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NATIONAL LAW REVIEW

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## USCIS Makes Significant Changes to Form I-539 Beginning March 11, 2019

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Tuesday, February 19, 2019

USCIS recently announced that beginning March 11, 2019 it will require use of a new version of Form I-539 Application to Extend/Change Nonimmigrant Status, a form commonly used to extend or change the status of H-4 and L-2 dependents. USCIS stated it will also require use of a new Form I-539A, Supplemental Information for Application to Extend/Change Nonimmigrant Status. At present, there is no grace period for continued use of prior editions of the form, and no preview of the new version is currently available.

### **This revision will have the following implications:**

- Every applicant and co-applicant will be required to pay an \$85 biometric service fee;
- Every applicant and co-applicant must attend a biometric services (fingerprinting) appointment, which will be scheduled at the Application Support Center (ASC) closest to the applicant's address; and
- Every co-applicant must sign a separate Form I-539A. Parents or guardians may sign on behalf of children under 14 or any co-applicant who is not mentally competent.

This revision may significantly affect processing timelines. Although Form I-539 is not eligible for premium processing when filed individually, USCIS' current practice is typically to approve H-4 or L-2 status at the same time as a premium processed H-1B or L-1 as a courtesy. USCIS has not clarified how completion of biometrics will impact H-4 or L-2 processing, but it is expected that the new biometric requirement will delay the process, possibly resulting in lag time between an employee's H-1B or L-1 approval and the H-4 or L-2 approval of dependents, particularly when premium processing is used.

After March 11, 2019, USCIS will reject the old version and any submission that does not include each applicant's signature.

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**Source URL:** <https://www.natlawreview.com/article/uscis-makes-significant-changes-to-form-i-539-beginning-march-11-2019>

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Article By [David Castillo Gocher](#)  
[Katie P. Jacob](#) Dinsmore & Shohl LLP  
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