

TITLE 80: DEPARTMENT OF LABOR

SUBCHAPTER 80-20.9

ALIEN LABOR RULES AND REGULATIONS

Subchapter Authority: 1 CMC § 2454; 3 CMC § 4424(a)(1); Executive Order 94-3 § 301.

Commission Comment: The Department of Commerce and Labor first issued the 1988 Alien Labor Rules and Regulations that were initially codified at Subchapter 80-20.1. 10 Com. Reg. 5510 (Apr. 15, 1988). After Executive Order 94-3 created the Department of Labor and Immigration, the new Department continued to amend the Alien Labor Rules and Regulations. In 2003, the newly created Department of Labor began to promulgate amendments to the subchapter.

The final amendments to this subchapter were adopted in July of 2004. 26 Com. Reg. 22866 (July 26, 2004). In 2008, the Department repealed this chapter and replaced it with a new Subchapter 80-20.1, entitled Employment Rules and Regulations. 30 Com. Reg. 28027 (Jan. 22, 2008). The Commission moved the former Alien Labor Rules and Regulations to Subchapter 80-20.9 for historical purposes.

Title VII of US Public Law 110-229, the Consolidated Natural Resources Act of 2008 (CNRA), enacted on May 8, 2008, extended the Immigration and Nationality Act (INA) and other provisions of United States immigration law to the Commonwealth of the Northern Mariana Islands. The CNRA provides for a transition period before full application of the INA to the Commonwealth, which had been responsible for its own immigration policies prior to the CNRA. The transition period started November 28, 2009 and is scheduled to end on December 31, 2014. Beginning November 28, 2009, the Commonwealth no longer retained jurisdiction over immigration matters in the Commonwealth of the Northern Mariana Islands.

On March 22, 2010, CNMI Public Law 17-1, the Immigration Conformity Act, became law. Section 12 of the Act stated that the Act shall be retroactive to November 28, 2009 except as otherwise provided by law. The Act repealed immigration responsibilities of the Commonwealth found in the Commonwealth statutory code and amended certain provisions of the code addressing labor in the Commonwealth.

As the CNMI no longer has the authority to enact its own alien labor policies, the Commission removed the repealed text of Subchapter 80-20.9 from the Code. The final version of this subchapter is available at 26 Com. Reg. 22866 (July 26, 2004).

[Repealed.]