

TABLE OF CHANGES – INSTRUCTIONS
Instructions for Supplement A to Form I-539
OMB Number: 1615-0003
04/27/2018

Reason for Revision: Revision with standard language changes.

Legend for Proposed Text:

- Black font = Current text
- Purple font = Standard language
- Red font = Changes

Current Page Number and Section	Current Text	Proposed Text
<p>Page 1, What Is the Purpose of This Form?</p>	<p>[Page 1]</p> <p>What Is the Purpose of This Form?</p> <p>Use Supplement A if you are physically in the United States and are applying to U.S. Citizenship and Immigration Services (USCIS) for V nonimmigrant status. Supplement A is part of Form I-539. Follow these instructions and the instructions in Form I-539, and complete Form I-539 and Supplement A. If you are not applying for V nonimmigrant status, you do not need to use this Supplement.</p> <p>NOTE: If you are filing Supplement A with Form I-539, you do not necessarily have to be in valid nonimmigrant status to obtain V nonimmigrant status in the United States. See Who Is Eligible for V Nonimmigrant Status below.</p>	<p>[Page 1]</p> <p>What Is the Purpose of Form I-539A?</p> <p>Form I-539A is part of Form I-539. If you are applying for more than one person using your I-539 application, use a separate Form I-539A to provide all of the requested information for each additional applicant listed. Each Form I-539A must include the signature of the individual applicant. If you are under 14 years of age, your parent or legal guardian may sign the application on your behalf. A legal guardian may also sign for a mentally incompetent person.</p> <p>[deleted]</p>
<p>New</p>		<p>[Page 1]</p> <p>Special Instructions for V Nonimmigrants</p> <p>If you are physically present in the United States and are applying for V nonimmigrant status, see the Who Is Eligible for V Nonimmigrant Status section below.</p> <p>NOTE: If you are filing Form I-539A, you do not necessarily have to be in valid nonimmigrant status to obtain V nonimmigrant status in the United States.</p>

		See the Who Is Eligible for V Nonimmigrant Status section for more information.
Page 1, Who Is Eligible for V Nonimmigrant Status?	<p>[Page 1]</p> <p>Who Is Eligible for V Nonimmigrant Status?</p> <p>To be eligible for V nonimmigrant status, you 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, Form I-130 must have been filed 3 or more years prior to the date of filing Supplement A to Form I-539, and be:</p> <ol style="list-style-type: none"> 1. Still pending; or 2. Approved, and your beneficiary must either: <ol style="list-style-type: none"> A. Wait for an immigrant visa number to become available; or B. If the visa number is immediately available, you must have pending an application for adjustment of status or an application for an immigrant visa. <p>In addition, you 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 INA sections:</p> <ol style="list-style-type: none"> 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. <p>Additional Instructions</p> <ol style="list-style-type: none"> 1. Select Item Number 2.a. in Part 2, Application Type of Form I-539, and indicate "V" in Item Number 2.b. 	<p>[Page 1]</p> <p>[no change]</p> <p>To be eligible for V nonimmigrant status, you 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, 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:</p> <p>[no change]</p> <p>In addition, you 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:</p> <p>[no change]</p> <ol style="list-style-type: none"> 1. Select Part 2. Application Type, Item Number 3.a. of Form I-539, and indicate "V" in Item Number 3.c.

	<p>2. Use information from the qualifying Form I-130 for your response to Part 3, Item Number 3.a. of Form I-539.</p> <p>Additional Evidence Requirements</p> <p>In addition to the General Filing Instructions and Initial Evidence required by the Form I-539 instructions, you must submit:</p> <ol style="list-style-type: none"> 1. Form I-693, Report of Medical Examination and Vaccination Record, without the vaccination supplement; and 2. Proof of filing of the immigrant petition that qualifies you for V nonimmigrant status, and if necessary, proof of filing of 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 district/field office. <p>If you do not have such proof, USCIS will review other forms of evidence, such as correspondence to or from USCIS regarding a pending petition.</p> <p>If you do not have any of the above items, but believe you are eligible for V nonimmigrant status, you must state where and when the petition was filed, the name and alien registration number of the petitioner, and the names of all beneficiaries.</p>	<p>2. Use information from the qualifying Form I-130 for your response to Part 3., Item Number 3.a. of Form I-539.</p> <p>Additional Evidence Requirements for V Nonimmigrants</p> <p>In addition to the General Filing Instructions and Initial Evidence required by the Form I-539 Instructions, you must submit:</p> <p>[no change]</p> <p>[Page 2]</p>
<p>Page 2, What Is the Filing Fee?</p>	<p>[Page 2]</p> <p>What Is the Filing Fee?</p> <p>In addition to the required application fee of \$370 for Form I-539, you must remit the biometrics services fee of \$85 as required by 8 CFR 103.17. If necessary, USCIS may also take your photograph and signature as part of the biometrics services requirements.</p>	<p>[Page 2]</p> <p>What Is the Filing Fee?</p> <p>See the Form I-539 Instructions for required fees.</p>

[deleted]

NOTE: The filing fee and biometric services fee are not refundable, regardless of any action USCIS takes on this application. **DO NOT MAIL CASH.** You must submit all fees in the exact amounts.

Use the following guidelines when you prepare your checks or money orders for the Form I-539 filing fee and biometric services fee:

1. The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; **and**
2. Make the checks or money orders payable to **U.S. Department of Homeland Security.**

NOTE: Spell out U.S. Department of Homeland Security; do not use the initials “USDHS” or “DHS.”

Notice to Those Making Payment by Check. If you send us a check, USCIS will convert it into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours and your bank will show it on your regular account statement.

You will not receive your original check back. We will destroy your original check, but will keep a copy of it. If USCIS cannot process the EFT for technical reasons, you authorize us to process the copy in place of your original check. If your check is returned as unpayable, USCIS will re-submit the payment to the financial institution one time. If the check is returned as unpayable a second time, we will reject your application and charge you a returned check fee.

How To Check If the Fees Are Correct

Form I-539's filing fee is current as of the edition date in the lower left corner of this page. However, because USCIS fees change periodically, you can verify that the

	<p>fees are correct by following one of the steps below.</p> <ol style="list-style-type: none"> 1. Visit the USCIS website at www.uscis.gov, select "FORMS" and check the appropriate fee; or 2. Call the USCIS National Customer Service Center at 1-800-375-5283 and ask for the fee information. For TTY (deaf or hard of hearing) call: 1-800-767-1833. <p>Fee Waiver</p> <p>You may be eligible for a fee waiver under 8 CFR 103.7(c). If you believe you are eligible for a fee waiver, complete Form I-912, Request for Fee Waiver (or a written request), and submit it and any required evidence of your inability to pay the filing fee with this application. You can review the fee waiver guidance at www.uscis.gov/feewaiver.</p>	
<p>Page 2, Where to File?</p>	<p>[Page 2]</p> <p>Where to File?</p> <p>Please see our website at www.uscis.gov/i-539 or call our National Customer Service Center at 1-800-375-5283 for the most current information about where to file this benefit request. For TTY (deaf or hard of hearing) call: 1-800-767-1833.</p>	<p>[Page 2]</p> <p>Where to File?</p> <p>See the Form I-539 Instructions for filing instructions.</p>
<p>Page 2, Penalties</p>	<p>[Page 2]</p> <p>Penalties</p> <p>If you knowingly and willfully falsify or conceal a material fact or submit a false document with this request, we will deny the benefit you are filing for, and may deny any other immigration benefit. In addition, you will face severe penalties provided by law, and may be subject to criminal prosecution.</p>	<p>[Page 2]</p> <p>Penalties</p> <p>If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-539, we will deny your 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.</p>
<p>New</p>		<p>[Page 2]</p> <p>USCIS Compliance Review and Monitoring</p> <p>By signing this request, you have stated under penalty of perjury (28 U.S.C. section 1746) that all information and</p>

		<p>documentation submitted with this request is complete, true, and correct. The Department of Homeland Security (DHS) has the authority to verify any information you submit to establish eligibility for the immigration benefit you are seeking at any time. USCIS' legal authority to verify this information is in 8 U.S.C. sections 1103 and 1184, and 8 CFR parts 103, 214, and 248. To ensure compliance with applicable laws and authorities, USCIS may verify information before or after your case is decided. Agency verification methods may include, but are not limited to: review of public records and information; contact via written correspondence, the Internet, facsimile, other electronic transmission, or telephone; unannounced physical site inspections of residences and locations of employment; and interviews. USCIS will use information obtained through verification to assess your compliance with the laws and to determine your eligibility for an immigration benefit. Subject to the restrictions under 8 CFR 103.2(b)(16), USCIS will provide you with an opportunity to address any adverse or derogatory information that may result from a USCIS compliance review, verification, or site visit after a formal decision is made on your case or after the agency has initiated an adverse action which may result in revocation or termination of an approval.</p>
<p>Page 3, USCIS Privacy Act Statement</p>	<p>[Page 3]</p> <p>USCIS Privacy Act Statement</p> <p>AUTHORITIES: The information requested on this form, and the associated evidence, is collected under the Immigration and Nationality Act, section 101, <i>et seq.</i></p> <p>PURPOSE: The primary purpose for providing the requested information on this form is to determine if you have established eligibility for the immigration benefit for which you are filing. The information you provide will be used to grant or deny the benefit sought.</p>	<p>[Page 2]</p> <p>DHS Privacy Notice</p> <p>AUTHORITIES: The information requested on this form, and the associated evidence, is collected under the Immigration and Nationality Act sections 1103 and 1184, and Title 8 of the Code of Federal Regulations (CFR) parts 103, 214, and 248.</p> <p>PURPOSE: The primary purpose for providing the requested information on this form is to apply for an extension of stay or a change from one nonimmigrant category to another nonimmigrant category. DHS will use the information you provide to grant or deny the immigration benefit you are seeking.</p>

	<p>DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision or result in denial of your form.</p> <p>ROUTINE USES: The information you provide on this form may be shared with other Federal, State, local, and foreign government agencies and authorized organizations following approved routine uses described in the associated published system of records notices [DHS/USCIS-007 - Benefits Information System and DHS/USCIS-ICE-CBP-001 - Alien File, Index, and National File Tracking System of Records, which can be found at www.dhs.gov/privacy]. The information may also be made available, as appropriate, for law enforcement purposes or in the interest of national security.</p>	<p>DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, including your Social Security number (if applicable), and any requested evidence, may delay a final decision or result in denial of your form.</p> <p>[Page 3]</p> <p>ROUTINE USES: DHS may share the information you provide on this form and any additional requested evidence with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [DHS/USCIS-001 - Alien File, Index, and National File Tracking System and DHS/USCIS-007 - Benefits Information System] and the published privacy impact assessment [DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System and Associated Systems], which can be found at www.dhs.gov/privacy. DHS may also share this information, as appropriate, for law enforcement purposes or in the interest of national security.</p>
<p>Page 3, Paperwork Reduction Act</p>	<p>[Page 3]</p> <p>Paperwork Reduction Act</p> <p>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 and 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 Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140; OMB No. 1615-0004. Do not mail your completed Form I-539 to this address.</p>	<p>[Page 3]</p> <p>Paperwork Reduction Act</p> <p>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 Office of Management and Budget (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, gathering the required documentation and information, completing the application, preparing statements, attaching necessary documentation, and submitting the application. 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 Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW,</p>

		Washington, DC 20529-2140; OMB No. 1615-0004. Do not mail your completed Form I-539A to this address.
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