

**Instructions for Supplement A to Form I-539,
(Filing Instructions for V Nonimmigrant Status)****Instructions**

Please read these instructions carefully to properly complete this form. If you need more space to complete an answer, use a separate sheet(s) of paper. Write your name and Alien Registration Number (A #), if any, at the top of each sheet of paper and indicate the part and number of the item to which the answer refers.

What Is the Purpose of This Form?

This form contains additional instructions for Form I-539, Application to Extend/Change Nonimmigrant Status, for aliens physically in the United States who are applying to the U.S. Citizenship and Immigration Services (USCIS) for V nonimmigrant status. **If you are not applying to obtain V nonimmigrant status, you do not need to use this form.** Aliens who are applying for V nonimmigrant status should complete Form I-539, and follow the instructions contained in this Supplement A to Form I-539 as well as those contained in Form I-539.

NOTE: Aliens who are using this form in conjunction with the Form I-539 do not necessarily have to be in a valid nonimmigrant status to obtain V nonimmigrant status in the United States. See "Who Is Eligible for V Nonimmigrant Status?" below.

Who May File This Form I-539A?**Who Is Eligible for V Nonimmigrant Status?**

To be eligible for V nonimmigrant status, an alien must be the spouse or child of a lawful permanent resident and be the beneficiary of a properly filed Form I-130, Petition for Alien Relative, filed on or before December 21, 2000. In addition, the Form I-130 must have been filed three or more years prior to the date of filing Supplement A to Form I-539, and be:

1. Still pending; or
2. Approved, and the alien beneficiary must either:
 - A. Be waiting for an immigrant visa number to become available; or
 - B. If the visa number is immediately available, the alien must have pending an application for adjustment of status or an application for an immigrant visa.

In addition, applicants must be admissible to the United States, except where the grounds of inadmissibility do not apply or have been waived. The grounds of inadmissibility that do not apply are Immigration and Nationality Act (INA), sections:

1. 212(a)(6)(A) -- Aliens present without admission or parole;

2. 212(a)(7) -- Aliens without valid passports, visas, or other entry documents; and
3. 212(a)(9)(B) -- Aliens who were unlawfully present for more than 180 days, then departed, and seek admission while barred from doing so.

General Instructions.**Step 1. Fill Out the Form I-539**

1. Type or print legibly in black ink.
2. If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, and date and sign each sheet.
3. Answer all questions fully and accurately. State that an item is not applicable with "N/A." If the answer is none, write "none."

Additional Instruction For Completing Form I-539

1. The applicant should check box "b" in **Part 2** of Form I-539, and indicate "V" in the provided space;
2. The applicant should use information from the qualifying Form I-130 for his or her response to **Part 3, Question 4** of Form I-539.

Step 2. General requirements

In addition, the following must be submitted:

1. Form I-693, Medical Examination of Aliens Seeking Adjustment of Status, without the vaccination supplement; and
2. **Additional Initial Evidence.** An alien applying for V status with USCIS should submit proof of filing of the immigrant petition that qualifies the alien for V status, and if necessary, proof of filing of the Form I-485, Application to Register Permanent Residence or Adjust Status. Proof of filing may be in the form of Form I-797, Notice of Action, that serves as a receipt or as a notice of approval, or a receipt for a filed Form I-130 or Form I-485, or notice of approval issued by a local field office.

If the alien does not have such proof, USCIS will review other forms of evidence, such as correspondence to or from USCIS regarding a pending petition.

Copies. Unless specifically required that an original document be filed with an application or petition, an ordinary legible photocopy may be submitted. Original documents submitted when not required will remain a part of the record, even if the submission was not required.

Where To File?

Aliens seeking V nonimmigrant status should submit their Form I-539 application to:

USCIS
P.O. Box 7216
Chicago, IL 60680 - 7216

What Is the Filing Fee?

For further information on the filing fee, see Form I-539 instructions.

Address Changes.

If you change your address and you have an application or petition pending with USCIS, you may change your address on-line at www.uscis.gov, click on "Change your address with USCIS" and follow the prompts or by completing and mailing Form AR-11, Alien's Change of Address Card, to:

U.S. Citizenship and Immigration Services
Change of Address
P.O. Box 7134
London, KY 40742-7134

For commercial overnight or fast freight services only, mail to:

U.S. Citizenship and Immigration Services
Change of Address
1084-I South Laurel Road
London, KY 40744

USCIS Forms and Information.

To order USCIS forms, call our toll-free number at **1-800-870-3676**. You can also get USCIS forms and information on immigration laws, regulations and procedures by telephoning our National Customer Service Center at **1-800-375-5283** or visiting our internet website at www.uscis.gov.

As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our internet-based system, **InfoPass**. To access the system, visit our website. Use the **InfoPass** appointment scheduler and follow the screen prompts to set up your appointment.

InfoPass generates an electronic appointment notice that appears on the screen.

Penalties.

If you knowingly and willfully falsify or conceal a material fact or submit a false document with this Form I-539A, we will deny the Form I-539 and may deny any other immigration benefit.

In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

Privacy Act Notice.

We ask for the information on this form, and associated evidence, to determine if you have established eligibility for the immigration benefit for which you are filing. Our legal right to ask for this information can be found in the Immigration and Nationality Act, as amended. We may provide this information to other government agencies. Failure to provide this information, and any requested evidence, may delay a final decision or result in denial of your Form I-539.

Paperwork Reduction Act.

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 30 minutes per response, including the time for reviewing instructions, completing and submitting the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Management Division, 111 Massachusetts Avenue, N.W., 3rd Floor, Suite 3008, Washington, DC 20529. OMB No. 1615-0004. **Do not mail your application to this address.**