

# USCIS Update

Oct. 27, 2009

## **USCIS Amends Immigration Regulations Relating to the Commonwealth of the Northern Mariana Islands**

**WASHINGTON** – The Department of Homeland Security’s (DHS) U.S. Citizenship and Immigration Services (USCIS) today announced an interim final rule to revise the wording of certain immigration regulations and to implement provisions of the Consolidated Natural Resources Act of 2008 (CNRA) relating to the Commonwealth of the Northern Mariana Islands (CNMI). This interim final rule was published in the Federal Register jointly with the U.S. Department of Justice’s (DOJ) Executive Office for Immigration Review (EOIR). USCIS and EOIR wrote the conforming amendments to their respective regulations to comply with CNRA and to ensure that existing regulations apply to persons and entities arriving in or physically present in CNMI.

This rule specifically amends references to the geographical “United States” and its territories and possessions; alien classifications authorized for employment; documentation acceptable for Employment Eligibility Verification (Form I-9); employment of unauthorized aliens; adjustment of status of immediate relatives admitted under the Guam-CNMI Visa Waiver Program; and the regulations governing asylum and credible fear of persecution determinations. This rule also makes a technical change to correct a citation error in the regulations governing the Visa Waiver Program and the regulations governing asylum and withholding of removal.

DHS administers and enforces the Immigration and Nationality Act (INA) and most laws related to the immigration and naturalization of aliens. DOJ is responsible for the immigration courts that provide administrative adjudications of removal proceedings as well as the Board of Immigration Appeals that hears appeals of immigration court decisions and certain DHS decisions. Some changes implemented under CNRA affect existing regulations governing both DHS and DOJ. It is necessary to make amendments both to DHS and DOJ regulations so that corresponding regulations appropriately reference and include CNMI. DHS Secretary Janet Napolitano and Attorney General Eric Holder are jointly proposing conforming amendments to their respective regulations in this one rulemaking document.

The U.S. Congress passed CNRA, extending U.S. immigration laws to the CNMI, to ensure effective border controls and address national security and homeland security concerns. U.S. immigration law includes INA and “all laws, conventions, and treaties of the United States relating to the immigration, exclusion, deportation, expulsion, or removal of aliens.”

USCIS encourages the public to submit comments on this interim final rule by Nov. 27, 2009. All submissions must include be identified by “DHS Docket No. USCIS-2008-0039” and can be submitted in one of the following ways:

- Internet - at the Federal e-Rulemaking Portal: <http://www.regulations.gov>
- E-mail - to USCIS at [rfs.regs@dhs.gov](mailto:rfs.regs@dhs.gov) , including “DHS Docket No. USCIS- 2008-0039” in the subject line Mail/Hand Delivery/Courier - Paper, disk, or CD-ROM submissions to: Chief, Regulatory Products Division, DHS-USCIS, 111 Massachusetts Avenue, NW, Suite 3008, Washington, DC 20529. Reference “DHS Docket No. USCIS-2008-0039” in the correspondence. Contact telephone number is (202) 272-8377.

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