

United States Senate

WASHINGTON, DC 20510-0908

January 15, 2026

The Honorable Kristi Noem
Secretary
U.S. Department of Homeland Security
2707 Martin Luther King Jr Ave., SE
Washington, D.C. 20528

The Honorable Doug Burgum
Secretary
U.S. Department of the Interior
1849 C St., NW, MS-4106
Washington, D.C. 20240

Dear Secretary Noem and Secretary Burgum:

We write to express our gratitude for your commitment to protecting the homeland from foreign threats. As the Trump administration continues working to Make America Safe Again, a lingering Obama- and Biden-era policy allows nationals from China – a country that has declared itself our enemy – to obtain fast-track American citizenship. This is a clear and significant short- and long-term national security risk.

A recent *Wall Street Journal* investigation highlights a related national security concern: Chinese nationals are increasingly using the U.S. surrogacy system to obtain American citizenship for their children, often outside traditional immigration vetting processes. This growing practice demonstrates how U.S. laws and programs are being strategically exploited by individuals linked to the Chinese Communist Party (CCP) and affiliated business interests.¹

In 2009, former President Obama created a categorical parole program that enabled Chinese nationals to visit the Commonwealth of the Northern Mariana Islands (CNMI) without a tourist visa and the vetting that entails. This has opened the United States to significant security threats by creating a veritable cottage industry of Chinese nationals giving birth in the CNMI and gaining access to U.S. citizenship.²

The Guam-CNMI Visa Waiver Program (G-CNMI VWP) was created in 2009 and allows holders of a Hong Kong passport visa-free access to the CNMI for up to 45 days at a time. A subset of this program, the CNMI Economic Vitality & Security Travel Authorization Program (EVS-TAP), created by the Biden administration in 2024, also allows Chinese nationals visa-free access to the CNMI for 14 days.

¹ https://www.wsj.com/us-news/chinese-billionaires-surrogacy-pregnancy-7fdfc0c3?gaa_at=eafs&gaa_n=AWETsqeofvdQcLFqB18TcJO6xDfr4lcp5uMaONc406-uWrVoEOsI3A46pwPeISdCLKA%3D&gaa_ts=695e72ff&gaa_sig=09bOnjvnoX-g9LMNeomODmjt6YE9baChXYNLcFogUTDIE8Elpar68vAQVWoPtMZbwuENqK1xMnPa9oK1KwWw%3D%3D

² <https://www.justice.gov/usao-gu/pr/richard-peng-sentenced-harboring-birth-tourist>

Since these programs were implemented, birth tourism in Saipan has exploded. Births by visiting Chinese mothers jumped from fewer than 10 annually in 2009 to nearly 600 by 2018,³ leading to more foreign births in Saipan than U.S. births. According to a VOA News investigation, more than 3,300 babies⁴ have been born in Saipan to Chinese mothers since 2009, with 55 births occurring last year alone.

Under U.S. immigration laws, once these children turn 21, they can petition for green cards for their parents, potentially leading to chain migration. Arguably more concerning: their children - the grandchildren of the Communist Chinese birth tourists - can themselves become U.S. citizens *regardless of where they are born*, thanks to provisions under the *Child Citizenship Act*.

In the next 10 to 20 years, the first beneficiaries of this Obama-era policy could easily apply for high positions within the U.S. federal government and likely receive priority consideration due to fluency in Mandarin. This is an ongoing security vulnerability that Xi Jinping and his successors in the CCP will be more than happy to exploit.

When the Biden administration and Secretary Mayorkas created the EVS-TAP program in 2024, they called it essential to the CNMI's economic vitality. While the federal government has the responsibility and authority to create growth in the CNMI economy,⁵ it can do so without allowing Communist Chinese infiltration and exploitation. Too often, this visa program has created a drain on CNMI economic resources, not an economic gain, all while putting our national security at risk.

An example of this drain is the impact that Chinese birth tourism has on the CNMI's medical facilities and the support they can give to the people of the CNMI. Former Governor Arnold Palacios, who tragically passed away in July, indicated that CNMI "birth tourism" overwhelmed CNMI's medical facilities, including its only public hospital, the Commonwealth Health Center, as there was no documentation as to the essential characteristics of each pregnancy (i.e. whether it was high-risk or if there were other relevant factors for local physicians to consider).

Continuing to permit the large-scale entry of Chinese nationals – fueling the commodification of babies and U.S. citizenship and propping up a billion-dollar Chinese-dominated gambling industry – also does nothing to advance the long-term economic security of the people of the CNMI. Increasingly relevant to U.S. policymakers is the CNMI

³ <https://tiffany.house.gov/media/editorials-letters-and-articles/exclusive-gop-rep-goes-after-loophole-allowing-chinese-abuse>

⁴ <https://www.voanews.com/a/7982518.html>

⁵ See Article VII, "United States Financial Assistance," of the 1976 Covenant: <https://cnmilaw.org/cov.php#gsc.tab=0>

gambling industry's longstanding affiliation with systematic human smuggling concerns⁶, egregious wage and overtime violations⁷, including paying subcontractors below minimum wage⁸, money laundering and wire fraud⁹, and sexual harassment and discrimination.¹⁰ The Chapter 11 filing of the Hong Kong-based Imperial Pacific International was a welcome development¹¹; for years the company – deeply influenced by CCP-aligned interests – leveraged its enormous revenues to sway local politics and the islands' Casino Commission.¹² Unfortunately, its casino assets has since been transferred to an LLC with troubling and well-documented connections to the former owners.¹³

In yet another refutation of the argument that Chinese visa waiver policy is required for CNMI economic benefit is the not-so-insignificant number of People's Republic of China (PRC) citizens who abuse their visa-free travel to Saipan in order to unlawfully enter another part of the United States.¹⁴ In February 2025, PRC national Kangle Jiang was sentenced to prison after working with a man in Saipan to transport eight total Chinese nationals to Guam by boat – Chinese nationals who were later apprehended in or near sensitive military installations, including Andersen Air Force base.¹⁵ In November, the District Court for the Northern Mariana Islands sentenced four men for conspiring to transport illegal aliens from Saipan to Guam by boat.¹⁶ These individuals, guided by malintent to smuggle 21 Chinese nationals, hardly offered a reliable source of economic development for U.S. citizens and residents residing in the Marianas.

Given this threat and your continued commitment to securing the homeland, I ask that you respond by **COB January 28, 2026**, regarding the administration's efforts to revoke the Biden-era EVS-TAP visa waiver for nationals of Communist China. We would strongly urge that you require a standard tourist visa for Chinese nationals visiting the CNMI, which is a unilateral decision that can be made by the Secretary of the Department of Homeland Security.¹⁷

⁶ <https://www.bloomberg.com/news/articles/2017-04-10/human-smuggling-money-laundering-probes-surround-saipan-casino>

⁷ https://www.postguam.com/news/cnmi/usdol-secures-m-judgment-against-casino-developer/article_b93b96f8-67ec-11e9-bef2-cfc3b41185cd.html

⁸ *ibid*

⁹ https://www.postguam.com/news/local/feds-seek-evidence-of-wire-fraud-money-laundering-investigation-in/article_3ed83cae-0693-11ea-853d-9fa7e337c95c.html

¹⁰ <https://www.saipantribune.com/index.php/eoc-files-suit-vs-ipi-for-sexual-harassment-sex-discrimination/>

¹¹ https://www.mvariety.com/news/local/governor-s-lawyer-ipi-has-close-ties-with-bid-winner/article_a6d39fc2-ff50-11ef-bad5-976006567eab.html/

¹² <https://www.heritage.org/china/commentary/why-are-chinese-nationals-getting-visa-waivers-us-territory>

¹³ See footnote 11

¹⁴ <https://www.justice.gov/usao-gu/pr/citizen-peoples-republic-china-sentenced-conspiracy-transport-illegal-aliens>

¹⁵ *Ibid*

¹⁶ <https://www.justice.gov/usao-gu/pr/cnmi-men-sentenced-federal-prison-human-smuggling-operation-between-saipan-and-guam>

¹⁷ [https://www.ecfr.gov/current/title-8/chapter-I/subchapter-B/part-212/section-212.1#p-212.1\(r\)](https://www.ecfr.gov/current/title-8/chapter-I/subchapter-B/part-212/section-212.1#p-212.1(r))

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We would also strongly recommend that you work with the administration to end Hong Kong's participation in the G-CNMI VWP. Since its aggressive and violent takeover in 2020, Hong Kong remains under Xi Jinping and the CCP's control and should be treated as such.

The people of the CNMI deserve a better future than the empty promises offered by Communist China, and we should be prepared to work as equal partners to secure that future.

Thank you again for your service and sacrifice to the nation, and for your commitment to the long-term security of the United States. We look forward to hearing from you.

Sincerely,



Rick Scott
United States Senator



Jim Banks
United States Senator



Markwayne Mullin
United States Senator

cc The Honorable Marco Rubio, Secretary of State
cc The Honorable Howard Lutnick, Secretary of Commerce