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STATEMENT OF REPRESENTATIVE TINA SABLAN OF
THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

TO THE SUBCOMMITTEE ON INSULAR AFFAIRS, OCEANS, & WILDLIFE
COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

FOR THE OVERSIGHT HEARING ON THE IMPLEMENTATION OF
U.S. PUBLIC LAW 110-229, HELD ON
MAY 19, 2009

Dear Madame Chair and Members of the Subcommittee,

Thank you for the opportunity to submit this written testimony regarding the implementation of U.S. Public Law 110-229, the Consolidated Natural Resources Act (“CNRA”), which extends federal immigration laws to the Commonwealth of the Northern Mariana Islands (“CNMI” or “commonwealth”). I am a member of the 16th CNMI House of Representatives, and a member of the CNMI House Committee on Federal & Foreign Relations. My focus in this testimony is the future status of long-term guest workers, as well as the future status of other non-U.S. citizens who are not mentioned in the CNRA – namely, CNMI residents who were granted permanent status by the Trust Territory government prior to 1982 (“CNMI permanent residents”), and immediate relatives of U.S. citizens and of citizens of the Federated States of Micronesia (“immediate relatives”).

In my view, the single most important reform that will result from the implementation of the CNRA is the phasing out of the CNMI guest worker program. On paper, by law and regulation, the employment of guest workers in the CNMI was originally intended to be temporary – a means to facilitate economic expansion, limited in duration and to the specific jobs for which the guest workers were recruited, with provisions that expressly prohibited the granting of permanent status to foreign nationals and that sought to protect the wages, working conditions, and employment opportunities of U.S. citizens and residents. With the exception of prohibitions on permanent status under CNMI law, such intentions on paper did not translate into practice in reality. Like guest worker programs throughout history and throughout the world, the CNMI guest worker program has proven to be inherently unjust and unsustainable, with major and lasting economic, social, and political impacts on the entire community.

The end of the CNMI guest worker program under the CNRA will ultimately be a positive change, but urgent questions remain to be answered, questions that must be answered soon: What will become of the guest workers who are currently living and working in the CNMI,

and especially the ones who have called the commonwealth home for five, ten, fifteen years and more? What will become of their children, many of whom are U.S. citizens born in the commonwealth? And what will become of non-U.S. citizens who are not mentioned at all in the CNRA, such as the CNMI permanent residents and the immediate relatives?

The answers to these questions bear enormous implications for the future of the CNMI's workforce, businesses, and families. Continued uncertainty as to the future status of people who comprise a vital and significant part of our community only translates to heightened anxiety during a time already characterized by profound economic and social distress.

I therefore urge that this subcommittee take swift and decisive action to ensure the following:

- 1) That there should be no further delays in the implementation of the CNRA; and
- 2) That the presence of long-term guest workers, CNMI permanent residents, and immediate relatives in the commonwealth should be stabilized as soon as possible through U.S. permanent residency as well as a pathway to citizenship.

The Governor of the CNMI and others have requested congressional action to further delay the effective date of the CNRA, asserting that the Department of Homeland Security is unlikely to be ready to fulfill its mandate by the scheduled date, November 28, 2009. The Acting Deputy Assistant Secretary of the Interior for Insular Affairs has also requested a delay in the CNRA requirement that the Department of Interior submit a report on guest workers to Congress by May 2010. The report should include the number of aliens in the commonwealth, their length of stay, the CNMI economy's need for foreign workers, and also recommendations, if deemed appropriate, as to whether or not legal foreign workers should be able to apply for long-term status.

I appeal to this subcommittee to do everything in its power to ensure that the CNRA is implemented on November 28, 2009 as scheduled, and that the Department of Interior report is timely prepared and submitted to Congress as mandated. People whose livelihoods, families, and businesses are at stake deserve to know as soon as possible what to expect with the transition to federal immigration law and when to expect it, so that they can prepare themselves accordingly. Furthermore, the needs, contributions, and future prospects of the CNMI's long-term foreign workers are critical to the future of the commonwealth, and should be carefully and expeditiously studied. The Department of Interior's required report should be useful in guiding any future policy decisions that Congress may make with respect to the status of long-term guest workers. The report should be a priority. It should be submitted as soon as possible, not as late as possible. It should not be delayed.

I further appeal to this subcommittee to prioritize legislative action that would secure the presence of long-term guest workers, CNMI permanent residents, and immediate relatives as soon as possible through U.S. permanent residency and a pathway to citizenship. The importance of stable families and a strong, flexible, and reliable workforce in the CNMI cannot be overemphasized, especially during this period of severe social and economic difficulty. Granting U.S. permanent residency and a pathway to citizenship to people who have entered the CNMI legally, made valuable contributions to the local economy over the

years, and proven themselves to be law-abiding, responsible and productive members of this community, would keep families together, expand and strengthen the local workforce, benefit businesses by providing access to a larger and more stable labor pool, and promote economic recovery.

Although the proposal to grant U.S. permanent residency and a pathway to citizenship for long-term guest workers, CNMI permanent residents, and immediate relatives may be considered in the context of President Barack Obama's highly anticipated comprehensive national immigration reform package, I respectfully submit that congressional action on the CNMI's unique and unresolved immigration issues should not be deferred until then. The sooner we can secure the status of people who have contributed so much to our community, the sooner we can phase out the CNMI guest worker program and build an economy that truly promotes sustainable development and meaningful opportunities for all who call the CNMI home.

In closing, the implementation of the CNRA would do much to correct a fundamentally unjust immigration and labor system that should never have been allowed to develop in the first place, and to persist on U.S. soil for so long. But the delivery of justice would be incomplete if the federal government does not also take action swiftly and soon to do right by long-term guest workers, CNMI permanent residents, and immediate relatives by stabilizing their presence here in the commonwealth. Permanent residency and a pathway to citizenship for people who have been valuable and productive members of this American community would facilitate the CNMI's transition to a sustainable economy, and offer a just and sensible solution to the social and humanitarian predicaments that have arisen from a categorically un-American immigration and labor system.

Once again, I respectfully urge this subcommittee to take all necessary action to ensure the timely and effective implementation of the CNRA, and to secure the presence of long-term guest workers, CNMI permanent residents, and immediate relatives in the commonwealth as soon as possible.

Thank you very much.

Sincerely,



Tina Sablan
CNMI Representative