

COMMITTEE OUTLINE OF
DELEGATE PROPOSAL NO. 273-85

SUBJECT: Proposing to limit the number of (nonresident) aliens in the the
Commonwealth to twenty-five (25%) of the total number of
Northern Marianas Residents.

A. The Proposal On Its Face.

1. Present Population In The CNMI: According to Northern Marianas
latest census, there is approximately 16,862 population in the
Commonwealth.

a. Note that in this census, every people is counted without any discrimination as to age (infants and elderly were counted alike). Permanent Residents were also counted (Permanent Residents as defined by Public Law 5-11 (presently repealed but by virtue of "ex post facto" the class of people granted with this status still maintains so)) as those who were married to spouses of Commonwealth Identity card-holder and ^{that} those class of people who had been residing for five consecutive ^{that} years in the Northern Mariana Islands prior to 1976, and those class of people who are children of U.S. Citizens (as defined by Section 8 of the Schedule On Transitional Matters) born after the Northern Marianas Constitution was approved.

b. If we take the figure of 16,862 as that total number of Northern Marianas Residents, then the number of (nonresident) alien allowable in the Commonwealth is approximately 4,216 (25% of 16,862).

2. How many (nonresident) aliens are presently in the Northern Mariana Islands?

a. According to immigration record, effective July 16, 1985, there is approximately 5,917 nonresident aliens registered in the Commonwealth during calendar year (CY) 1985 (note that there is a caution against using this figure in absolute terms. See Attachment "A", a letter from Mr. Keatley to Mr. Naraja dated July 17, 1985).

b. If we take the 4,216 nonresident allowable figure and subtract it to that 5,917 nonresident now present in the Commonwealth figure (a difference of 1,901), we will find that the Commonwealth Government has to removed approximately

B. Government Body To Eforce This Law:

1. What government body is to be responsible in policing and enforcing this law if becomes a constitutional provision?

a. Commerce and Labor Department (seems appropriate).

b. NMI Immigration and Naturalization Office (also seems appropriate).

- It is important to mention this paragraph "B" because the following discussion is a directly related and material.

D. Anticipated Problems: Under this proposal, it is already clear that with the limited (nonresident) alien allowable in the Commonwealth, it is inevitable that there will be many races in different forms in hiring (nonresident) aliens.

1. Number of (nonresident) aliens as presently registered in the following areas (caution is given as to this statistical data, also see "attachment A" letter):

a. Saipan	-----	5,359
Tinian	-----	357
Rota	-----	<u>201</u>
	Total	5,917

b. If 4,216 (nonresident) alien is the figure allowable in the Commonwealth, should each island be assigned to have certain number of (nonresident) alien from the given figure 4,216?

- and who will be responsible in assigning a number to each of the different islands?

- and what criteria is to be used in assigning such number (by a percentage? by ratio of population in each of the island or other means?).

*of course this issue can always be left alone for the legislature to consider, unless this Committee feels that they should include a specific guideline.

2. Number of (nonresident) alien registered in according to the following job categories (note that this statistical data is obtained through the Department of Commerce and Labor, it is also cautioned against using this figure in absolute terms, see "Attachment B"):

2. Investing in local man-power.

a. By slowing Commonwealth's development, investors would be forced to hire local man-power.

b. It would force investors to be extremely selective in hiring (nonresident) alien workers (i.e., picking up those with key skills) and they in turn, will, directly or indirectly, educate their co-local workers.

c. The government would be in a position¹ to provide endless incentives to reward those investors who does trained local man-power.

3. Control potential utility problems.

a. The Commonwealth is presently experiencing major problems with electrical powers and water supply. Controlling the number of (nonresident) aliens in the Commonwealth would decrease the demand in these areas and thus diminish, to a degree, such problems.

6. Terminology.

1. The term "nonresident" should be added whenever the word "alien" is used. If the term "alien" is used alone, then it would most likely tend to include permanent residence, which this proposal intends to exclude. "Nonresident alien" would tend to mean those present in the Commonwealth for the sole purpose of working.

2. This writer feels that instead of using "decennial census" as the proposal's factor of determining the number of nonresident alien in the Commonwealth, he suggests that "Commonwealth Registered Voters" be the factor.

1. Decennial census, as itself suggests, will take place every ten (10) years. So if the latest decennial census provides that 4,216 nonresident aliens is the limit number, then this figure will be applied in the Commonwealth throughout the ten years. This is too inflexible.

2. Should the "Commonwealth Registered Voters" be the factor, then each year, the limiting figure will change in accordance to such factor.

3. Should the "Commonwealth Registered Voters" be the factor, and permanent residency is excluded, then the proposal itself should exempt this class of people.

4. It is not necessary that twenty-five percent (25%) be the proposal's cutting figure. This Committee can select a figure to coincide with the number of nonresident aliens it so desire to be the beginning allowable number in the Commonwealth.



IMMIGRATION AND NATURALIZATION OFFICE

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

SAIPAN, CM 96950

PHONE: 6178-7787

RICHARD J. KEATLEY
CHIEF

July 17, 1985

Mr. Robert C. Naraja
Assistant Public Defender
Office of the Public Defender
Saipan, Mariana Islands 96950

Dear Mr. Naraja:

Your letter of July 15, 1985 requesting information relating to nonresident aliens in the Commonwealth has been received and reviewed. I appreciate the opportunity to respond to your inquiry.

1. There have been 5,917 nonresident aliens registered in the Commonwealth during calendar year (CY) 1985. This figure is effective as of 16 July 1985. Immigration records indicate that there were 4,800 registrations in CY-84 but I caution against using this figure in absolute terms. Immigration documentation, in prior years, has not necessarily been accurate. If these figures are to be used for comparative analysis, then the 1985 registration, still uncompleted, represents an increase in nonresident alien registration of approximately 23.25%.
2. Immigration cannot accurately provide data concerning nonresident alien job categories. I suggest contacting the Department of Labor who have computerized all nonresident alien worker job categories. They should be able to provide the statistics you require.
3. Nonresident aliens are presently registered in the following areas in the following quantities:

a. Saipan	- - - - -	5,359
b. Tinian	- - - - -	357
c. Rota	- - - - -	201
	Total	<u>5,917</u>

"Attachment A"

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Attached, for your assistance, are copies of Public Law 3-105 (Immigration and Deportation Act) and the newly formulated immigration regulations.

Please call upon my office if I can be of additional assistance.

Yours Truly,



Richard J. Keatley
Chief, Immigration and Naturalization

Attachments

cc: File

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
 NON-RESIDENT WORKERS
 NATIONALITY OF 19 84

S A J P A N

<u>Occupational Group</u>	<u>Filipino</u>	<u>Korean</u>	<u>Japanese</u>	<u>Chinese</u>	<u>Others</u>	<u>Total</u>
Professional	419	70	166	61	33	749
Clerical	83	11	9	8	1	112
Service	1,273	50	38	121	3	1,485
Craft	1,028	110	12	115	45	1,310
Operative	298	39	11	11	1	360
Miscellaneous	173	31	6	22	10	242
<u>Total</u>	<u>3,274</u>	<u>311</u>	<u>242</u>	<u>338</u>	<u>93</u>	<u>4,258</u>

*as of December 31, 1984

ATTACHMENT B