

119TH CONGRESS
2D SESSION

H. R. 9787

To amend the “Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America” to provide for modifications of the labor stabilization program transition.

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2026

Ms. KING-HINDS introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Natural Resources, 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 the “Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America” to provide for modifications of the labor stabilization program transition.

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 Labor Stabilization Act”.

1 **SEC. 2. MODIFICATIONS TO LABOR STABILIZATION PRO-**
 2 **GRAM TRANSITION.**

3 (a) EXTENSION OF TRANSITION PERIOD.—Section 6
 4 of the Joint Resolution entitled “A Joint Resolution to
 5 approve the ‘Covenant to Establish a Commonwealth of
 6 the Northern Mariana Islands in Political Union with the
 7 United States of America’, and for other purposes” (48
 8 U.S.C. 1806) is amended—

9 (1) in subsection (a)(2), by striking “December
 10 31, 2029” and inserting “the date that is the later
 11 of December 31, 2039, or the date on which the
 12 labor stabilization program period expires pursuant
 13 to subsection (d)(8)”;

14 (2) in subsection (d)—

15 (A) in paragraph (2)—

16 (i) in subparagraph (A)—

17 (I) in clause (i), by striking “Be-
 18 ginning” and inserting “Subject to
 19 clause (iii) and beginning”; and

20 (II) by adding at the end the fol-
 21 lowing:

22 “(iii) APPLICATION OF GUAM TEM-
 23 PORARY LABOR CERTIFICATION PROCE-
 24 DURES.—

25 “(I) IN GENERAL.—Beginning
 26 with petitions filed with employment

1 start dates in the first fiscal year
2 after the date of enactment of the
3 ‘Northern Mariana Islands Labor Sta-
4 bilization Act’, the temporary labor
5 certification requirements and proce-
6 dures applicable to temporary employ-
7 ment on Guam under clauses (iii) and
8 (v) of section 214.2(h)(6) of title 8,
9 Code of Federal Regulations (or a
10 successor regulation), shall apply in
11 the Commonwealth in the same man-
12 ner as such requirements and proce-
13 dures apply in Guam, except that any
14 reference to the Governor of Guam
15 shall be deemed to refer to the Gov-
16 ernor of the Commonwealth of the
17 Northern Mariana Islands.

18 “(II) PETITION REQUIREMENT.—

19 An approved temporary labor certifi-
20 cation issued pursuant to this clause
21 shall satisfy the requirement under
22 clause (i) and shall be submitted with
23 any petition filed with the Secretary
24 under clause (ii).”; and
25 (ii) in subparagraph (B)—

1 (I) in clause (i)—

2 (aa) by inserting “and sub-
3 ject to clause (iii),” after “clause
4 (i),”; and

5 (bb) by striking “an annual
6 basis” and inserting “a biennial
7 basis”; and

8 (II) by adding at the end the fol-
9 lowing:

10 “(iii) CALIBRATION OF ALTERNATIVE
11 METHOD.—The prevailing wage required to
12 be paid pursuant to clause (ii) shall be 75
13 percent of the wage determined pursuant
14 to that section or the Federal minimum
15 wage, whichever is greater.”.

16 (B) in paragraph (3)—

17 (i) in subparagraph (A), by inserting
18 “, in consultation with the Governor,”
19 after “the Secretary”; and

20 (ii) by amending subparagraph (B) to
21 read as follows:

22 “(B) NUMERICAL CAP.—

23 “(i) IN GENERAL.—

24 “(I) ANNUAL NUMERICAL LIM-
25 TATION.—For each fiscal year during

1 the labor stabilization program period,
2 the Secretary, in consultation with the
3 Governor, shall establish the numer-
4 ical limitation on permits that may be
5 issued under subparagraph (A) for
6 such fiscal year. The numerical limita-
7 tion established under this subclause
8 may be increased or decreased from
9 the numerical limitation established
10 for the preceding fiscal year, except
11 that such numerical limitation may
12 not exceed 15,000 for any fiscal year.

13 “(II) NOTICE.—The Secretary
14 shall publish in the Federal Register
15 the numerical limitation established
16 under subclause (I) not later than 180
17 days before the first day of the fiscal
18 year for which such limitation applies.

19 “(III) DEFAULT LIMITATION.—If
20 the Secretary does not publish a nu-
21 merical limitation under subclause
22 (II) for a fiscal year, the numerical
23 limitation for such fiscal year shall be
24 the numerical limitation in effect for
25 the preceding fiscal year, except that

such limitation may not exceed 15,000.

“(IV) SUPPLEMENTAL CONSTRUCTION AND EXTRACTION ALLOCATION.— Notwithstanding any numerical cap set forth in subclause (I), the Secretary of Homeland Security shall increase by 3,000, for each such fiscal year, the total number of permits available under this subsection for Construction and Extraction Occupations (as defined by the Department of Labor as Standard Occupational Classification Group 47–0000).

“(ii) CONSTRUCTION OCCUPATIONS.— The permits allocated for Construction and Extraction Occupations (as defined by the Department of Labor as Standard Occupational Classification Group 47–0000) pursuant to this subparagraph may only be made available to foreign workers who are nationals of a country designated eligible to participate in the program under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C.

1 1101(a)(15)(H)(ii)(b)) during calendar
2 year 2024.”;

3 (C) in subparagraph (D)—

4 (i) in clause (iii)(I)(bb), by striking
5 “10 days” and inserting “90 days”; and

6 (ii) by striking clause (v); and

7 (D) by striking subparagraph (E);

8 (3) by amending paragraph (7) to read as fol-
9 lows:

10 “(7) PERMIT VALIDITY; LONG-TERM WORK-
11 ERS.—

12 “(A) IN GENERAL.—Except as provided in
13 subparagraph (B), a permit for a Common-
14 wealth Only Worker shall be valid for a period
15 not to exceed 1 year.

16 “(B) RENEWAL.—A permit issued under
17 subparagraph (A) may be renewed for addi-
18 tional periods of not more than 1 year each,
19 subject to the requirements of this subsection.

20 “(C) LONG-TERM WORKERS.—An alien
21 who was admitted to the Commonwealth as a
22 Commonwealth Only Transitional Worker—

23 “(i) during fiscal year 2015, and

24 “(ii) during two of the fiscal years
25 2016, 2017, 2018, or 2019,

1 may be admitted as a Commonwealth Only Transi-
2 tional Worker for a period that may not exceed 3
3 years and may be renewed for additional 3-year peri-
4 ods during the transition period. A permit issued
5 pursuant to this subparagraph shall be counted to-
6 ward the numerical cap for each fiscal year for
7 which the permit is valid.”; and

8 (4) by adding at the end the following:

9 “(8) LABOR STABILIZATION PERIOD.—

10 “(A) LABOR NEEDS.—The Secretary of
11 Labor, in consultation with the Secretary, the
12 Secretary of Defense, the Secretary of the Inte-
13 rior, and the Governor, shall, not later than
14 July 1, 2039—

15 “(i) determine the labor needs of the
16 Commonwealth for the ensuing 10-year pe-
17 riod; and

18 “(ii) determine whether an extension
19 of up to 10 years is necessary to ensure an
20 adequate number of workers will be avail-
21 able for legitimate businesses in the Com-
22 monwealth.

23 “(B) SUBSEQUENT DETERMINATIONS.—If
24 the labor stabilization program period is ex-
25 tended under subparagraph (C), the Secretary

1 of Labor, in consultation with the officials de-
2 scribed in subparagraph (A), shall make a new
3 determination under subparagraph (A) not later
4 than July 1 of the calendar year in which the
5 labor stabilization program period, as so ex-
6 tended, is scheduled to expire.

7 “(C) EXTENSION.—If the Secretary of
8 Labor makes an affirmative determination
9 under subparagraph (A) or (B), the Secretary
10 of Labor may extend the labor stabilization pro-
11 gram period for an additional period of up to
12 10 years by publishing notice of such extension
13 in the Federal Register. Each extension under
14 this subparagraph shall begin on the day after
15 the date on which the labor stabilization pro-
16 gram period would otherwise expire.

17 “(D) SUCCESSIVE EXTENSIONS.—The au-
18 thority under this paragraph may be exercised
19 for successive additional periods of up to 10
20 years, subject to a new determination under
21 subparagraph (B) before each such extension.

22 “(E) FACTORS CONSIDERED.—In making a de-
23 termination under this paragraph, the Secretary of
24 Labor may consider, among other factors, labor
25 market studies within the Commonwealth, the unem-

1 ployment rate of United States workers and foreign
2 workers in the Commonwealth, the good faith efforts
3 made by the Commonwealth to locate, educate,
4 train, or prepare United States workers and other
5 individuals eligible to work in the United States to
6 assume employment, available evidence that United
7 States workers or other individuals eligible to work
8 in the United States within the Commonwealth are
9 not willing to accept jobs that are available, the ef-
10 fect of foreign workers on compensation, benefits,
11 and living standards of existing workers, and the
12 prior use of foreign workers to fill industry jobs in-
13 cluding whether the industry requires foreign work-
14 ers to fill such jobs.

15 “(9) ENFORCEMENT FEE.—

16 “(A) IN GENERAL.—In addition to any
17 other fee applicable to a petition filed under
18 this subsection, the Secretary shall impose a fee
19 of \$150 on each prospective employer filing
20 such petition.

21 “(B) USE OF AMOUNTS.—Notwithstanding
22 section 703(b) of this Joint Resolution, all
23 amounts collected under subparagraph (A) shall
24 be made available to the Secretary of Homeland
25 Security to carry out enforcement of the immi-

1 gration laws (as such term is defined in section
2 101 of the Immigration and Nationality Act)
3 and this section.”.

4 (b) QUALIFIED ALIEN.—Section 431(b) of the Per-
5 sonal Responsibility and Work Opportunity Reconciliation
6 Act of 1996 (8 U.S.C. 1641(b)) is amended—

7 (1) in paragraph (7), by striking “, or” and in-
8 serting a comma at the end;

9 (2) in paragraph (8), by striking the period at
10 the end and inserting “, or”; and

11 (3) by adding at the end the following:

12 “(9) an alien who is lawfully admitted for long-
13 term residence in the Commonwealth of the North-
14 ern Mariana Islands under section 6(e)(6) of the
15 Joint Resolution entitled ‘A Joint Resolution to ap-
16 prove the “Covenant to Establish a Commonwealth
17 of the Northern Mariana Islands in Political Union
18 with the United States of America”, and for other
19 purposes’.”.

20 (c) IMMIGRATION AND NATURALIZATION FEES.—
21 Section 703(b) of the Joint Resolution entitled “A Joint
22 Resolution to approve the ‘Covenant to Establish a Com-
23 monwealth of the Northern Mariana Islands in Political
24 Union with the United States of America’, and for other
25 purposes” (48 U.S.C. 1801 note) is amended by striking

1 “quarantine and passport fees” and inserting “quar-
2 antine, passport, immigration and naturalization fees”.

3 (d) COMMONWEALTH OF THE NORTHERN MARIANA
4 ISLANDS.—Section 235(b)(1)(A)(iii)(II) of the Immigra-
5 tion and Nationality Act (8 U.S.C. 1225(b)(1)(A)(iii)(II))
6 is amended—

7 (1) by striking “been” and inserting “been—”;
8 and

9 (2) by striking “admitted or paroled into the
10 United States, and who has not affirmatively shown,
11 to the satisfaction of an immigration officer, that
12 the alien has been physically present in the United
13 States continuously for the 2-year period imme-
14 diately prior to the date of the determination of in-
15 admissibility under this subparagraph.” and insert-
16 ing the following:

17 “(aa) admitted or paroled
18 into the United States, and who
19 has not affirmatively shown, to
20 the satisfaction of an immigra-
21 tion officer, that the alien has
22 been physically present in the
23 United States continuously for
24 the 2-year period immediately
25 prior to the date of the deter-

1 mination of inadmissibility under
2 this subparagraph; or

3 “(bb) admitted or paroled
4 into the United States, and who
5 has not affirmatively shown, to
6 the satisfaction of an immigra-
7 tion officer, that the alien has
8 been physically present in the
9 Commonwealth of the Northern
10 Mariana Islands continuously for
11 the 5-year period immediately
12 prior to the date of the deter-
13 mination of inadmissibility under
14 this subparagraph.”.

15 (e) LABOR STABILIZATION PROGRAM.—Section 6 of
16 the Joint Resolution, as amended by subsection (a), is fur-
17 ther amended—

18 (1) by striking “transition period” each place it
19 appears and inserting “labor stabilization program
20 period”;

21 (2) by striking “transition program” each place
22 it appears and inserting “labor stabilization pro-
23 gram”;

1 (3) by striking “Commonwealth Only Transi-
2 tion Worker” each place it appears and inserting
3 “Commonwealth Only Worker”; and

4 (4) by striking “Commonwealth Only Transi-
5 tional Worker” each place it appears and inserting
6 “Commonwealth Only Worker”.

7 (f) EFFECTIVE DATE FOR PERMIT VALIDITY; LONG-
8 TERM WORKERS.—The amendments made by subsection
9 (a)(2)(C) shall take effect as if included in the enactment
10 of Public Law 115–218.

11 **SEC. 3. RULEMAKING.**

12 (a) SECRETARY OF HOMELAND SECURITY.—Not-
13 withstanding the requirements under section 553(b) of
14 title 5, United States Code, the Secretary of Homeland
15 Security shall publish in the Federal Register, not later
16 than 180 days after the date of the enactment of this Act,
17 an interim final rule that specifies how the Secretary in-
18 tends to implement the amendments made by section 2
19 that relate to the responsibilities of the Secretary.

20 (b) SECRETARY OF LABOR.—Notwithstanding the re-
21 quirements under section 553(b) of title 5, United States
22 Code, the Secretary of Labor shall publish in the Federal
23 Register, not later than 180 days after the date of the
24 enactment of this Act, an interim final rule that specifies
25 how the Secretary intends to implement the amendments

1 made by section 2 that relate to the responsibilities of the
2 Secretary.

3 (c) RECOMMENDATIONS OF THE GOVERNOR.—In de-
4 veloping the interim final rules under subsections (a) and
5 (b), the Secretary of Homeland Security and the Secretary
6 of Labor—

7 (1) shall each consider, in good faith, any writ-
8 ten public recommendations regarding the implemen-
9 tation of this Act, or an amendment made by this
10 Act, that are submitted by the Governor of the Com-
11 monwealth not later than 60 days after the date of
12 the enactment of this Act; and

13 (2) may include provisions in such rule that are
14 responsive to any recommendation of the Governor
15 that is not inconsistent with this Act.

16 **SEC. 4. UNLAWFUL PRESENCE.**

17 Section 212(a)(9)(B)(iii) of the Immigration and Na-
18 tionality Act (8 U.S.C. 1182(a)(9)(B)(iii)) is amended by
19 adding at the end the following:

20 “(VI) COMMONWEALTH ONLY
21 TRANSITIONAL WORKER.—Clause (i)
22 shall not apply to an alien who—
23 “(aa) was admitted as a
24 Commonwealth Only Transitional

1 Worker prior to the fiscal year
2 2020;

3 “(bb) has been unlawfully
4 present in the United States for
5 a period of less than 5 years
6 prior to the date of the enact-
7 ment of the ‘Northern Mariana
8 Islands Labor Stabilization Act’;

9 “(cc) has continuously re-
10 sided in the Commonwealth of
11 the Northern Mariana Islands
12 beginning in fiscal year 2020
13 through the date of filing of a pe-
14 tition for classification as a Com-
15 monwealth Only Worker under
16 section 6(d) of Public Law 94–
17 241 (48 U.S.C. 1806(d)), as
18 amended by section 2 of the
19 ‘Northern Mariana Islands Labor
20 Stabilization Act’; and

21 “(dd) seeks admission to the
22 Commonwealth of the Northern
23 Mariana Islands pursuant to an
24 approved petition described in
25 item (cc).”.

1 **SEC. 5. EFFECTIVE DATE; APPLICABILITY.**

2 Except as specifically otherwise provided, this Act
3 and the amendments made by this Act—

4 (1) shall take effect on the first day of the first
5 fiscal year after the date of the enactment of this
6 Act; and

7 (2) shall apply to petitions for Commonwealth
8 Only Transitional Workers filed on or after such
9 date.

○