

Form I-129CW Form Table of Changes
OMB No. 1615-0111
April 5, 2011

Justification for non-substantive changes to the Form I-129CW:

The addition of two sub-boxes in Part 2 allows for the differentiation of two groups of aliens in the CNMI. Those that are applying for a grant of CW-1 status in the CNMI per 8 CFR 214.2(w)(14)(ii) who require the waiver of the certain grounds of inadmissibility under 8 CFR 214.2(w)(24) and those who are changing status under normal change of status regulations at 8 CFR 248 and do not require waivers.. Form I-129CW instructions are being amended to describe the use of the boxes.

The changes to the attestation section mirror the additions made to the rule in 8 CFR 214.2(w)(6)(ii).

LOCATION	CURRENT	PROPOSED
<p>Page 2: Part 2. Information About This Petition</p>	<p>Information About This Petition (See instructions for fee information)</p> <p>*****</p> <p>5. Requested Action (Check one):</p> <p><input type="checkbox"/> a. Notify the office in Part 4 so the person(s) can obtain a visa or be admitted.</p> <p><input type="checkbox"/> b. Change the person(s)'s status and extend their stay since the person(s) are all now in the CNMI in another status (see instructions for limitations). This is available only where you check "New Employment" in Item 2, above.</p> <p><input type="checkbox"/> c. Extend the stay of the person(s) since they now hold this status.</p> <p><input type="checkbox"/> d. Amend the stay of the person(s) since they now hold this status.</p> <p>*****</p>	<p>Information About This Petition (See instructions for fee information)</p> <p>*****</p> <p>5. Requested Action (Check one):</p> <p><input type="checkbox"/> a. Notify the office in Part 4 so the person(s) can obtain a visa or be admitted.</p> <p><input type="checkbox"/> b. Change the person(s)' status and extend their stay since the person(s) are all now in the CNMI in another status (see instructions for limitations). This option is available only where you check "New Employment" in Item 2, above. Mark the appropriate box indicating the type of status change.</p> <p><input type="checkbox"/> 1. Initial Grant of CW-1 status in CNMI.</p> <p><input type="checkbox"/> 2. Change of Federal nonimmigrant status to CW-1.</p> <p><input type="checkbox"/> c. Extend the stay of the person(s) since they now hold this status.</p> <p><input type="checkbox"/> d. Amend the stay of the person(s) since they now hold this status.</p> <p>*****</p>
<p>Page 12: Employer</p>	<p>1. There are no qualified U.S. workers available to fill the position offered by the above named petitioning employer.</p>	<p>1. There are no qualified U.S. workers available to fill the position offered by the above named petitioning employer.</p>

<p>Attestation</p>	<ol style="list-style-type: none"> 2. The above named petitioning employer is doing business as defined in the regulations at 8 CFR 214.2(w)(1)(i). 3. The above named petitioning employer is a legitimate business as defined in the regulations at 8 CFR 214.2(w)(1)(v). 4. The beneficiary meets the qualifications for the position. 5. The beneficiary, if present in the CNMI, is lawfully present in the CNMI; 6. The position is not temporary or seasonal employment and the petitioner does not reasonably believe it to qualify for any other nonimmigrant worker classification; and 7. The position falls within the list of occupations designated by the Secretary at 8 CFR 214.2(w)(1)(viii). <p>*****</p>	<ol style="list-style-type: none"> 2. The above named petitioning employer is doing business as defined in the regulations at 8 CFR 214.2(w)(1)(ii). 3. The above named petitioning employer is a legitimate business as defined in the regulations at 8 CFR 214.2(w)(1)(vi). 4. The above named petitioning employer is an eligible employer as described in 8 CFR 214.2(w)(4) and will continue to comply with the requirements for an eligible employer until such time as the employer no longer employs any CW-1 nonimmigrant worker; 5. The beneficiary meets the qualifications for the position. 6. The beneficiary, if present in the CNMI, is lawfully present in the CNMI; 7. The position is not temporary or seasonal employment and the petitioner does not reasonably believe it to qualify for any other nonimmigrant worker classification; and 8. The position falls within the list of occupations designated by the Secretary at 8 CFR 214.2(w)(1)(ix). <p>*****</p>
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