



U.S. Citizenship and Immigration Services

USCIS Will Begin Accepting CW-1 Petitions for Fiscal Year 2019 on April 2, 2018

First-time CW-1 Lottery Ensures Fairness to CNMI Employers

On April 2, 2018, U.S. Citizenship and Immigration Services (USCIS) will begin accepting petitions under the Commonwealth of the Northern Mariana Islands (CNMI)-Only Transitional Worker (CW-1) program subject to the fiscal year (FY) 2019 cap. Employers in the CNMI use the CW-1 program to employ foreign workers who are ineligible for other nonimmigrant worker categories. The cap for CW-1 visas for FY 2019 is 4,999.

For the FY 2019 cap, USCIS encourages employers to file a petition for a CW-1 nonimmigrant worker up to six months in advance of the proposed start date of employment and as early as possible within that timeframe. USCIS will reject a petition if it is filed more than six months in advance. An extension petition may request a start date of Oct. 1, 2018, even if that worker's current status will not expire by that date.

Since USCIS expects to receive more petitions than the number of CW-1 visas available for FY 2019, USCIS may conduct a lottery to randomly select petitions and associated beneficiaries so that the cap is not exceeded. The lottery would give employers the fairest opportunity to request workers, particularly with the possibility of mail delays from the CNMI.

USCIS will count the total number of beneficiaries in the petitions received after 10 business days to determine if a lottery is needed. If the cap is met after those initial 10 days, a lottery may still need to be conducted with only the petitions received on the last day before the cap was met. USCIS will announce when the cap is met and whether a lottery has been conducted.

Employers must submit the most recent version of [Form I-129CW, Petition for a CNMI-Only Nonimmigrant Transitional Worker](#), along with:

- The \$200 mandatory CNMI education funding fee; and
- The \$460 filing fee for each CW-1 petition.

USCIS will reject any petition that includes an incorrect or insufficient fee payment.

For more information on the CW-1 cap, visit the CNMI-Only Transitional Worker [\(CW-1\) Cap page](#).

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