

116TH CONGRESS  
1ST SESSION

# H. R. 559

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IN THE SENATE OF THE UNITED STATES

JUNE 4, 2019

Received

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Northern Mariana Is-  
3 lands Long-Term Legal Residents Relief Act”.

4 **SEC. 2. LONG-TERM LEGAL RESIDENTS OF THE COMMON-**  
5 **WEALTH OF THE NORTHERN MARIANA IS-**  
6 **LANDS.**

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

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

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

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

25                               “(I) the alien ceases to reside in  
26 the Commonwealth; or

1 “(II) the alien’s status is ad-  
2 justed under section 245 of the Immi-  
3 gration and Nationality Act (8 U.S.C.  
4 1255) to that of an alien lawfully ad-  
5 mitted for permanent residence in ac-  
6 cordance with all applicable eligibility  
7 requirements.

8 “(ii) The Secretary of Homeland Se-  
9 curity—

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

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

1                    plication for CNMI Resident status,  
2                    whichever is later.

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

8                    “(iv) An alien granted status under  
9                    this paragraph—

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

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

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

1 port of entry in Guam for the purpose  
2 of direct transit to the Common-  
3 wealth, which admission shall be con-  
4 sidered an admission to the Common-  
5 wealth;

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

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

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

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

3                   “(i) was lawfully present on the date  
4                   of the enactment of this paragraph or on  
5                   December 31, 2018, in the Commonwealth  
6                   under the immigration laws of the United  
7                   States, including pursuant to a grant of  
8                   parole under section 212(d)(5) of the Im-  
9                   migration and Nationality Act (8 U.S.C.  
10                  1182(d)(5)) or deferred action;

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

16                  “(iii) resided continuously and law-  
17                  fully in the Commonwealth from November  
18                  28, 2009, through the date of the enact-  
19                  ment of this paragraph;

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

24                  “(v) in addition—

1 “(I) was born in the Northern  
2 Mariana Islands between January 1,  
3 1974, and January 9, 1978;

4 “(II) was, on November 27,  
5 2009, a permanent resident of the  
6 Commonwealth (as defined in section  
7 4303 of title 3 of the Northern Mar-  
8 iana Islands Commonwealth Code, in  
9 effect on May 8, 2008);

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

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

23 “(V) had a grant of parole under  
24 section 212(d)(5) of the Immigration  
25 and Nationality Act (8 U.S.C.

1                   1182(d)(5)) on December 31, 2018,  
2                   under the former parole program for  
3                   certain in-home caregivers adminis-  
4                   tered by United States Citizenship  
5                   and Immigration Services.

6                   “(C) AUTHORITY OF ATTORNEY GEN-  
7                   ERAL.—Beginning on the first day of the 180-  
8                   day period established by the Secretary of  
9                   Homeland Security under subparagraph  
10                  (A)(ii)(I), the Attorney General may accept and  
11                  adjudicate an application for CNMI Resident  
12                  status under this paragraph by an alien who is  
13                  in removal proceedings before the Attorney  
14                  General if the alien—

15                  “(i) makes an initial application to  
16                  the Attorney General within such 180-day  
17                  period; or

18                  “(ii) applied to the Secretary of  
19                  Homeland Security during such 180-period  
20                  and before being placed in removal pro-  
21                  ceedings, and the Secretary denied the ap-  
22                  plication.

23                  “(D) JUDICIAL REVIEW.—Notwithstanding  
24                  any other law, no court shall have jurisdiction  
25                  to review any decision of the Secretary of

1 Homeland Security or the Attorney General on  
2 an application under this paragraph or any  
3 other action or determination of the Secretary  
4 of Homeland Security or the Attorney General  
5 to implement, administer, or enforce this para-  
6 graph.

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

15 **SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

16 The budgetary effects of this Act, for the purpose of  
17 complying with the Statutory Pay-As-You-Go Act of 2010,  
18 shall be determined by reference to the latest statement  
19 titled “Budgetary Effects of PAYGO Legislation” for this  
20 Act, submitted for printing in the Congressional Record  
21 by the Chairman of the House Budget Committee,

- 1 provided that such statement has been submitted prior to
- 2 the vote on passage.

Passed the House of Representatives June 3, 2019.

Attest:                      CHERYL L. JOHNSON,  
*Clerk.*