BASIC I-539 INFORMATION FOR H-1B
(Revised 12/16/2019)

Form I-539 Application to Extend/Change Nonimmigrant Status
Basic Guidance for Dependents of an H1B Status Holder

When to Use Form I-539
USCIS Form I-539 is used for the following reasons by a foreign national who is already in the U.S.:
• Change to a non-immigrant status, such as H-4, from another valid non-immigrant status, such as F-1.
• Extend a specific non-immigrant visa status, such as H-4, which is currently held by a given foreign national.

IMPORTANT NOTES:
• The dependent spouse of an H-1B employee (if applicable), or oldest child of an H-1B employee (if there is no dependent spouse), should complete Form I-539 as “the Applicant.”
• Alternatively, the H-1B employee should complete Form I-539 as “the Applicant” ONLY if the employee is applying to change his/her own non-immigrant status – from H-1B to H-4, for example.
• In addition, USCIS recently created a new document to be aware of, Form I-539A, an important supplement to Form I-539.
  o Every Co-Applicant included on the primary Applicant’s Form I-539 must submit and sign a separate Form I-539A. Parents or guardians may sign on behalf of children under age 14.
• Each Applicant and Co-Applicant must pay a separate $85 biometric services fee, by attaching separate checks or money orders. Biometric services fees are in addition to Form I-539 application fees.
  o (“Biometric services” means required fingerprinting).
  o According to USCIS, every Applicant and Co-Applicant will receive a biometric services appointment notice after filing Form I-539/I-539A, regardless of age, containing their individual receipt number. The biometric services appointments will be scheduled at the Application Support Center (ASC) closest to the primary Applicant’s address s/he provided in Form I-539.

The most current versions of Form I-539, Form I-539A, and the Instructions for Completing Form I-539 are each available to view/download at USCIS’ website at: https://www.uscis.gov/i-539.
• It is very important to first thoroughly read the Instructions for Completing Form I-539 available on the USCIS website. Additionally, before filing the Form, make sure to include all required supporting documents with your application package, as detailed in the I-539 Instructions.