

116TH CONGRESS
1ST SESSION

H. R. 559

To amend section 6 of the Joint Resolution entitled “A Joint Resolution to approve the Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, and for other purposes”.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 2019

Mr. SABLAN introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend section 6 of the Joint Resolution entitled “A Joint Resolution to approve the Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, and for other purposes”.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Northern Mariana Is-

5 lands Long-Term Legal Residents Relief Act”.

1 **SEC. 2. LONG-TERM LEGAL RESIDENTS OF THE COMMON-**
2 **WEALTH OF THE NORTHERN MARIANA IS-**
3 **LANDS.**

4 Section 6(e) of the Joint Resolution entitled “A Joint
5 Resolution to approve the Covenant To Establish a Com-
6 monwealth of the Northern Mariana Islands in Political
7 Union with the United States of America, and for other
8 purposes”, approved March 24, 1976 (48 U.S.C. 1806),
9 is amended by adding at the end the following:

10 “(6) SPECIAL PROVISION REGARDING LONG-
11 TERM RESIDENTS OF THE COMMONWEALTH.—

12 “(A) CNMI RESIDENT STATUS.—An alien
13 described in subparagraph (B) may, upon the
14 application of the alien, be admitted in CNMI
15 Resident status to the Commonwealth subject
16 to the following rules:

17 “(i) The alien shall be treated as an
18 alien lawfully admitted to the Common-
19 wealth only, including permitting entry to
20 and exit from the Commonwealth, until the
21 earlier of the date on which—

22 “(I) the alien ceases to reside in
23 the Commonwealth; or

24 “(II) the alien’s status is ad-
25 justed under section 245 of the Immi-
26 gration and Nationality Act (8 U.S.C.

1 1255) to that of an alien lawfully ad-
2 mitted for permanent residence in ac-
3 cordance with all applicable eligibility
4 requirements.

5 “(ii) The Secretary of Homeland Se-
6 curity—

7 “(I) shall establish a process for
8 such alien to apply for CNMI Resi-
9 dent status during the 180-day period
10 beginning on a date determined by the
11 Secretary but not later than the first
12 day of the sixth month after the date
13 of the enactment of this paragraph;
14 and

15 “(II) may, in the Secretary’s dis-
16 cretion, authorize deferred action or
17 parole, as appropriate, with work au-
18 thorization, for such alien beginning
19 on the date of the enactment of this
20 paragraph and continuing through the
21 end of such 180-day period or the
22 date of adjudication of the alien’s ap-
23 plication for CNMI Resident status,
24 whichever is later.

1 “(iii) Nothing in this subparagraph
2 may be construed to provide any alien
3 granted status under this subparagraph
4 with public assistance to which the alien is
5 not otherwise entitled.

6 “(iv) An alien granted status under
7 this paragraph—

8 “(I) is subject to all grounds of
9 deportability under section 237 of the
10 Immigration and Nationality Act (8
11 U.S.C. 1227);

12 “(II) is subject to all grounds of
13 inadmissibility under section 212 of
14 the Immigration and Nationality Act
15 (8 U.S.C. 1182) if seeking admission
16 to the United States at a port of
17 entry in the Commonwealth;

18 “(III) is inadmissible to the
19 United States at any port of entry
20 outside the Commonwealth, except
21 that the Secretary of Homeland Secu-
22 rity may in the Secretary’s discretion
23 authorize admission of such alien at a
24 port of entry in Guam for the purpose
25 of direct transit to the Common-

1 wealth, which admission shall be con-
2 sidered an admission to the Common-
3 wealth;

4 “(IV) automatically shall lose
5 such status if the alien travels from
6 the Commonwealth to any other place
7 in the United States, except that the
8 Secretary of Homeland Security may
9 in the Secretary’s discretion establish
10 procedures for the advance approval
11 on a case-by-case basis of such travel
12 for a temporary and legitimate pur-
13 pose, and the Secretary may in the
14 Secretary’s discretion authorize the
15 direct transit of aliens with CNMI
16 Resident status through Guam to a
17 foreign place;

18 “(V) shall be authorized to work
19 in the Commonwealth incident to sta-
20 tus; and

21 “(VI) shall be issued appropriate
22 travel documentation and evidence of
23 work authorization by the Secretary.

24 “(B) ALIENS DESCRIBED.—An alien is de-
25 scribed in this subparagraph if the alien—

1 “(i) was lawfully present on the date
2 of the enactment of this paragraph or on
3 December 31, 2018, in the Commonwealth
4 under the immigration laws of the United
5 States, including pursuant to a grant of
6 parole under section 212(d)(5) of the Im-
7 migration and Nationality Act (8 U.S.C.
8 1182(d)(5)) or deferred action;

9 “(ii) is admissible as an immigrant to
10 the United States under the Immigration
11 and Nationality Act (8 U.S.C. 1101 et
12 seq.), except that no immigrant visa is re-
13 quired;

14 “(iii) resided continuously and law-
15 fully in the Commonwealth from November
16 28, 2009, through the date of the enact-
17 ment of this paragraph;

18 “(iv) is not a citizen of the Republic
19 of the Marshall Islands, the Federated
20 States of Micronesia, or the Republic of
21 Palau; and

22 “(v) in addition—

23 “(I) was born in the Northern
24 Mariana Islands between January 1,
25 1974, and January 9, 1978;

1 “(II) was, on November 27,
2 2009, a permanent resident of the
3 Commonwealth (as defined in section
4 4303 of title 3 of the Northern Mar-
5 iana Islands Commonwealth Code, in
6 effect on May 8, 2008);

7 “(III) is the spouse or child (as
8 defined in section 101(b)(1) of the
9 Immigration and Nationality Act (8
10 U.S.C. 1101(b)(1))) of an alien de-
11 scribed in subclause (I) or (II);

12 “(IV) was, on November 27,
13 2011, a spouse, child, or parent of a
14 United States citizen, notwithstanding
15 the age of the United States citizen,
16 and continues to have such family re-
17 lationship with the citizen on the date
18 of the application described in sub-
19 paragraph (A); or

20 “(V) had a grant of parole under
21 section 212(d)(5) of the Immigration
22 and Nationality Act (8 U.S.C.
23 1182(d)(5)) on December 31, 2018,
24 under the former parole program for
25 certain in-home caregivers adminis-

1 tered by U.S. Citizenship and Immi-
2 gration Services.

3 “(C) JUDICIAL REVIEW.—Notwithstanding
4 any other law, no court shall have jurisdiction
5 to review any action or determination of the
6 Secretary of Homeland Security to implement,
7 administer or enforce this paragraph.

8 “(D) PROCEDURE.—The requirements of
9 chapter 5 of title 5, United States Code (com-
10 monly referred to as the Administrative Proce-
11 dure Act), or any other law relating to rule-
12 making, information collection or publication in
13 the Federal Register shall not apply to any ac-
14 tion to implement, administer or enforce this
15 paragraph.”.

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