

**Suspend the Rules and Pass the Bill, H. R. 1466, with An
Amendment**

**(The amendment strikes all after the enacting clause and inserts a
new text)**

112TH CONGRESS
1ST SESSION

H. R. 1466

To resolve the status of certain persons legally residing in the Commonwealth of the Northern Mariana Islands under the immigration laws of the United States.

IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 2011

Mr. SABLAN (for himself, Mrs. CHRISTENSEN, and Mr. FALEOMAVAEGA) 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 resolve the status of certain persons legally residing in the Commonwealth of the Northern Mariana Islands under the immigration laws of the United States.

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

1 **SECTION 1. PURPOSE.**

2 The purpose of this Act is to provide to certain per-
3 sons residing in the Commonwealth of the Northern Mar-
4 iana Islands a status applicable solely within the Common-
5 wealth in order to allow such persons to remain lawfully
6 in the Commonwealth.

7 **SEC. 2. TECHNICAL AND CLARIFYING AMENDMENTS RE-**
8 **LATED TO REFORM IN THE COMMONWEALTH**
9 **OF THE NORTHERN MARIANA ISLANDS.**

10 Section (6)(e) of the Joint Resolution entitled “A
11 Joint Resolution to approve the ‘Covenant to Establish a
12 Commonwealth of the Northern Mariana Islands in Polit-
13 ical Union with the United States of America’, and for
14 other purposes”, approved March 24, 1976 (48 U.S.C.
15 1806(e)), as added by section 702 of the Consolidated
16 Natural Resources Act of 2008 (Public Law 110–229;
17 1222 Stat. 854), is amended by inserting after paragraph
18 (5) the following:

19 “(6) SPECIAL PROVISION REGARDING LONG
20 TERM RESIDENTS OF THE COMMONWEALTH.—

21 “(A) CNMI-ONLY RESIDENT STATUS.—

22 Notwithstanding paragraph (1), an alien de-
23 scribed in subparagraph (C) may, upon the ap-
24 plication of the alien, be admitted as an immi-
25 grant to the Commonwealth subject to the fol-
26 lowing rules:

1 “(i) The alien shall be treated as a
2 permanent resident of the Commonwealth
3 only, including permitting entry to and exit
4 from the Commonwealth, until the earlier
5 of the date that—

6 “(I) the alien ceases to perma-
7 nently reside in the Commonwealth;
8 or

9 “(II) the alien’s status is ad-
10 justed under this section or section
11 245 of the Immigration and Nation-
12 ality Act (8 U.S.C. 1255) to that of
13 an alien lawfully admitted for perma-
14 nent residence, as defined under sec-
15 tion 101(a)(20) of such Act (8 U.S.C.
16 1101(a)(20)), if the alien is otherwise
17 eligible for such an adjustment.

18 “(ii) Unless otherwise authorized, the
19 alien shall not be permitted to travel to, or
20 reside in, any part of the United States, as
21 defined in section 101(a)(38) of such Act
22 (8 U.S.C. 1101(a)(38)), other than the
23 Commonwealth.

24 “(iii) The Secretary of Homeland Se-
25 curity shall establish a process for such

1 aliens to apply for CNMI-only permanent
2 resident status during the 90-day period
3 beginning on the first day of the sixth
4 month after the date of the enactment of
5 this Act.

6 “(B) AUTHORITY TO WAIVE CERTAIN REG-
7 ULATORY REQUIREMENTS.—The requirements
8 of chapter 5 of title 5, United States Code
9 (commonly referred to as the ‘Administrative
10 Procedure Act’), chapter 35 of title 44, United
11 States Code (commonly referred to as the ‘Pa-
12 perwork Reduction Act’), or any other law re-
13 lating to rulemaking, information collection, or
14 publication in the Federal Register, shall not
15 apply to any action to implement subparagraph
16 (A) to the extent the Secretary of Homeland
17 Security determines that compliance with any
18 such requirement would impede the expeditious
19 implementation of such paragraph.

20 “(C) ALIENS DESCRIBED.—An alien is de-
21 scribed in this subparagraph if—

22 “(i) the alien is otherwise admissible
23 to the United States under the Immigra-
24 tion and Nationality Act (8 U.S.C. 1101 et
25 seq.);

1 “(ii) the alien resided in the Common-
2 wealth—

3 “(I) on November 28, 2009; and

4 “(II) on the date of the enact-
5 ment of this Act; and

6 “(iii) the alien—

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

10 “(II) was, on May 8, 2008, a
11 permanent resident as that term is
12 defined in section 4303 of Title 3 of
13 the Northern Mariana Islands Com-
14 monwealth Code in effect on May 8,
15 2008;

16 “(III) is the spouse or child, as
17 defined in section 101(b)(1) of the
18 Immigration and Nationality Act (8
19 U.S.C. 1101(b)(1)), of an alien de-
20 scribed in subclauses (I) or (II); or

21 “(IV) was, on May 8, 2008, an
22 immediate relative, as that term is de-
23 fined in section 4303 of Title 3 of the
24 Northern Mariana Islands Common-
25 wealth Code in effect on May 8, 2008,

1 of a United States citizen, not with-
2 standing the age of the United States
3 citizen, and continues to be such an
4 immediate relative on the date of the
5 application described under subpara-
6 graph (A).

7 “(D) ADJUSTMENT FOR LONG TERM AND
8 PERMANENT RESIDENTS.—

9 “(i) IN GENERAL.—An alien described
10 in clauses (I), (II), or (III) of subpara-
11 graph (C)(iii) may apply to receive an im-
12 migrant visa or to adjust his or her status
13 to that of an alien lawfully admitted for
14 permanent residence on or after January
15 1, 2015, and before January 1, 2016.

16 “(ii) ALLOCATION OF IMMIGRANT
17 VISAS.—Upon the granting of an immi-
18 grant visa or approval of an application for
19 permanent residence to an alien under this
20 subparagraph, the Secretary of State shall
21 reduce by one the total number of diversity
22 immigrant visas authorized to be issued
23 under section 201(e) of the Immigration
24 and Nationality Act (8 U.S.C. 1151(e)) for
25 the fiscal year then current.

1 “(iii) FEES.—With respect to applica-
2 tions for CNMI-only permanent resident
3 status, an immigrant visa or to adjust sta-
4 tus to that of an alien lawfully admitted
5 for permanent residence submitted by an
6 alien described in clause (iii) of subpara-
7 graph (C), the Secretary of State and the
8 Secretary of Homeland Security shall, if
9 applicable, waive the affidavit of support
10 requirement under section 213A of such
11 Act (8 U.S.C. 1183a) and subparagraphs
12 (B)(ii) and (C)(ii) of section 212(a)(4) of
13 such Act (8 U.S.C. 1182(a)(4)).”.