



USCIS Update

September 29, 2011

Extension of Parole for Foreign Workers in the CNMI

USCIS Advises Foreign Workers in the CNMI to Extend Parole

It is critical that foreign workers maintain a lawful status so they may be petitioned for CW Transitional Worker status or another status under the INA. U.S. Citizenship and Immigration Services (USCIS) advises all people who were paroled into the CNMI and whose Arrival-Departure Record, Form I-94, has expired or is expiring to apply for an extension of their parole to Jan. 31, 2012.

Anyone paroled into the CNMI must keep both parole and work authorization (if employed) current. This does not include those who have been paroled into the United States solely as tourists. Tourists are not eligible for extension of parole.

Questions and Answers

Q. Who should apply for extension of parole?

A. People who already have parole and an I-94 document can apply for an extension of parole. People who have parole should look at the expiration date on their I-94 and, based upon that date, consider applying for parole. This includes those with any parole that is:

- Expired; or
- Expiring on or before Nov. 28, 2011.

Q. What if my employer is petitioning for me to continue working after Nov. 28, 2011?

A. If your parole will expire before Jan. 31, 2012 you should request parole extension.

Q. Is everyone with an expired or expiring parole eligible to be considered for extension of parole?

A. No. Russian and Chinese visitors who have been paroled into the United States solely as tourists are not eligible for extension of parole.

Q. Why should I apply for extension of parole?

A. People who were paroled due to an expired permit must keep parole and work authorization current in order to maintain a legal presence in the United States and be allowed to work. Anyone who would like to be sponsored for a grant of CW status in the CNMI must have a lawful status in the CNMI when the employer files the Petition for a CNMI-Only Nonimmigrant Transitional Worker, Form I-129CW.

Q. For how long will parole be extended?

A. USCIS will extend parole to Jan. 31, 2012.

Q. What must be included in this parole request?

A. You must submit the following information to request parole extension:

- A letter or affidavit signed by you requesting the extension. Include your complete P.O. Box mailing address and telephone number;
- A copy of a valid identity document, such your passport biographic page (with photo, date of birth and expiration date);
- A copy of your I-94 (front and back);
- A copy of your umbrella permit (if you have one); and

- A letter from your employer verifying his or her intention to continue your employment (if currently employed).

Seal all these items in one envelope and clearly write on the outside of the envelope:

- Your name;
- “PAROLE EXTENSION;” and
- The expiration date of your parole.

We recommend that you keep a copy of all documents for yourself.

Q. Where should I submit my parole extension request?

A. Please see the table to below for instructions on how to submit your parole extension request.

If you are in Saipan	If you are in Rota or Tinian
You can drop off your parole extension request at the USCIS Office in Saipan. These requests will be accepted only on a drop-off basis. When you drop off your request at the USCIS Office, no one will be available to answer questions about it unless you have an InfoPass appointment.	You must mail your request to: DHS-USCIS Sirena Plaza, Suite 100 108 Hernan Cortez Avenue Hagatna, Guam 96910 ATTN: PAROLE EXTENSION - CNMI

Q. Can someone apply for an extension of parole if they have never had parole status?

A. No. If you have never been granted parole by USCIS, you are not eligible to request an extension for parole. This is NOT for first-time parole in place. If you need parole and have never had it before, please visit our website at www.uscis.gov/cnmi for more information.

Q. Is there a fee to apply for parole?

A. There is no filing fee to obtain parole in this situation.

Q. Does the employer or worker apply for parole?

A. The worker applies for parole.

Q. Can I work once parole is granted?

A. Parole gives someone legal status to stay in the CNMI but does not provide work authorization. You can continue to work under your current umbrella or other work permit until Nov. 27, 2011. If you are the beneficiary of a CW petition filed on or before Nov. 28, 2011 by your current employer, you may continue to work under your permit until a decision is made on your petition. If you have been granted a USCIS Employment Authorization Document (EAD), you must obtain a renewal of that document before it expires in order to continue to lawfully work.

Q. Can I travel anywhere in the United States?

A. No. Parole of individuals in this situation does not include travel to any other part of the United States. If you need to travel, you will have to contact USCIS to apply.

Q. What is the difference between “advance parole” and “parole?” Do I need an extension of an expired advance parole?

A. Unlike parole, advance parole is not an actual grant of parole status in the CNMI. Advance parole is advance permission granted by USCIS to leave the CNMI for a foreign place and return to the CNMI to be paroled back in. A foreign worker with an advance parole is issued the actual parole when returning back into the CNMI from foreign travel by the U.S. Customs and Border Protection (CBP) inspector at the port of entry. An advance parole that expires before it is actually used to depart from and return to the CNMI does not need to be extended in order to continue lawful presence in the CNMI. However, advance parole is no longer valid for a parole back into the CNMI once expired. If the foreign worker still wishes to travel and be paroled back into the CNMI, he or she must obtain a new advance parole.

Another way to obtain parole is through a grant of parole by USCIS in the CNMI. This is typically referred to as “parole in place.” Parole is documented by the issuance of a Form I-94. It is this parole – either issued by CBP based upon return from travel based on an advanced parole from USCIS, or a parole in place by USCIS – that must be kept up to date.

Q. Where can I find more information about parole in the CNMI?

A. USCIS is the agency within the U.S. Department of Homeland Security that handles immigration benefits. For more information, please visit the USCIS website at www.uscis.gov/cnmi.

- USCIS -