

Comment Submitted by Xuan Luo

-
- **Docket ID:**USCIS-2007-0038
 - **Document Type:**Public Submission
 - **Document Subtype:**Comment(s)
 - **Status:**Posted
 - **Received Date:**Mar 27, 2018
 - **Comment Start Date:**Feb 15, 2018
 - **Comment Due Date:**Apr 16, 2018

Comment

View document:

In the I-539 instructions, page 1, under "Who May File Form I-539", "Nonimmigrant Categories", it says "This application may be used by the following nonimmigrants, listed in alphabetical order." For people applying for Change of Status, this text seems to indicate that they should look under the subsection for their existing status, and not for the status they are changing into. But this wouldn't make sense, as the requirements in the subsection for each status are about requirements to show one is eligible to be granted status. Also, some statuses, like H1b, are not listed, but it is possible to apply for Change of Status from H1b to one of the statuses listed here, like B2. It would make more sense if a Change of Status applicant should look under the status they are changing into (and the statuses that are not listed, like H1b, are not listed because they can only be changed into via I-129 and not I-539). The text in the instructions should be clarified to indicate that Change of Status applicants should look under the status they are seeking Change of Status into.