulgated pursuant to the Commissioner of Education's authority as provided by Public Law 19-7, Section 4.

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 publication in the Commonwealth Register.

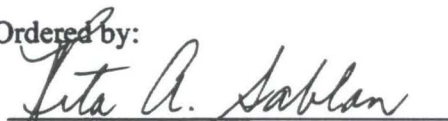
COMMENTS AND AGENCY CONCISE STATEMENT: Pursuant to the APA, 1 CMC § 9104 (a) (2), the agency has considered fully all written and oral submission respecting the proposed regulations. Upon the adoption of the regulations, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days

thereafter, will issue a concise statement of the principal reasons for and against 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 any, in response to any field comments, which requested a response.

ATTORNEY GENERAL APPROVAL FOR 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 corporation, except as otherwise provided by law).

I DECLARE under the penalty of perjury that the foregoing is true and correct and that this declaration was executed on the ____ day of June, 2016, at Saipan, Commonwealth of the Northern Mariana Islands.

Certified and Ordered by:



Rita A. Sablan, Ed.D.
Commissioner of Education

6/17/2016
Date

Filed and
Recorded by:




Esther SN. Nesbitt
Commonwealth Register

06.17.2016
Date

Pursuant to 1 CMC § 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 approval as to form and legal sufficiency by the CNMI Attorney General and shall be published (1 CMC § 2153(f) (publication of rules and regulations)).

Reviewed and
Approved by:



Edward Manibusan
Attorney General

6-20-16
Date



NORTHERN MARIANAS HOUSING CORPORATION

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



Tels: (670) 234-6866
234-9447
234-7689
234-7670
Fax: (670) 234-9021

PUBLIC NOTICE OF PROPOSED AMENDMENTS TO REGULATIONS CONTAINED IN THE SECTION 8 ADMINISTRATIVE PLAN FOR RENTAL ASSISTANCE PROGRAMS OF THE NORTHERN MARIANAS HOUSING CORPORATION

INTENDED ACTION TO ADOPT PROPOSED AMENDMENTS TO THE SECTION 8 ADMINISTRATIVE PLAN FOR RENTAL ASSISTANCE PROGRAMS: The Board of Directors (“Board”) of the Northern Marianas Housing Corporation (“NMHC”), intends to adopt as permanent regulations the attached Proposed Amendments to the Section 8 Administrative Plan for Rental Assistance Programs pursuant to the procedures of the Administrative Procedures Act (“APA”), 1 CMC § 9104(a) as decided at the Board’s regular meeting of October 22, 2015. The Regulations would become effective 10 days after compliance with 1 CMC §§ 9102 and 9104 (a). (1 CMC § 9105(b))

AUTHORITY: The Board has authority pursuant to Executive order 94-3, Section 407 of Reorganization Plan No. 2 of 1994, Directive No. 138, and NMHC’s Articles of Incorporation and Bylaws on file with the Registrar of Corporations on February 6, 1995.

TERMS AND SUBSTANCE: Regulation history: Proposed/Revised NMHC Section 8 Administrative Plan for Rental Assistance Programs as published in the Commonwealth Register in Volume 35, Number 10, pp 034400-034536 (October 28, 2013) and Adopted Volume 36, Number 02, pp 034701-034707 Com. Reg. (February 28, 2014).

THE SUBJECT AND ISSUES INVOLVED: The Proposed Amendments are to modify **Subsections 3.2** Methods of Verification and **3.3** Verification of Citizenship or Eligible Non-Citizen Status on the acceptable method NMHC uses to verify an applications information; **Subsection 5.2** Preference System to modify the selection process for families admitted to the HCV program; and **Subsection 7.2** Determining Adjusted Income to reflect that benefits such as Supplemental Nutritional Assistance Program (SNAP) benefits, Nutritional Assistance Program (NAP)/Food Stamps benefits, and Women Infant and Children (WIC) benefits are not to be counted as income in the Section 8 Program in accordance with HUD requirements.

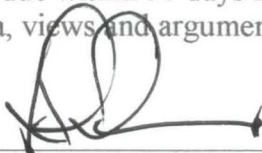
DIRECTIONS FOR FILING AND PUBLICATION: The proposed amendments of the NMHC Section 8 Administrative Plan for Rental Assistance Programs shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations (1 CMC § 9102(a)(1) and posted in convenient places in the Civic Center and in local government offices

in each senatorial district, both in English and in the principal vernacular of both Chamorro and Carolinian. (1 CMC § 9104(a)(1)).

TO PROVIDE COMMENTS: Send or deliver your comments to Jesse S. Palacios, Corporate Director, and NMHC to the following address, fax or email address, with the subject line "Proposed Amendments of the NMHC Section 8 Administrative Plan for Rental Assistance Programs."

NORTHERN MARIANAS HOUSING CORPORATION
P.O. Box 500514,
Saipan, MP 96950
Tel. No.: 234-6866/234-9447, 234-7689 Fax 234-9021
Email address: jspalacios@nmhc.gov.net

Comments are due within 30 days from the date of publication of this notice. Please submit your supporting data, views and arguments. (1 CMC § 9104(a)(2))

Submitted by:  _____ Date 6/27/16
Ignacio L. Perez
Vice Chairman

Received by:  _____ Date 06/27/16
Shirley P. Camacho-Ogumoro
Special Assistant for Administration

Filed and Recorded by:  _____ Date 06/27/2016
Esther SN. Nesbitt
Commonwealth Register

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104(a)(3) (obtaining AG approval) the proposed amendments to NMHC Section 8 Administrative Plan for Rental Assistance Programs, attached hereto has been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published pursuant to, 1 CMC § 2153(f) (publication of rules and regulations).

Dated this 28 day of ~~May~~ ^{June}, 2016.

 _____
EDWARD MANIBUSAN
Attorney General

NORTHERN MARIANAS HOUSING CORPORATION

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

NUTISIAN PUBLIKU PUT I MAPROPONI NA AMENDASION SIHA PARA I REGULASION SIHA NI HA GAIGI HALOM GI SEKSIONA 8 GI ADMINISTRATIVE PLAN PARA I PRUGRĀMAN ASISTENSIAN ATKILON SIHA GI NORTHERN MARIANAS HOUSING CORPORATION

I MA'INTENSIONA NA AKSION NA PARA U MA'ADĀPTA I MAPROPONI NA AMENDASION SIHA PARA I SEKSIONA 8 GI ADMINISTRATIVE PLAN PARA I PRUGRĀMAN ASISTENSIAN ATKILON SIHA: I Kuetpun Direktot siha ("Board") gi Northern Marianas Housing Corporation ("NMHC") ha intensiona para u ma adĀpta kumu petmaniente na regulasion siha ni mañechetton i Maproponi na Amendasion Siha para i Seksiona 8 gi Āktun Administrative Plan na PrugrĀman Asistensian Atkilon Siha sigun gi manera siha gi Āktun Administrative Procedure ("APA"), 1 CMC § 9104(a) kumu madisidi gi regulĀt na huntan Kuetpu gi Oktubri 22, 2015. I Regulasion siha para u ifektibu gi hĀlum dies (10) dihas dispues di compliance yan i CMC §§ 9102 yan 9104 (a). (1 CMC § 9105(b)).

ĀTURIDĀT: I Kuetpu gai āturidĀt sigun gi Otdin Eksekatibu Numiru 94-3, Seksiona 407 gi Reorganization Plan No. 2 gi 1994, Directive No. 138, yan NMHC's Articles of Incorporation yan i By laws gi file yan i Registrar gi Corporations kumu i Fibreru 6, 1995.

I TEMA YAN SUSTĀNSIAN I PALĀBRA SIHA: Historian regulasion: Maproponi /Maribisa NMHC Seksiona 8 Administrative Plan para i PrugrĀman Asistensian Atkilon Siha kumu mapupblika gi hĀlum i Rehistran i Commonwealth gi Baluma 35, Numiru 10, pĀhina 034400-034536 gi (Oktubri 28, 2013) yan Ma'adĀptan Baluma 36, Numiru 02, pĀhina 034701-034707 Com. Reg. (Fibreru 28, 2014).

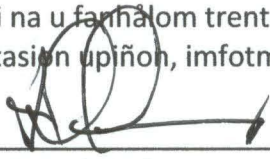
SUHETU NI MASUMĀRIA YAN ASUNTU NI TINEKKA: I Man maproponi na Amendasion siha ni para u ma tulaika i **Subsection 3.2** maneran i verification yan **3.3** Verification i Citizenship pat i man kualifika na-Citizen Status ayu i man ma'aksepta na manera ni ma u'usa para ma aprueba i infotmasion gi aplikasion i NMHC siha; **Subsection 5.2** i preference na sistema para u ma tulaika i sileksion process para i familia siha ni man ma aksepta para i HCV na prugrĀma; yan **Subsection 7.2** Ma ditetmimina i Adjusted Income para u tatiyi na i benefisiu siha tatkomu i Supplemental Nutritional Assistance Program (SNAP), na benefisiu siha, i Nutritional Assistance Program (NAP)/Food Stamps na benefisiu siha, yan i Women, Infant and Children (WIC) na benefisiu siha na ti para u ma tufong i nina'halom ginen enao siha hĀlom gi Seksiona 8 na PrugrĀma i sistema yan i dinimanda siha.

DIREKSION SIHA PARA U MAPO'LU YAN PUBLIKASION: I Maproponi na Amendasion siha gi NMHC Seksiona 8 Administrative Plan para i PrugrĀma Asistensian Atkilon Siha ya debi na u mapupblika gi hĀlom i Rehistran Commonwealth gi hĀlom i seksiona gi maproponi yan nuebu na ma'adĀpta na regulasion siha (1 CMC § 9102(a)(1) yan u mapega gi hĀlom i mangkumbinienti na lugĀt gi hĀlom i Civic Center yan i hĀlom ufisinan gubietnamentu siha gi kada distritun senadot, parehu English yan i dos na lingguĀhi Chamorro yan Refaluwasch. (1 CMC § 9104(a)(1)).

PARA U MAPRIBENIYI OPIÑON SIHA: Na'hånão pat intrega i opiñon-mu siha guatu gi as Jesse S. Palacios, Corporate Director, NMHC gi sigienti na address, fax, pat email address, yan i rãyan suhetu "Maproponi na Amendasion Siha gi NMHC Seksion 8 Administrative Plan para i Prugrãman Asistensian Atkilon Siha."

NORTHERN MARIANAS HOUSING CORPORATION
P.O. BOX 500514
Saipan, MP 96950
Tilifon No.: 234-6866/234-9447, 234-7689 Fax 234-9021
Email address: jspalacios@nmhc.gov.net

Todu upiñon debi na u fanhãlom trenta (30) dihas ginen i fetchan pupublikasion esti na nutisia. Pot fabot na'hãlom i supottasion upiñon, imfotmasion yan kuntestasion siha. (1 CMC § 9104(a) (2))

Nina'hãlom as: 
Ignacio L. Perez
Vice Chairman

6/27/16
Fetcha

Rinisibi as: 
Shirley P. Camacho- Ogumoro
Espisiãt Na Ayudãnti Para I Atministrasion


06/27/16
Fetcha

Pine'lu yan
Ninota as: 
Esther SN. Nesbitt
Rehistran Commonwealth

06/27/2016
Fetcha

Sigun i 1 CMC § 2153(e) (Inaprueban Abugãdu Henerãt na regulasion siha na para u ma cho'gui kumu fotma) yan 1 CMC § 9104(a)(3) (hinentan inaprueban Abugãdu Henerãt) i manmaproponi na amendasion gi NMHC Section 8 Administrative Plan para i Prugrãman Asistensian Atkilon Siha, ni mañechettun guini ni manmaribisa yan ma' aprueba kumu para fotma yan sufisienti ligãt ginin i CNMI Abugãdu Henerãt yan debi na u mapupblika sigun gi , 1 CMC § 2153(f) (pupublikasion areklamentu yan regulasion siha).

Ma fetcha gi diha 28 di Abrit, 2016.


EDWARD MANIBUSAN
Abugãdu Hinerãt

NORTHERN MARIANAS HOUSING CORPORATION

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

ARONGORONGOL TOULAP REL POMMWOL LIIWEL REL MWÓGHUTÚGHÚT KKA E LO LLÓL SECTION 8 ADMINISTRATIVE PLAN NGÁLI RENTAL ASSISTANCE PROGRAMS REL NORTHERN MARIANAS HOUSING CORPORATION

MÁNGEMÁNGIL MWÓGHUT YEEL BWE REBWE ADAPTÁALI POMMWOL LIIWEL REL SECTION 8 ADMINISTRATIVE PLAN REL RENTAL

ASSISTANCE PROGRAMS: Pommwol mwóghutúghút sáangi Board of Directors (“Board”) nge re mángemángil bwe rebwe adaptáali allégh me ebwe lléghló pommwol liiwel kka e appasch long llól Proposed Amendment rel Section 8 Administrative Plan rel Rental Assistance Programs sáangi mwóghutúghutúl Administrative Procedures Act (“APA”), 1 CMC § 9104(a) iye ra disidiy rel yaar Board igha re yéélágh wól Octuubre 22, 2015. Mwóghutúghút kkal nge ebwe bwúnguló llól seigh ráll mwiiril igha e palúweli 1 CMC §§9102 me 9104(a). (1 CMC § 9105(b))

BWÁNGIL: Eyoor bwáángil Board rebwe afala sáangi 94-3, Tálil 407 rel Reorganization Plan No. 2 rel 1994, Directive No. 138, me aar NMHC Article of Incorporation me Bylaws iye re isáali llól file rel Registraril Corporations wól Febreero 6, 1995.

KKAPASAL ME AWEWEEL: Uruwoowul atiwligh: Pommwol/Igha re fféeru sefaaliy NMHC Section 8 Administrative Plan rel Programal Rental Assistance igha e toowow arongorong yel llól Commonwealth Register llól Volume eliigh me limoow (35), Numuro seigh (10), pp 0304400-034536 (Ottuubre 28, 2013) igha ra adaptáali Volume 36, Numuro 02, pp 034701-034707 Com. Reg. (Febreero 28, 2014).

KKAPASAL ME OUTOL: Pommwol liiwel kkal nge ebwe awelaaló **Subsection 3.2** Methods rel Verification me **3.3** Verification rel Citizenship me ngare Eligible Non-Citizen Status iye e lo llól acceptable method iye NMHC re yáali bwe rebwe amwuri fischiiy arongorong iye e llo wól application; **Subsection 5.2** Preference System ebwe amwuri fischiiy miliikka rebwe afili ngáliir familiya kka emmwel rebwe toolong rel HCV program; me **Subsection 7.2** rebwe amwuri fischiiy yóómw income me rebwe awelaaló bwe e bwe mmwelil rebwe schelúugh rel alillis kka e tooto merel Supplemental Nutritional Assistance Program (SNAP), alillis merel Nutritional Assistance Program (NAP)/Food Stamps, me

alillis merel Women Infant me Children (WIC) nge esóóbw toolong bwe income llól Section 8 Program sáangi HUD requirements.

AFALAFAL REL AMWELIL ME ARONGOWOWUL: Pommwol alleghúl mwóghutúghút sáangi NMHC Section 8 Administrative Plan ngáli Rental Assistance Programs nge e bwe arongowoow me rel Commonwealth Register llól tálil rel pommwol me igha rebwe adaptáali ffél allégh (1 CMC § 9102(a)(1) me e bwe bwal appaschetá igha toulap re bwe weri iye me Civic Center me bwal llól bwulasiyol gobetnamento kka llól senatorial district, rel kkasal English, fengal rel Remaraalis me Refaluwasch. (1 CMC § 9104(a)(1).

ATOTOOLONGOL MÁNGEMÁNG: Afanga ngare bwughiló yóómw mángemáng rel Jesse S. Palacios, Corporate Director, me NMHC ngáli felefel, fax ngare email, e bwe lo wól subject line "Proposed Amendments of the NMHC Section 8 Administrative Plan for Rental Assistance Programs."

NORTHERN MARIANAS HOUSING CORPORATION

P. O. Box 500514,

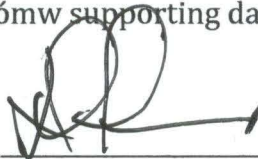
Saipan, MP 96950

Tel. No.: 234-6866/234-9447, 234-7689 Fax 234-9021

Email address: jspalacios@nmhc.gov.net

Isiislongol mángemáng nge ebwe toolong llól eliigh ráll sáangi al toowow arongorong yeel. Isáliilong yóómw supporting data, views, me angingi. (1CMC §104(a)(2)).

Isaliyalong:

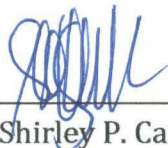


Ignacio L. Perez
Vice Chairman

6/27/16

Ráll

Mwiir Sáangi:



Shirley P. Camacho-Ogumoro
Special Assistant for Administration

6/27/16

Ráll

Ammwel
Sáangi:



Esther SN. Nesbitt
Commonwealth Register

06.27.2016

Ráll

Sáangi 1 CMC § 2153(e) (Allégh kkal e bwe lléghló sáangi AG bwe e bwe fil rel fféerúl) me 1 CMC §9104(a)(3) (mwiir sáangi yaar allégh lló merel AG) pommwol liiwel rel NMHC Section 8 Administrative Plan ngáli Rental Assistance Programs, iye re appasch long bwe ra takkal amwuri fischiiy, me aa lléghló fféerúl me legal sufficiency sáangi CNMI Attorney General me e bwele attotowoow, 1 CMC § 2153(f) (arongowoowul allégh me atiwligh).

E aghikkila-tiw 28 ráll ye Abrid, 2016.



EDWARD MANIBUSAN
Sóulemelemil Allégh Lapalap

**PROPOSED AMENDMENTS TO THE SECTION 8 ADMINISTRATIVE
PLAN FOR RENTAL ASSISTANCE PROGRAMS
OF THE NORTHERN MARIANAS HOUSING CORPORATION**

That the following subsections **3.2 METHODS OF VERIFICATION** and **3.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NON-CITIZEN STATUS** of **SECTION 3: VERIFICATIONS** is amended to read as follows:

3.2 METHODS OF VERIFICATION

The acceptable methods NMHC uses to verify an applicant's information include:

- A. Upfront Income Verification (UIV) – NMHC uses the EIV system (an independent computerized resource) to obtain verification of employment, gross wages, unemployment compensation, and social security benefits. For families under New Admission certification, NMHC must conduct an EIV review 120 days after the effective date of the new admission certification;
- B. Written third-party verification;
- C. Verbal third-party verification;
- D. Review document – Tenant-provided documents to support declaration of income, etc.; and
- E. Tenant certification – Tenant must submit notarized statement of reported income, assets, or expenses. For households with assets below \$5,000, NMHC will accept a family's declaration of the amount of assets of less than \$5,000 and the amount of income expected to be received from those assets. NMHC's application and recertification documentation can serve as the declaration; therefore, NMHC does not need to request supporting documentation (e.g. bank statements, etc.) from the family to confirm the assets or income from assets. NMHC must obtain supporting documentation (e.g. bank statements, etc.) from the family should they have net family assets in excess of \$5,000.

NMHC requires initial mail requests for written verifications addressed to the source of income (or expense). If the information is not returned within 15 days, NMHC shall attempt telephone verification. If both written and oral third party verification attempts fail, the applicant or participant shall be required to provide documents as verification. The client file must include notes as to why documents provided by the client have been used instead of the preferred third party verification.

3.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NON-CITIZEN STATUS⁵

Persons claiming eligible immigration status must present appropriate immigration documents, which must be verified by NMHC through the United States Citizenship and Immigration Services (USCIS).

⁵ HCV Program Guidebook 7420-10G: Citizenship Status.

Every applicant household for (and participant in) the housing choice voucher program must sign a certification for every household member either claiming status as:

- A. A U.S. citizen, or
- B. An eligible alien, or
- C. Stating the individual's choice not to claim eligible status and acknowledge ineligibility.

3.3.1 Declaration of United States Citizenship

For household members claiming U.S. citizenship, only a declaration (HUD Form 214) signed by the household member (or in the case of a minor child, by a parent) is required by regulation.

3.3.2 Acceptable Official Documents for Verification of Information

NMHC requires verification of the information provided through the presentation of any one or all of the following official documents:

- A. United States passport;
- B. Resident Alien Card;
- C. Registration Card;
- D. Social Security card;
- E. Other appropriate documentation.

3.3.3 Verification of Social Security Numbers (24 CFR Part 5.216 and PIH Notice 2012-10)

A. NMHC will verify Social Security Numbers through the following documents:

- 1) An original SSN Card issued by the Social Security Administration;
- 2) An original document issued by the Social Security Administration containing the name and SSN of the individual; or
- 3) An original document issued by a federal, state, or local government agency containing the name and SSN of the individual.

B. NMHC will verify the SSN through the EIV System by conducting an EIV review 120 days after the effective date of the certification. Once the individual's identity verification status is classified as "verified" through the EIV Summary Report or Income Report, NMHC will retain a copy of the report in each family file as confirmation of compliance with the SSN disclosure, documentation, and verification requirements. The retention of the EIV report in the tenant file is adequate documentation of a valid tenant SSN.

- C. Once an individual's identity verification status is classified as "verified" through the EIV Summary Report or Income Report, NMHC will remove and destroy (i.e. shredding) the copy of the documentation referenced above so as to minimize the risk of exposing the individual's SSN. This should be done no later than the next annual or interim reexamination.

...

That the following subsection **5.2 PREFERENCE SYSTEM** of **SECTION 5: THE WAITING LIST AND PREFERENCE SYSTEM**: is amended to read as follows:

5.2 PREFERENCE SYSTEM

NMHC has ceased its system of preferences for the selection of families admitted to the HCV Program and has opted to establish a system based on date and time of application.

~~Preferences are used to establish order of placement on waiting list. A preference does not guarantee admission. Preferences will be granted to applicants who are otherwise qualified and who, at the time they are certified for admission, meet the definitions of preferences prescribed.~~

5.2.1 Order of Preferences & Points Afforded:

- A. Elderly 3 pts.
B. Persons with Disabilities 3 pts.
C. Involuntary Displacement¹² 3 pts.
D. Victims of Domestic Violence 3 pts.
E. Substandard Housing 2 pts.
F. High Rent Burden (Rent is > 50 percent of income) 2 pts.

...

That the following subsection **7.2 DETERMINING ADJUSTED INCOME** of **SECTION 7: DETERMINATION OF FAMILY INCOME**: is amended to read as follows:

7.2 DETERMINING ADJUSTED INCOME

Deductions and allowances are amounts that are subtracted from a family's Annual Income to produce adjusted income.

¹²Involuntary Displacement includes any of the following: Disaster, Fire, Government Action, Action of Housing Owner, Inaccessibility, and Property Disposition.

7.2.1 Annual Income Inclusions

Annual Income includes all amounts anticipated to be received by the household in the 12 months following certification or reexamination. Annual income includes:

- A. Income which goes to, or on behalf of, the family head or spouse or to any other household member;
- B. Amounts, monetary or not, anticipated to be received from a source outside the family during the 2-month period following admission or reexamination effective date;
- C. Income from assets to which any member of the family has access.
- D. Therefore, annual income includes, but is not limited to the following:
 - 1) Wages and Salaries²⁷;
 - 2) Net Business Income;
 - 3) Payments in lieu of Earnings;
 - 4) ~~Public Assistance~~¹ Temporary Assistance to Needy Families (TANF);
 - 5) Imputed Welfare Income (24 CFR 5.615);
 - 6) Periodic Payments and Allowances²⁸
 - 7) Lump Sum Receipts;
 - 8) Determinable Allowances and Regular Cash Contributions;
 - 9) Armed Forces Pay;
 - 10) Income of Dependents; and
 - 11) Income of Temporarily Absent Family Members.

7.2.2 Annual Income Exclusions

In determining a family's adjusted income, some amounts are prohibited from being included in a family's income for rent determination purposes. These amounts, called exclusions, are **not** part of Annual Income.

Family Annual Income derived from the following shall be excluded:

- A. Wages of Family Members Under Age 18;

²⁷NMHC requires at least three (3) recent, consecutive pay stubs be used when averaging income from pay stubs.

¹~~Public Assistance includes Temporary Assistance to Needy Families (TANF) or General Assistance.~~

²⁸ Amounts received from Social Security, Supplemental Income, Annuities, Insurance Policies, Retirement Funds, Pensions, Disability or Death Benefits, Alimony or Spousal Support, Child Support, or Other Types of Periodic Receipts.

- B. Earnings in Excess of \$480 for Full-Time Students Over Age 18 (except HoH or Spouse);
- C. Refunds or Rebates of Property Tax on Home;
- D. Payments for Student Financial Assistance Paid Directly to the Student or Educational Institution (24 CFR Part 5, 880 and 883);
- E. Lump-Sum Additions to Family Assets;
- F. Lump-Sum Payments of Deferred Benefits;
- G. Amounts Set Aside for Use under PASS²⁹;
- H. Temporary, Non-Recurring, Sporadic Income;
- I. Amounts Received for Reimbursements of Medical Expenses of Any Family Member;
- J. Income of Live-in Aides;
- K. Adoption Assistance Payments in Excess of \$480 per child of adoption assistance payments;
- L. Payments to keep Developmentally Disabled Family Members at Home;
- M. Payments Received for the Care of Foster Children or Adults;
- N. Armed Forces Hostile Fire Pay;
- O. Foreign Government Reparation Payments;
- P. Earnings and Benefits from Employment Training Programs Funded by HUD;
- Q. Incremental Earnings and Benefits from Participation in Qualifying State and Local Employment Programs;
- R. Reimbursement for Out of Pocket Expenses While Attending a Public Assisted Training Program;
- S. Resident Service Stipend not to exceed \$200 per month for Services to NMHC; and

²⁹ Amounts received by a person with a disability that are disregarded for a limited time for purposes of SSI eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS) are excluded in the calculation of Annual Income.

T. ~~Other Applicable Federally Mandated Exclusions.~~ Supplemental Nutritional Assistance Program (SNAP) benefits, Nutritional Assistance Program (NAP)/ Food Stamps benefits, and Women Infant and Children (WIC) benefits; and

U. Other applicable Federally Mandated Exclusions.



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Ralph DLG. Torres
Governor

Victor B. Hocog
Lieutenant Governor

EXECUTIVE ORDER NO. 2016-011

SUBJECT: DECLARATION OF A STATE OF SIGNIFICANT EMERGENCY

AUTHORITY: I, RALPH DLG. TORRES, pursuant to the authority vested in me as Governor of the Commonwealth of the Northern Mariana Islands by Article III, § 10 of the Commonwealth Constitution and P.L. 18-4, § 104 of the Homeland Security and Emergency Management Act of 2013, do hereby declare a State of Significant Emergency for the Commonwealth of the Northern Mariana Islands due to the imminent threat of the inability of the Commonwealth Utilities Corporation (“CUC”) to provide critical power generation, water, and wastewater services to the CNMI and considering the harm such condition would pose to the community, environment, and critical infrastructure of the Commonwealth of the Northern Mariana Islands.

WHEREAS, CUC IS THE SOLE ELECTRICITY SUPPLIER to the Government of the CNMI, including all public safety activities, the schools, and the only hospital. CUC also supplies electricity to most of the CNMI’s businesses and homes. While some businesses and agencies own backup generators, they are not generally organized to use the backups as permanent power sources and the diesel oil purchased to run these generators is substantially more expensive than that used for CUC power.

WHEREAS, WITHOUT CUC ELECTRICITY:

- (1) Most CNMI economic activity would come to a halt, much refrigeration and air conditioning would end, and the airports and ports would be forced to rely on emergency generation on the limited, expensive oil supply for it;
- (2) The CNMI’s health and safety would immediately be at risk because traffic signals and street lighting would cease to function; emergency, fire, police facilities and their communications systems, and the hospital and island clinics would have to rely on limited fuel supplies for emergency generation and then cease functioning; and much refrigeration of food and medicines would end, as would air conditioning for the elderly and sick;

- (3) The public schools and the Northern Marianas College would close. Other educational institutions would close as their backup fuel supplies for emergency generators were exhausted; and
- (4) Water and sewage treatment would soon end. One of CUC's largest electric customers is the combined CUC Water and Wastewater Divisions. CUC is the sole supplier of electricity for these systems. CUC's water system relies on electricity to maintain the system pressure needed to prevent the backflow of pathogens, to chlorinate, and to pump, store, and distribute water supplies. CUC's wastewater system requires electricity to collect, pump, process, treat, and discharge sewage. The lack of electricity could result in sewage overflow, contaminating land and water.

WHEREAS, THERE EXISTS A FINANCIAL CRISIS:

- (1) CUC is owed over \$20 million by the public school system ("PSS") and the Commonwealth Healthcare Corporation ("CHC") and is owed over millions more by other users;
- (2) Although the commonwealth economy has recently improved, the improvement is only marginal and the economy and the government's finances are still fragile. This government strains to meet its obligations.
- (3) CUC often only has days' worth of purchased diesel fuel to power its system because it lacks the funds to buy oil from its sole, cash-only supplier. CUC has no credit or other means to buy fuel than the revenue it collects from its customers;

WHEREAS, THERE EXISTS A TECHNICAL WORKER CRISIS:

- (1) CUC faces a manpower crisis. Skilled worker and a responsive support system are key to the success of the operation, particularly for preventative maintenance. At present, CNMI law at 3 CMC §§ 4531 and 4532 prohibits CUC from hiring any more non-U.S. technical workers;
- (2) CUC bears a substantial obligation to deliver highly technical work on time to the satisfaction of the U.S. District Court and the U.S. Environmental Protection Agency ("EPA"), pursuant to two sets of consent, or "Stipulated Orders." Failure to meet the requirements of the federal court orders could subject CUC and the CNMI to substantial fines and charges and, in the extreme, to a federal takeover of their finances;
- (3) CUC requires employees with specialized training. There are many non-U.S. citizens whom CUC needs to retain on technical and professional contracts. Without these positions filled, CUC operations would be severely compromised;

- (4) The legislature, through P.L. 17-1 (Mar. 22, 2010), has limited CUC's ability to hire technical staff, eliminating prior statutory permission to hire up to nineteen foreign workers and reinstating a moratorium on the government's hiring of foreign nationals, even if needed for highly technical positions for which no local or mainland citizens are available. The CUC Act, as subsequently reenacted by P.L. 16-17 (Oct. 1, 2008), provides that CUC shall hire such persons as are necessary for operations, *except as otherwise limited by other law*. 4 CMC § 8123(h);
- (5) There are not enough U.S. citizen or U.S. resident technical specialists at CUC to perform the power generation work, particularly specialists with experience in the type of engines that CUC uses. U.S. citizens with the necessary skills are not readily available in the CNMI and it is costly to recruit from the United States. CUC believes that the vast majority of skill sets, considering its cash restrictions, must come from non-U.S. personnel. CUC has tried to hire diesel mechanics in the CNMI, but has been unsuccessful in finding enough qualified candidate;
- (6) The impact of an inadequate workforce is substantial. First, there would be a direct deterioration of service to existing customers. There would be brownouts or area blackouts with the above-mentioned loss of service. Second, the power plants would again degrade, producing more of these outages. Third, if CUC fails to meet federal court deadlines for the Stipulated Orders, the Court could appoint a federal receiver and its consulting team with all expenses charged to CUC customers.
- (7) CUC's renewal of contracts and hiring of foreign expert workers is necessary to sustain the integrity of CUC's systems. Thus, continued relief from the legislative prohibition on hiring foreign national workers is necessary to ensure the delivery of uninterrupted power services to the people of the Commonwealth. The legislature is urged to address this matter by way of amending local law to allow CUC to continue employing the services of foreign workers for such technical positions difficult to fill and to provide for a reasonable transition period.

WHEREAS, BY THIS DECLARATION OF A STATE OF SIGNIFICANT EMERGENCY, I intend to enable CUC to continue to provide necessary services to the people of the Commonwealth. This Declaration is necessary to protect the health and safety of our children, our senior citizens, businesses, and all other CNMI residents and visitors.

NOW, THEREFORE, I hereby invoke my authority under Article III, § 10 of the Commonwealth Constitution and P.L. 18-4 § 104(c), to take all necessary measures to address the threats facing the Commonwealth of the Northern Mariana Islands.

It is hereby **ORDERED** that:

This Declaration of a State of Significant Emergency shall take effect immediately and all memoranda, directives, and other measures taken in accordance with this Declaration shall remain in effect for thirty (30) days from the date of the Executive Order unless I, prior to the end of the thirty (30)-day period, terminate the declaration of a state of significant emergency. P.L. 18-4, § 104(g)

Under authority of this Declaration and the goal of mitigating or ameliorating the above described crises, I immediately direct the following:

DIRECTIVE: Insofar as it applies to CUC, 3 CMC § 4531 is hereby suspended. As a result of the suspension of 3 CMC § 4531, CUC shall have the full power and authority to retain staff which may include employees other than citizens and permanent residents of the United States.

The above described Directive is in no way meant as the limits of my actions or authority under this Declaration. Accordingly, I reserve the right under this Declaration to issue any and all directives necessary to prevent, mitigate or ameliorate the adverse effects of the emergency.

SIGNED AND PROMULGATED on this 16th day of June, 2016.


RALPH DLG. TORRES
GOVERNOR



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Ralph DLG. Torres
Governor

Victor B. Hocog
Lieutenant Governor

DIRECTIVE

DATE: JUN 03 2016

No. 001

TO: All Department and Activity Heads

FROM: Governor

SUBJECT: Reiteration of Directive No. 2015-03

This is to reiterate Directive No. 2015-03 regarding the Processing of Personnel Actions and other Related Documents. It has been brought to my attention that some individuals are advised to report to work while their employment documents are still routing. This practice must stop. If an RFPA or Employment Contract is still pending my approval, no one is authorized to have an individual(s) report to work.

Exceptions will only be made based on the critical need of the position after obtaining my approval.


RALPH DLG. TORRES

cc: Lt. Governor
Director of Personnel Management
Civil Service Commission



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Ralph DLG. Torres
Governor

Victor B. Hocog
Lieutenant Governor

DIRECTIVE

DATE: JUN 03 2016

No. 002

TO: All Department and Activity Heads

FROM: Governor

SUBJECT: Lifting of the Suspension on Within-Grade Increases and PL 11-59 Bonuses

I have been receiving questions and concerns regarding the Within-Grade increases, authorized under PL 7-31, and the bonuses for Civil Service employees frozen at Step 12, as authorized by PL 11-59. These increases and bonuses have been suspended since 2001 due to a lack of funding.

After much deliberation, I want to again move forward with these recognitions of employee performance and service. Funding still presents a problem. However, a number of departments have indicated that they do have funding. To be fair and as consistent as possible to those Civil Service employees throughout the Government who are eligible for these benefits, I will lift the gubernatorial suspension on payment of these increases and bonuses government-wide.

If a department or agency has the available funding, confirmed through the Office of Management and Budget and the Department of Finance, that entity may issue these benefits to eligible employees on their anniversary date starting on May 1, 2016:

- Receipt of the WGI is contingent upon satisfactory performance for the last 52 consecutive weeks for those classified civil service employees in steps 1-11 in their pay grade.
- Receipt of the PL 11-59 bonus is contingent upon satisfactory performance for the immediately previous two years for those classified civil service employees frozen at step 12 of their pay grade for the previous two years without bonus payment.

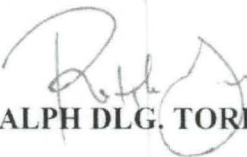
The lifting of this suspension is not a guarantee that all eligible employees will receive their increase or bonus. Increases and bonus payments can only be made if personnel funding is

available. If funding becomes available later in the year, approval may be granted from that time. This Directive does not authorize any payments on a retroactive basis prior to May 1, 2016, or to an employee who has left government service or left the Civil Service. Multiple increases or bonus payments will not be made to one employee and any future payments will be after the statutory one year period for WGIs and two-year period for PL 11-59 bonuses. All future increases and payments will be contingent upon the availability of funding. The Office of Personnel Management will not process a WGI or bonus request unless a current performance rating is submitted. The performance rating should not be routed with the Request for Personnel Action but delivered to the Office of Personnel Management.

Department and Activity Heads must review their budgets prior to approving WGIs or bonuses to ensure that funding is available. If assistance is needed, the Office of Management and Budget and the Office of Personnel Management are directed to help with any administrative and budgetary problems.

All provisions of law and regulation apply, with the exception that any funding used for these increases and payments was not included for this specific purpose in the current budget.

I am pleased that the Administration can move forward in returning suspended benefits to the Government's hardworking employees.


RALPH DLG. TORRES

cc: Lt. Governor
Director of Personnel Management
Civil Service Commission



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Ralph DLG. Torres
Governor

Victor B. Hocog
Lieutenant Governor

DIRECTIVE

DATE: JUN 03 2016

No. 003

TO: All Department and Activity Heads

FROM: Governor

SUBJECT: Policy of the Commonwealth of the Northern Mariana Islands Regarding Equal Employment Opportunity

As I assume the office of Governor, I feel that it is important to remind you of the importance of complying with and supporting the Commonwealth's Equal Employment Opportunity program. Accordingly, I am resending the Government's policy that has been formally in effect since 1997. I ask that all Department and Activity Heads review the policy carefully and work with the Office of Personnel Management to ensure that the Commonwealth employees have the rights and protections provided by federal laws.

The laws of the United States and of the Commonwealth of the Northern Mariana Islands require that equal opportunity be provided to all U.S. Citizens and legal workers in government employment. It also requires that nondiscrimination be exercised in all government employment practices. Statements of the Commonwealth's policy of nondiscrimination can be found in Title 1, §8102 of the Commonwealth Code, and Parts 1.B1 and V.F1 of the Personnel Service System Rules and Regulations [codified as NMIAC§10-20.2-005 and §10-20.2-476] and 6 NMAIC §10-10-310 and §10-10-315 of the Excepted Service Personnel Regulations. To ensure full compliance with these requirements, the Commonwealth has established a systematic, government-wide program, known as the CNMI Equal Employment Opportunity Program, to implement our legal and moral obligations. I personally and officially support this program, and will ensure continued compliance with its tenets with the full force of executive authority.

The Commonwealth government does not condone and will not tolerate discrimination in any form in its employment policies and actions, or in the conduct of its employees. It is especially important to state clearly that the Government has established and will vigorously enforce a policy of non-tolerance for sexual harassment in its workplace and among its

workforce. It is my firm belief and the policy of this administration that those residents of the Commonwealth who are legally entitled to work for the Commonwealth government will be considered equally and indiscriminately, in accordance with relevant statutes, for employment and advancement in the government service. Similarly, every employee of the government possesses the right to a workplace free from threat, harassment or coercion. This Administration is committed to guaranteeing these rights to its employees.

As the Governor and Chief Executive Officer of the Government of the Commonwealth of the Northern Mariana Islands, I am, also, the Equal Employment Officer for the Commonwealth, with the authority to institute and maintain a legally compliant Equal Employment Opportunity (EEO) program and to require all departments and activities to ensure full and fair implementation of the program's principles. I am appointing the Director of Personnel as the Deputy EEO Officer for the Commonwealth, with the authority to develop EEO policies, implement the program, and oversee its operation. The Director of Personnel will appoint an EEO Coordinator in the Office of Personnel Management to provide me, the Director of Personnel, and other key government management and EEO officials with expert advice, analysis and evaluation on EEO matters. The Director of Personnel will also appoint Deputy EEO Coordinators in the Office of Personnel Management on both Rota and Tinian. Additionally, the EEO Coordinator will oversee the program government-wide and will assist department and activity EEO staff in the fair and consistent application of EEO laws and policies. The EEO Coordinator will work with the federal Equal Employment Opportunity Commission to resolve charges that are made to their Office.

Each department, activity and autonomous agency within the Executive Branch of the Commonwealth Government will create a similar organization, issue a formal EEO policy statement similar to this directive, and establish implementation procedures. Any department, activity or autonomous agency with less than fifty (50) total staff may request to the Director of Personnel that it join with another department or activity in establishing its EEO program and structure. The Chief Executive of each department, activity and autonomous agency will serve as the Equal Employment Opportunity Officer for his or her organization. In turn, the Chief Executive will appoint either the organization's Deputy or a senior member of management, at a level reporting directly to the Chief Executive, as the organization's Deputy EEO Officer. Similarly, the Chief Executive of each organization will appoint an EEO Coordinator to manage the organization's EEO program. I recommend that the coordinator be a permanent employee with advanced administrative and analytical abilities. These appointments will be published in the organization's EEO policy statement, which will be posted in each workplace and disseminated to each employee.

The EEO Program will provide an administrative procedure for settling complaints of discrimination with regard to government employment or personnel practices. It will include three successive venues for fact finding and conciliation: a counseling stage, an investigative stage and a hearing stage. Each organization will appoint a number of EEO Counselors throughout the divisions/sections of the organization, to include divisions/sections on Rota and Tinian, who will fill this role as a collateral duty. Employees who have previously received EEO training should be continued in their position, if their service and commitment to the program have been satisfactory.

The Office of Personnel Management will be immediately notified of any EEO charge received within the Executive Departments, whether a locally made allegation or one received from the Equal Employment Opportunity Commission (EEOC). OPM will represent the CNMI Government in working with the EEOC to mediate or resolve these cases. The Office of the Attorney General will assist as requested. Autonomous public corporations and agencies will work directly with the EEOC to resolve allegations received from that agency.

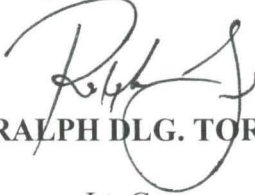
Allegations made locally will also be resolved by the Office of Personnel Management, working with the employee placing the allegation and the concerned department. The EEO Program Coordinator at the Office of Personnel Management will establish an investigative capability, utilizing existing CNMI staff trained in investigative skills that will respond to requests for investigation from the organizational EEO Coordinators. If the complaint is not resolvable at the organizational level, the Civil Service Commission will serve as the ultimate hearing panel for EEO complaints for civil service employees. Autonomous public corporations and agencies will establish similar structures to resolve locally made allegations.

The Director of Personnel, as the Governor's designee, will establish a hearing panel for excepted service employees. EEO discrimination complaints, which are initiated by the employee or applicant as a result of perceived discrimination either directly through the EEO structure or through the grievance process, should receive immediate consideration and action as determined appropriate. Failure to act in a timely and responsive manner could result in continued discrimination to the employee and liability to the government.

The Office of Personnel Management and all departments, activities and autonomous agencies will establish program evaluation and reporting procedures to keep me informed of the status of the Commonwealth's Equal Employment Opportunity Program. This program is not just a matter of complying with federal and local laws. It is a vitally important step in ensuring fair and equal treatment in government employment to all citizens of the Commonwealth. It will repay our efforts tenfold and provide a legacy of equality for citizens yet to come.

All departments, activities and autonomous agencies are directed to comply with the guidance provided herein, which supplements, in more detail, the Equal Employment Opportunity provisions found in the Personnel Service System Rules and Regulations and Excepted Service Personnel Regulations, as cited above. Individual EEO policy statements are to be immediately prepared and published, with copies forwarded both to my attention and to the Director of Personnel. EEO staffing structures will be established and employees will be trained in coordination with the Office of Personnel Management. Manuals, policies and instructions to further clarify the Commonwealth's nondiscrimination policy and specific implementation procedures will be published and distributed by the Office of Personnel Management. The Office of the Attorney General will provide assistance to the Office of Personnel Management, as requested.

I expect all management staff to support this program fully and wholeheartedly in all hiring and employment processes. Your participation in this program must not be just minimal compliance with Federal and Commonwealth EEO laws; it must be the daily fulfillment of an obligation of fair treatment to all employees of the Commonwealth Government.



RALPH DLG. TORRES

cc: Lt. Governor
Director of Personnel Management
Civil Service Commission