

**SPOKEN TESTIMONY
OF
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COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
BEFORE THE
THE HOUSE COMMITTEE ON NATURAL RESOURCES**

February 27, 2019

Good afternoon.

Chairman Grijalva, Ranking Member Bishop, Vice-Chair Sablan and members of the Committee, thank you for the time you have provided to this hearing on HR 560 and the ongoing issues relating to the CNMI's complex transition in to the US immigration system.

I am here once again in support of HR 560 and ask for this committee's consideration and support of its passage.

Issues with immigration are the greatest determinant of the CNMI's success today. We live with the intended and unintended consequences of Public Law 110-229, which took that control away. It is our responsibility to do what is right in an effort to meld three decades of local control with 10 years of experience within the transition period. To me, that is what HR 560 seeks to accomplish. A simple recognition that the transition period created 11 years ago was not a finished product and that we share in the responsibility to recognize areas of additional concern and rectify them in good faith with the best interest of the people of the CNMI in mind.

The solutions presented in HR 560 are important, but only comprise a piecemeal effort to respond to the unintended consequences of the transition period.

The CNMI labor force does not have suitable amounts of US workers to do the skilled construction work necessary to grow an economy or perform needed infrastructure development projects.

In 2017, HR 339, the Northern Mariana Islands Economic Expansion Act, was signed into law, and the ability to petition construction workers to perform work in the CNMI under the CW-1 program was prohibited. We

were told that this should be of little concern as the construction needs of the Commonwealth could be met sufficiently by the H2-B visa program.

However, the U.S. Department of Homeland Security recently provided a new interpretation of the H2-B program, effectively removing eligibility of general contractors from applying and receiving labor. Now, in order to obtain a foreign construction worker, a business must apply for the worker directly. Small businesses, and home owners do not have this ability and are left with no legal options to source construction labor. Further, the removal of the Philippines from the list of eligible source countries for H2-B labor has further limited legal avenues for foreign labor.

We saw the issues almost immediately after the enactment of HR 339, but the situation today is far more dire. After the onslaught laid upon the CNMI from Super Typhoon Yutu on October 2018, 4 out of every 10 homes in the CNMI were destroyed or suffered major damage. Across the island, you will see rows of FEMA-issued tents and families sheltering their children and their possessions next to the shattered remains of their homes. A construction effort is needed to secure the safety and wellbeing of these families in a scale never before seen in the CNMI since the end of World War 2, but we simply do not have the means to do so.

After Typhoon Yutu, FEMA and the Department of Defense recognized the challenges of performing their necessary work for the American citizens living in the CNMI by seeking out new and innovative solutions that conformed to our unique circumstances.

If it were not for the 200 hundred men and women of the Seabees and Red Horses mobilized after the disaster, 184 homes in Tinian would still be without roofs over their heads because there are no available construction workers there.

The CNMI does not wish to be a problem for Congress to solve, but arbitrary policies have once again brought us before you today.

I am not here asking for financial support. I am asking for your understanding and your permission to make do with the limited options available to help our people succeed. I am not asking for new solutions, but the replication of concepts Congress has already employed. It was under previous provisions and interpretations of US Public Law 110-229 that the

CNMI economy grew 28.6% in 2016 and 25.1% in 2017. We should adjust, amend and reconsider our actions and efforts to provide more for those in the CNMI living far below the standards of our larger American community.

Your support of HR 560 is a monumental step toward that direction, but I ask that it not be the end of these conversations. We must continue to recognize when federal actions come into conflict with the realities of life in the Western Pacific. And as we work together on these issues, I hope to gain your understanding that the needs of the US territories require treatment unique to them. Not as a matter of preference, but as a matter of necessity.

Thank you.