



USCIS Update

September 29, 2011

Parole for Transitional Worker Dependent Students Turning 18

USCIS Advises Foreign Workers in the CNMI on Option for Children Who are Students

If you are a foreign worker in the Commonwealth of the Northern Mariana Islands (CNMI) who will be the beneficiary of an employer's petition for transitional worker (CW-1) status and have a child who is a secondary or high school student who will turn 18 this school year, U.S. Citizenship and Immigration Services (USCIS) may be able to grant parole to your child. If you petition for a child who is 17 years old to receive CW-2 status and that child turns 18 this school year, the child will lose his or her CW-2 status upon turning 18 and would no longer have status to study. You cannot petition for CW-2 status for a child who is already 18 years old. If your child is present under an umbrella permit or other authorization issued by the CNMI government before Nov. 28, 2009, that permit will expire Nov. 27, 2011. Therefore, USCIS will offer the parole to your child so that he or she can finish the school year in legal status.

USCIS grants parole on a case-by-case basis and has used parole extensively in the CNMI since 2009 as needed to assist with the transition to U.S. immigration law. While use of parole will no longer be necessary for most foreign workers, USCIS will continue to consider parole in specific situations, including for CNMI permanent residents and their immediate relatives and the immediate relatives of FAS nationals. USCIS will also consider granting parole for secondary/high school students who are actively attending classes before Nov. 27, 2011 and are already or will turn 18 this school year.

Questions and Answers

Q. If I will be a CW-1 worker, can my foreign national child apply for CW-2 status?

A. Yes, your foreign national child can apply to receive CW-2 status if he or she is under 18 years old. There is no need to apply for children who are U.S. citizens. However, if your 17 year old child is studying in a secondary/high school and will turn 18 during this school year, an application for that child to receive CW-2 status is not advisable if you would like the child to complete the school year in the CNMI. Instead, you should request parole for that child.

Q. Who can apply for parole to study?

A. Only those children of CW-1 workers who are 18 years old or are 17 years old and will be turning 18 THIS school year, who are studying in a secondary/high school in the CNMI can apply for parole.

Q. Is there a fee to apply for parole?

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

Q. What must be included in this parole request?

- A. The following must be submitted as part of the request for parole for your child:
- A letter from the child's school indicating that 1) your child is a student; 2) when the school year ends; and 3) when the child will be graduating.
 - A copy of your employer's Petition for a CNMI-Only Nonimmigrant Transitional Worker, Form I-129CW for you as a CW-1 worker or receipt notice for the petition.
 - A completed Form G-325, Biographic Information.
 - A copy of a valid identity document such as a passport (biographic page) or birth certificate.
 - Evidence of the child's legal presence in the CNMI at the time of application, such as a valid umbrella permit.

- A letter from you requesting parole for your child, including your complete P.O. Box mailing address and telephone number.

Q. Can my child work once parole is granted?

A. Parole gives your child legal status to stay in the CNMI so that your child can study but parole does not give permission to work.

Q. Can my child travel anywhere in the United States with parole?

A. No. Parole for students who will be turning 18 this school year will be granted for the CNMI only and does not allow travel to any other part of the United States. If your child needs to travel, you will need to contact USCIS to apply.

Q. How long is parole valid for?

A. Parole will be issued for up to one year, depending upon the specifics of your case.

Q. Why should I apply for parole for my child who is studying if he/she is already 18 or will turn 18 this school year?

A. Children who are in secondary/high school who will turn 18 years old this school year would lose their lawful status. A child who is 18 years old is not eligible for CW-2 status. Your child will need parole to maintain a legal presence in the United States and be allowed to study.

Q. What if my child already has been paroled?

A. If your child already has been paroled, as evidenced on an Arrival- Departure Record, Form I-94, then USCIS will consider extending the parole through the end of the school year. All paroled foreign nationals should ensure that their paroles remain in effect, in order to remain lawfully in the CNMI.

Q. Why can't I get CW-2 status for my child now, and then get parole when the child turns 18?

A. Parole cannot legally be granted to any person who has been admitted in CW-2 or any other U.S. nonimmigrant status.

Q. When can I apply for parole for my 17 or 18 year old child who is studying in secondary/high school in the CNMI?

A. You can apply for parole for your 17 or 18 year old child who is studying, when your employer applies for you as a CW-1, or any time after that before your child's status expires. You may also apply for CW-2 status for other dependents at this time. As the employer's CW-1 petition cannot be filed before Oct.7, 2011, requests for this student parole or CW-2 status also cannot be filed before that date.

Q. Can my child apply for student parole before I am granted CW-1 status?

A. Yes, as long as the CW-1 petition for you has been filed by your employer. However, if parole is granted for your child, it may be subject to revocation if the CW-1 petition is denied.

Q. How should I submit my parole request?

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

If you are in Saipan	If you are in Rota or Tinian
<p>You must make an InfoPass appointment at the USCIS Office in Saipan through www.uscis.gov and bring all the documents listed above and your child to the appointment.</p>	<p>You must mail your request to: DHS-USCIS Sirena Plaza, Suite 100 108 Hernan Cortez Avenue Hagatna, Guam 96910 ATTN: STUDENT PAROLE - CNMI</p>

Q. I have a child who is 18 or older and is studying in college in the CNMI. Can he or she apply for parole?

A. No. A foreign national who is in college must apply for student status and attend a school that accepts international students. To see if a school is Student and Exchange Visitor Information System (SEVIS) approved, go to www.ice.gov/sevis/map/approvedschoolsmap.htm.

Q. Can my child who is in secondary/high school obtain F nonimmigrant student status?

A. This may be an available option in some cases, particularly those involving private schools. However, the F student category is primarily intended for those with foreign residences, and the law provides certain strict limitation on the use of F status to attend any public secondary/high school.

Q. Where can I find more information?

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

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