

117TH CONGRESS
1ST SESSION

H. R. 560

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 28, 2021

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 Legal Residents Relief Act of 2021”.

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

4 (a) IN GENERAL.—Section 6(e)(6) of the Joint Reso-
5 lution entitled “A Joint Resolution to approve the Cov-
6 enant To Establish a Commonwealth of the Northern
7 Mariana Islands in Political Union with the United States
8 of America, and for other purposes”, approved March 24,
9 1976 (48 U.S.C. 1806; Public Law 94–241), is amend-
10 ed—

11 (1) in subparagraph (A)—

12 (A) in clause (ii)—

13 (i) in subclause (I), by inserting
14 “(aa)” before “shall establish a process”;

15 (ii) by striking “; and” and inserting
16 “or during the 180-day period beginning
17 on the date that is 90 days after the date
18 of the enactment of the Northern Mariana
19 Islands Legal Residents Relief Act of
20 2021;”;

21 (iii) by adding the following:

22 “(bb) WAIVER OF APPLICATION
23 DEADLINE.—The Secretary of Home-
24 land Security may accept an applica-
25 tion for CNMI Resident Status sub-

mitted after the application deadline
if—

“(AA) the applicant is eligible for CNMI Resident Status;
and

“(BB) the applicant timely filed an application for CNMI Resident Status and made a good faith effort to comply with the application requirements as determined by the Secretary.”;

(iv) in subclause (II), by striking the period and inserting “; and”; and

(v) by adding at the end the following:

“(III) in the case of an alien who has nonimmigrant status on the date on which the alien applies for CNMI Resident Status, the Secretary of Homeland Security shall extend such nonimmigrant status and work authorization, if applicable, through the end of the 180-day period described in subclause (I)(aa) or the date of adjudication of the alien’s application for

1 CNMI Resident Status, whichever is
2 later.”; and

3 (B) in clause (iii), by inserting after the
4 period at the end the following: “An alien
5 granted status under this paragraph shall be
6 deemed a qualified alien under section 431 of
7 the Personal Responsibility and Work Oppor-
8 tunity Reconciliation Act of 1996 (8 U.S.C.
9 1641) for purposes of receiving relief or assist-
10 ance available in connection with—

11 “(I) a presidentially declared
12 major disaster or emergency under
13 section 401 or 501 of the Robert T.
14 Stafford Disaster Relief and Emer-
15 gency Assistance Act (42 U.S.C. 5170
16 or 5191); or

17 “(II) a presidentially declared na-
18 tional emergency under section 201 of
19 the National Emergencies Act (50
20 U.S.C. 1601 et seq.).”;

21 (2) in subparagraph (B)—

22 (A) in clause (i), by striking “on June 25,
23 2019, or on December 31, 2018,” and inserting
24 “on December 31, 2020, June 25, 2019, or De-
25 cember 31, 2018,”;

1 (B) in clause (iii), by inserting “except in
2 the case of an alien who meets the requirements
3 of subclause (III) or (VI) of clause (v),” before
4 “resided continuously and lawfully”; and

5 (C) in clause (v)—

6 (i) in subclause (III), by striking
7 “subclause (I) or (II)” and inserting “sub-
8 clause (I), (II), (IV), (V), (VI), (VII), or
9 (VIII)”;

10 (ii) in subclause (IV), by striking “;
11 or” and inserting a semicolon;

12 (iii) in subclause (V), by striking the
13 period at the end and inserting a semi-
14 colon; and

15 (iv) by adding at the end the fol-
16 lowing:

17 “(VI) was admitted to the Com-
18 monwealth as a Commonwealth Only
19 Transitional Worker during fiscal year
20 2015, and during every subsequent
21 fiscal year beginning before the date
22 of the enactment of the Northern
23 Mariana Islands U.S. Workforce Act
24 of 2018 (Public Law 115–218);

1 “(VII) resided in the Northern
2 Mariana Islands as an investor under
3 Commonwealth immigration law, and
4 is presently a resident classified as a
5 CNMI-only nonimmigrant under sec-
6 tion 101(a)(15)(E)(ii) of the Immigra-
7 tion and Nationality Act (8 U.S.C.
8 1101(a)(15)(E)(ii)); or

9 “(VIII) resided in the Northern
10 Mariana Islands as a guestworker
11 under Commonwealth immigration
12 law for at least 5 years prior to May
13 8, 2008, and is presently a resident
14 classified as a Commonwealth Only
15 Transitional Worker.”;

16 (3) in subparagraph (C)(ii), by striking “180-
17 period” and inserting “180-day period”; and

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

19 “(F) ADJUSTMENT OF STATUS FOR CNMI
20 RESIDENTS.—An alien with CNMI Resident
21 Status may adjust his or her status to that of
22 an alien lawfully admitted for permanent resi-
23 dence 5 years after the date of enactment of the
24 Northern Mariana Islands Legal Residents Re-
25 lief Act of 2021 or 5 years after the date on

1 which CNMI Resident Status is granted, which-
2 ever is later.”.

3 (b) TECHNICAL AMENDMENTS.—Section 6(b)(1) of
4 Public Law 94–241 (48 U.S.C. 1806(b)(1)) is amended—

5 (1) in subparagraph (A)—

6 (A) by striking “(8 USC 1101(a)(15)(H))”

7 and inserting “(8 U.S.C. 1101(a)(15)(H))”;

8 and

9 (B) by striking “(8 USC 1184(g))” and in-
10 serting “(8 U.S.C. 1184(g))”; and

11 (2) in subparagraph (B)(i), by striking “con-
12 tact” and inserting “contract”.

13 (c) EFFECTIVE DATE.—The amendments made by
14 this section shall take effect on the date of enactment of
15 this Act.

16 **SEC. 3. TEMPORARY LABOR CERTIFICATION.**

17 (a) IN GENERAL.—Section 6(d)(2) of Public Law
18 94–241 (48 U.S.C. 1806(d)(2)) is amended in subpara-
19 graph (B), by striking “an annual” and inserting “a bien-
20 nial”.

21 (b) EFFECTIVE DATE.—The amendments made by
22 this section shall take effect on the date of enactment of
23 this Act.

1 **SEC. 4. ADDITIONAL TIME FOR RECEIPT OF VISA.**

2 Section 6(d)(3)(D)(iii) of Public Law 94–241 (48
3 U.S.C. 1806(d)(3)(D)(iii)) is amended in subclause
4 (I)(bb) by striking “10 days” and inserting “90 days”.

5 **SEC. 5. AMENDMENTS TO THE REQUIREMENT TO REMAIN**
6 **OUTSIDE THE UNITED STATES.**

7 (a) IN GENERAL.—Section 6(d)(7) of Public Law
8 94–241 (48 U.S.C. 1806(d)(7)) is amended—

9 (1) in subparagraph (A)—

10 (A) in the matter preceding clause (i), by
11 inserting “and (C)” after “subparagraph (B)”;
12 and

13 (B) in clause (ii)—

14 (i) by inserting “at any time after the
15 expiration of the first renewal period”
16 after “30 days”; and

17 (ii) by inserting “third” after “sub-
18 mission of a”; and

19 (2) by adding at the end the following:

20 “(C) DEFERRAL.—IN GENERAL.—The
21 Secretary of Homeland Security may defer the
22 requirement to remain outside of the United
23 States during or in connection to—

24 “(i) a presidentially declared major
25 disaster or emergency under section 401 or
26 501 of the Robert T. Stafford Disaster Re-

1 lief and Emergency Assistance Act (42
2 U.S.C. 5170 or 5191); or

3 “(ii) a presidentially declared national
4 emergency under section 201 of the Na-
5 tional Emergencies Act (50 U.S.C. 1601 et
6 seq.).”.

7 (b) EFFECTIVE DATE.—The amendments made by
8 this section shall take effect as if included in the enact-
9 ment of Public Law 115–218.

10 **SEC. 6. QUALIFIED ALIEN.**

11 (a) IN GENERAL.—Section 6(d) of Public Law 94–
12 241 (48 U.S.C. 1806(d)) is further amended by adding
13 at the end the following:

14 “(8) QUALIFIED ALIEN.—An alien granted sta-
15 tus under this subsection shall be deemed a qualified
16 alien under section 431 of the Personal Responsi-
17 bility and Work Opportunity Reconciliation Act of
18 1996 (8 U.S.C. 1641) for purposes of receiving re-
19 lief or assistance available in connection with—

20 “(A) a presidentially declared major dis-
21 aster or emergency under section 401 or 501 of
22 the Robert T. Stafford Disaster Relief and
23 Emergency Assistance Act (42 U.S.C. 5170 or
24 5191); or

1 “(B) a presidentially declared national
2 emergency under section 201 of the National
3 Emergencies Act (50 U.S.C. 1601 et seq.).”.

4 (b) EFFECTIVE DATE.—The amendment made by
5 this section shall take effect on the date of enactment of
6 this Act.

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