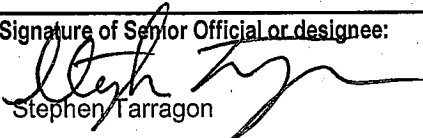


PAPERWORK REDUCTION ACT CHANGE WORKSHEET

Agency/subagency Department of Homeland Security, U.S. Citizenship and Immigration Services		OMB Control Number 1615 - 0003
<i>Enter only items that change</i>		
	Current record	New record
Agency form number (s) I-539		
Annual reporting and recordkeeping hour burden		
Number of respondents	260,967	263,067
Total annual responses		
Percent of these responses collected electronically	0 %	0 %
Total annual hours	195,725	197,300
Difference		1,575
Explanation of difference		1,575
Program change Adjustment		
Annual reporting and recordkeeping cost burden (in thousands of dollars)		
Total annualized Capital/Startup costs		
Total annual costs (O&M)		
Total annualized cost requested	\$99,167,460	\$99,965,460
Difference		\$798,000
Explanation of difference		\$798,000
Program change Adjustment		
Other changes** See Attached		
Signature of Senior Official or designee:  Stephen Tarragon	Date: 11/4/2009	For OIRA Use _____ _____

** This form cannot be used to extend an expiration date.

OMB Control No. 1615-0003

The increase in burden hours and annual costs can be attributed to the Interim Rule titled: Commonwealth of the Northern Mariana Islands Transitional Worker Classification; RIN 1615-AB76.

USCIS requests a non-substantive change to the instructions to Form I-539, Application to Extend/Change Nonimmigrant Status by adding CW-2 CNMI only dependents to the list of eligible classifications allowed to file the Form I-539. Public Law 110-229 sets forth eligible family members that may apply for CW-2 status.. See 8 CFR 214.2(w)(3) below:

(3) Derivative beneficiaries--CW-2 nonimmigrant classification. The spouse or minor child of a CW-1 nonimmigrant may accompany or follow the alien as a CW-2 nonimmigrant if the alien:

- (i) Is not present in the United States, other than the CNMI;
- (ii) If present in the CNMI, is lawfully present in the CNMI; and

(iii) Is not inadmissible to the United States as a nonimmigrant, except for an alien present in the CNMI who is described in section 212(a)(7)(B) of the Act (not in possession of nonimmigrant visa).

TABLE OF CHANGES – INSTRUCTIONS
FORM I-539 –
APPLICATION TO CHANGE/EXTEND NONIMMIGRANT STATUS
1615-0003

Location	Current Language	Proposed Language
<p>Page 2: Who May File Form I-539?</p>	<p>Who May File Form I-539?</p> <p><u>Extension of Stay or Change of Status</u></p> <p>*****</p> <p><u>Multiple Applicants</u></p> <p>*****</p> <p><u>Nonimmigrant Categories</u></p> <p>*****</p> <p>3. B-1, Visitor for Business, or B-2, Visitor for Pleasure</p> <p>If you are filing for an extension/change, you must file your application with the original Form I-94 of each person included in your application. In addition, you must submit a written statement explaining in detail:</p> <ul style="list-style-type: none"> A. The reasons for your request; B. Why your extended stay would be temporary, including what arrangements you have made to depart from the United States; and C. Any effect the extended stay may have on your foreign employment or residency. <p>If you are applying for an extension/change of B-1, visitor for business, you must designate your desired status using the following classification in Part 2.1.b of Form I-539:</p>	<p>Insert new #3 and re-designate existing #3 to #4</p> <p><u>3. Dependents of a CW-1 Transitional Worker</u></p> <p>If you are filing for an extension/change of status as the dependent of an employee who is a CW-1 transitional worker, this application must be submitted with:</p> <ul style="list-style-type: none"> A. Form I-129CW filed for that employee or a copy of the filing receipt noting that the petition is pending with USCIS; B. A copy of the employee's Form I-94 or approval notice showing that he or she has already been granted status to the period requested on your application; and C. Evidence of relationship (example: birth or marriage certificate) D. Evidence of lawful Commonwealth of Northern Mariana Islands (CNMI) status (example: CNMI Immediate Relative card or spouse of Freely Associated States (FAS) card) <p>NOTE: An employer should file Form I-129 CW to request/extend/change to CW-1 status for an employee or prospective employee. Dependents of such employees must file for request/extension/change of status on this form, not on the Form I-129 CW.</p> <p>*****</p>

Page 6: Where To File?

- A. B-1A, nonimmigrant who is the personal or domestic servant of a nonimmigrant employer;
- B. B-1B, nonimmigrant domestic servant of a U.S. citizen;
- C. B-1C, nonimmigrant who is employed by a foreign airline;
- D. B-1D, nonimmigrant who is a missionary; and
- E. B-1, all other visa classifications not designated above.

1. With some exceptions, Form I-539 is generally filed with the California Service Center or the Vermont Service Center

California Service Center filings cover the following states: Alaska, Arizona, California, Colorado, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin, or Wyoming.

2. Applicants for change of status to E-1, E-2, E-3, H-4, L-2, O-3, or P-4 as the dependent spouse or child or for an E-1, E-2, E-3, H-4, L-2, O-3, P-4, or TD extension, as the dependent spouse or child.

A. Filing Form I-539 at the same time as the principal: If your Form I-539 for change of status or extension of stay is filed at the same time as the principal's Form I-129, Petition for Nonimmigrant Worker (which includes a request for change of status or extension of

1. With some exceptions, Form I-539 is generally filed with the California Service Center or the Vermont Service Center

California Service Center filings cover the following states: Alaska, Arizona, California, Colorado, Commonwealth of Northern Mariana Islands, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin, or Wyoming.

2. Applicants for change of status to CW-2, E-1, E-2, E-3, H-4, L-2, O-3, or P-4 as the dependent spouse or child or for an CW-2, E-1, E-2, E-3, H-4, L-2, O-3, P-4, or TD extension, as the dependent spouse or child.

A. Filing Form I-539 at the same time

stay), send the entire Form I-129/I-539 package to the Vermont Service Center or the California Service Center, depending on the State where the principal is or will be employed temporarily.

B. Filing Form I-539 separately from the principal and the principal's case is pending: If the principal's Form I-129 (which includes a request for change of status or extension of stay) is pending, file Form I-539 with the same Service Center where the principal's Form I-129 is pending. Include a copy of Form I-129 filing receipt (or transfer notice) to show the pending Form I-129 location.

C. Filing Form I-539 separately from the principal and the principal's case is approved: If the principal's Form I-129 (which includes a request for change of status or extension of stay) has already been approved, file Form I-539 with the same Service Center that approved the principal's Form I-129. Include a copy of Form I-129 approval notice to show the approved Form I-129 location.

The filing fee for Form I-539 is \$300 except for certain A and G nonimmigrants who are not required to pay a fee, as noted in these instructions.

An additional biometric fee of \$80 is required when filing this Form I-539 for V nonimmigrant status. After you submit Form I-539, USCIS will notify you about when and where to go for

as the principal: If your Form I-539 for change of status or extension of stay is filed at the same time as the principal's Form I-129, Petition for Nonimmigrant Worker or Form I-129CW, Petition for a Nonimmigrant Worker in the CNMI (which includes a request for change of status or extension of stay), send the entire Form I-129/I-539 or Form I-129CW/I-539 package to the Vermont Service Center or the California Service Center, depending on the State where the principal is or will be employed temporarily.

B. Filing Form I-539 separately from the principal and the principal's case is pending: If the principal's Form I-129 or Form I-129CW, Petition for a Nonimmigrant Worker in the CNMI (which includes a request for change of status or extension of stay) is pending, file Form I-539 with the same Service Center where the principal's Form I-129 or Form I-129CW is pending. Include a copy of Form I-129 or Form I-129CW filing receipt (or transfer notice) to show the pending Form I-129 or Form I-129CW location.

C. Filing Form I-539 separately from the principal and the principal's case is approved: If the principal's Form I-129 or Form I-129CW, Petition for a Nonimmigrant Worker in the CNMI (which includes a request for change of status or extension of stay) has already been approved, file Form I-539 with the same Service Center that approved the principal's Form I-129 or Form I-129CW. Include a copy of Form I-129 or Form I-129CW approval notice to show the approved Form I-129 or Form I-129CW location.

The filing fee for Form I-539 is \$300 except for certain A and G nonimmigrants who are not required to pay a fee, as noted

Page 8: What is the Filing Fee?

	<p>biometric services.</p> <p>*****</p>	<p>in these instructions.</p> <p>An additional biometric fee of \$80 is required when filing this Form I-539 for V nonimmigrant or CW-2 nonimmigrant status. After you submit Form I-539, USCIS will notify you about when and where to go for biometric services.</p> <p>*****</p>
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