

Appendix: Summary of Nonimmigrant Categories Subject to Public Benefits Condition

Summary of Nonimmigrant Categories Subject to Public Benefits Condition

Category	Eligible to Apply for Extension of Stay (May File Form I-129 or Form I-539)*	Eligible to Apply for Change of Status (May File Form I-129 or Form I-539)*	Subject to Public Benefits Condition under 8 CFR 214.1(a)(3)(iv) ; 8 CFR 248.1(a) ; 8 CFR 248.1(c)(4)
<p>A-1 - Ambassador, Public Minister, Career Diplomat or Consular Officer, or Immediate Family</p> <p>A-2 - Other Foreign Government Official or Employee, or Immediate Family</p> <p>INA 101(a)(15)(A), 22 CFR 41.21</p>	<p>No. Not applicable as admitted for duration of status under 8 CFR 214.1(c)(3)(v)</p>	<p>Yes. Files Form I-539, per 8 CFR 248.1(a)</p>	<p>No, per INA 102 and 22 CFR 41.21(d)</p>
<p>A-3 - Attendant, Servant, or Personal Employee of A-1 or A-2, or Immediate Family</p> <p>INA 101(a)(15)(A), 22 CFR 41.21</p>	<p>Yes. Files Form I-539, per 8 CFR 214.1(c)(2)</p>	<p>Yes. Files Form I-539, per 8 CFR 248.1(a)</p>	<p>Yes, per INA 102 and 22 CFR 41.21(d)(3)</p>
<p>B-1 - Temporary Visitor for Business</p> <p>B-2 - Temporary Visitor for Pleasure (not admitted under Visa Waiver Program)</p> <p>INA 101(a)(15)(B)</p>	<p>Yes. Files Form I-539, per 8 CFR 214.1(c)(2) and 8 CFR 214.2(b)(1)</p>	<p>Yes. Files Form I-539, per 8 CFR 248.1(a)</p>	<p>Yes</p>
<p>C-1 - Alien in Transit</p> <p>C-1/D - Combined Transit and Crewmember Visa</p> <p>INA 101(a)(15)(C) and (D), INA 212(d)(8)</p>	<p>No, per 8 CFR 214.1(c)(3)(ii)</p>	<p>No, per 8 CFR 248.2(a)(2), except for change to T and U status, 8 CFR 248.2(b), using Form I-914 or I-918</p>	<p>Not applicable as not eligible for extension of stay or change of status</p>

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Category	Eligible to Apply for Extension of Stay (May File Form I-129 or Form I-539)*	Eligible to Apply for Change of Status (May File Form I-129 or Form I-539)*	Subject to Public Benefits Condition under 8 CFR 214.1(a)(3)(iv) ; 8 CFR 248.1(a) ; 8 CFR 248.1(c)(4)
C-2 - Alien in Transit to United Nations Headquarters District Under Section 11.(3), (4), or (5) of the Headquarters Agreement INA 101(a)(15)(C) and (D) , INA 212(d)(8)	No. Not applicable as admitted for duration of status, per 8 CFR 214.1(c)(3)(ii)	No, per 8 CFR 248.2(a)(2) , except for change to T and U status, 8 CFR 248.2(b) , using Form I-914 or I-918	No, per 22 CFR 41.21(d)
C-3 - Foreign Government Official, Immediate Family, Attendant, Servant or Personal Employee, in Transit INA 101(a)(15)(C) and (D) , INA 212(d)(8)	No, per 8 CFR 214.1(c)(3)(ii)	No, per 8 CFR 248.2(a)(2) , except for change to T and U status, 8 CFR 248.2(b) , using Form I-914 or I-918	No, per 22 CFR 41.21(d)
CW-1 - Commonwealth of Northern Mariana Islands Transitional Worker Section 6(d) of Pub. L. 94-241 (March 24, 1976), as added by Section 702(a) of Pub. L. 110-229 (May 8, 2008). 8 CFR 214.2(w)	Yes. Files Form I-129CW, per 8 CFR 214.1(c)(2) and 8 CFR 214.2(w)(17)	Yes. Files Form I-129CW, per 8 CFR 248.1(a) ; 8 CFR 214.2(w)(18)	Yes
CW-2 - Spouse or Child of CW-1	Yes. Files Form I-539, per 8 CFR 214.1(c)(2) and 8 CFR 214.2(w)(17)(v)	Yes. Files Form I-539, per 8 CFR 248.1(a) ; 8 CFR 214.2(w)(18)	Yes
D-1 - Crewmember (Sea or Air) D-2 - Crewmember	No, per 8 CFR 214.1(c)(3)(iii)	No, per 8 CFR 248.2(a)(2) , except for change to T and U status, 8 CFR	Yes

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Category	Eligible to Apply for Extension of Stay (May File Form I-129 or Form I-539)*	Eligible to Apply for Change of Status (May File Form I-129 or Form I-539)*	Subject to Public Benefits Condition under 8 CFR 214.1(a)(3)(iv) ; 8 CFR 248.1(a) ; 8 CFR 248.1(c)(4)
Departing from a Different Vessel than One of Arrival INA 101(a)(15)(D)		248.2(b) , using Form I-914 or Form I-918	
E-1, E-2 - Treaty Trader (Principal) INA 101(a)(15)(E)	Yes. Files Form I-129, per 8 CFR 214.1(c)(1) ; 8 CFR 214.2(e)(20)	Yes, Files Form I-129, per 8 CFR 248.1(a) and 8 CFR 214.2(e)(21)(i)	Yes
E-1, E-2 - Treaty Trader, Spouse or Child INA 101(a)(15)(E)	Yes. Files Form I-539, per 8 CFR 214.1(c)(2)	Yes. Files Form I-539, per 8 CFR 214.2(e)(21)(ii)	Yes
E-2-CNMI - Commonwealth of Northern Mariana Islands Investor (Principal) Section 6(c) of Pub. L. 94-241 (March 24, 1976), as added by Section 702(a) of Pub. L. 110-229 (May 8, 2008). 8 CFR 214.2(e)(23)	Yes. Files Form I-129, per 8 CFR 214.2(e)(23)(xii)	Yes. Files Form I-129, per 8 CFR 248.1(a) and 8 CFR 214.2(e)(23)(xiii)	Yes
E-2-CNMI - Commonwealth of Northern Mariana Islands Investor, Spouse or Child Section 6(c) of Pub. L. 94-241 (March 24, 1976), as added by Section 702(a) of Pub. L. 110-229 (May 8, 2008). 8 CFR 214.2(e)(23)(x)	Yes. Files Form I-539, per 8 CFR 214.1(c)(2)	Yes. Files Form I-539, per 8 CFR 248.1(a)	Yes

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Category	Eligible to Apply for Extension of Stay (May File Form I-129 or Form I-539)*	Eligible to Apply for Change of Status (May File Form I-129 or Form I-539)*	Subject to Public Benefits Condition under 8 CFR 214.1(a)(3)(iv) ; 8 CFR 248.1(a) ; 8 CFR 248.1(c)(4)
E-3 - Australian Treaty Alien Coming to the United States Solely to Perform Services in a Specialty Occupation	Yes. Files Form I-129, per 8 CFR 214.1(c)(1)-(2)	Yes. Files Form I-129, per 8 CFR 248.1(a)	Yes
E-3D - Spouse or Child of E-3 E-3R - Returning E-3 INA 101(a)(15)(E)(iii)	Yes. Files I-539, per 8 CFR 214.1(c)(1)-(2)	Yes. Files I-539, per 8 CFR 248.1(a)	Yes
F-1 - Student in an Academic or Language Training Program (Principal) INA 101(a)(15)(F)	Yes, only if the F-1 requesting reinstatement to F-1 status or if the F-1 received a date-specific admission to attend high school and is now seeking an extension to D/S to attend college. 8 CFR 214.1(c)(3)(v) ; 8 CFR 214.2(f)(7) ; 8 CFR 214.2(f)(16)	Yes. Files Form I-539, per 8 CFR 248.1(a)	Yes
F-2 - Spouse or Child of F-1 INA 101(a)(15)(F)	No, not applicable as admitted for duration of status. 8 CFR 214.1(c)(3)(v) ; 8 CFR 214.2(f)(3)	Yes. Files Form I-539, per 8 CFR 214.2(f)(3)	Yes
G-1 - Principal Resident Representative of Recognized Foreign	No, not applicable as admitted for	Yes. Files Form I-539, per 8 CFR 248.1(a)	No, per 22 CFR 41.21(d)

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<p>Government to International Organization, Staff, or Immediate Family</p> <p>G-2 - Other Representative of Recognized Foreign Member Government to International Organization, or Immediate Family</p> <p>G-3 - Representative of Nonrecognized or Nonmember Foreign Government to International Organization, or Immediate Family</p> <p>G-4 - International Organization Officer or Employee, or Immediate Family</p> <p>INA 101(a)(15)(G)</p>	<p>duration of status 8 CFR 214.1(c)(3)(v)</p>		
<p>G-5 - Attendant, Servant, or Personal Employee of G-1 through G- 4, or Immediate Family.</p>	<p>Yes. Files Form I-539, per 8 CFR 214.1(c)(2)</p>	<p>Yes. Files Form I-539, per 8 CFR 248.1(a)</p>	<p>Yes</p>
<p>H-1B - Alien in a Specialty Occupation, Fashion Models of Distinguished Merit and Ability, and</p>	<p>Yes. Files Form I-129, per 8 CFR 214.1(c)(1)</p>	<p>Yes. Files Form I-129, per 8 CFR 248.1(a)</p>	<p>Yes</p>

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<p>workers performing services of exceptional merit and ability relating to a Department of Defense (DOD) cooperative research and development project</p> <p>INA 101(a)(15)(H)(i)(b); Section 222 of Pub. L. 101-649 (November 29, 1990).</p>			
<p>H-1B1 - Chilean or Singaporean National to Work in a Specialty Occupation</p> <p>INA 101(a)(15)(H)(i)(b1)</p>	<p>Yes. Files Form I-129, per 8 CFR 214.1(c)(1)</p>	<p>Yes. Files Form I-129, per 8 CFR 248.1(a)</p>	<p>Yes</p>
<p>H-1C¹ - Nurse in Health Professional Shortage Area</p> <p>INA 101(a)(15)(H)(i)(c)</p>	<p>Yes. Files Form I-129, per 8 CFR 212.2(h)(4)(v)(E)</p>	<p>Yes. Files Form I-129, per 8 CFR 212.2(h)(4)(v)(E)</p>	<p>Yes</p>
<p>H-2A- Temporary Worker Performing Agricultural Services Unavailable in the United States</p> <p>INA 101(a)(15)(H)(ii)(a)</p>	<p>Yes. Files Form I-129, per 8 CFR 214.1(c)(1)</p>	<p>Yes. Files Form I-129</p>	<p>Yes</p>
<p>H-2B - Temporary Worker Performing Other Services Unavailable in the United</p>	<p>Yes. Files Form I-129, per 8 CFR 214.1(c)(1)</p>	<p>Yes. Files Form I-129</p>	<p>Yes</p>

¹ This classification can no longer be sought as of December 20, 2009. See the Nursing Relief for Disadvantaged Areas Reauthorization Act of 2005, [Pub. L. 109-423](#).

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States INA 101(a)(15)(H)(ii)(b)			
H-3 - Trainee INA 101(a)(15)(H)(iii)	Yes. Files Form I-129, per 8 CFR 214.1(c)(1)	Yes. Files Form I-539	Yes
H-4 - Spouse or Child of Alien Classified H1B/B1/C, H2A/B, or H-3 INA 101(a)(15)(H)(iv)	Yes. Files Form I-539, per 8 CFR 214.1(c)(2)	Yes. Files Form I-539, per 8 CFR 248.1(a)	Yes
I - Representative of Foreign Information Media, Spouse and Child INA 101(a)(15)(I)	No, not applicable as admitted for duration of status, per 8 CFR 214.1(c)(3)(v)	Yes. Files Form I-539.	Yes
J-1 - Exchange Visitor J-2 - Spouse or Child of J-1 INA 101(a)(15)(J) .	No, not applicable, as generally admitted for duration of status, ² per 8 CFR 214.1(c)(3)(v)	Yes, subject to receiving a waiver of the foreign residence requirement, if necessary, files Form I-539, per 8 CFR 248.2(a)(4) ; may apply for change to T and U status, using for Form I-914 or Form I-918, per 8 CFR 248.2(b)	Yes
K-1 - Fiancé(e) of U.S. Citizen	No, per 8 CFR 214.1(c)(3)(iv)	No, per 8 CFR 248.2(a)(2) , except for change to T and	Not applicable

² J nonimmigrant who are admitted for a specific time period are not eligible for an extension of stay.

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K-2 - Child of Fiancé(e) of U.S. Citizen INA 101(a)(15)(K)		U status, per 8 CFR 248.2(b) , using Form I-914 or Form I-918	
K-3 - Spouse of U.S. Citizen awaiting availability of immigrant visa K-4 - Child of K-3 INA 101(a)(15)(K)	Yes. Files Form I-539, per 8 CFR 214.1(c)(2) and 8 CFR 214.2(k)(10)	No, per 8 CFR 248.2(2) , except for change to T and U status, 8 CFR 248.2(b) , using Form I-914 or I-918	Yes
L-1 - Intracompany Transferee (Executive, Managerial, and Specialized Knowledge Personnel Continuing Employment with International Firm or Corporation) INA 101(a)(15)(L)	Yes. Files Form I-129, per 8 CFR 214.1(c)(1)	Yes. Files Form I-129, per 8 CFR 248.1(a)	Yes
L-2 - Spouse or Child of Intracompany Transferee	Yes. Files Form I-539, per 8 CFR 214.1(c)(1)-(2)	Yes. Files Form I-539, per 8 CFR 248.1(a)	Yes
M-1 - Vocational Student or Other Nonacademic Student INA 101(a)(15)(M)	Yes. Files Form I-539, per 8 CFR 214.1(c)(2)	Yes. Files Form I-539. Not eligible if requesting F-1 status, per 8 CFR 248.1(c)(1)	Yes
M-2 - Spouse or Child of M-1 INA 101(a)(15)(M)	Yes. Files Form I-539, per 8 CFR 214.1(c)(2)	Yes. Files Form I-539	Yes

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<p>N-8 - Parent of an Alien Classified SK3 (Unmarried Child Employee of International Organization) or SN-3</p> <p>N-9 - Child of N-8 or of SK-1 (Retired Employee International Organization), SK-2 (Spouse), SK-4 (Surviving Spouse), SN-1 (Certain Retired NATO 6 Civilian Employee), SN-2 (Spouse) or SN-4 (Surviving Spouse)</p> <p>INA 101(a)(15)(N)</p>	<p>Yes. Files Form] I-539, per 8 CFR 214.1(c)(2)</p>	<p>Yes. Files Form I-539, per 8 CFR 248.1(e)</p>	<p>Yes</p>
<p>NATO-1 - Principal Permanent Representative of Member State to NATO (including any of its Subsidiary Bodies) Resident in the U.S. and Resident Members of Official Staff; Secretary General, Assistant Secretaries General, and Executive Secretary of NATO; Other Permanent NATO Officials of Similar Rank, or Immediate Family</p>	<p>No, not applicable as admitted for duration of status, per 8 CFR 214.1(c)(3)(v)</p>	<p>Yes. Files Form I-539, per 8 CFR 248.1(a)</p>	<p>No, per INA 102 and 22 CFR 41.21(d)</p>

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Art. 12, 5 UST 1094; Art. 20, 5 UST 1098.			
<p>NATO-2 - Other Representative of Member State to NATO (including any of its Subsidiary Bodies) including Representatives, Advisers, and Technical Experts of Delegations, or Immediate Family; Dependents of Member of a Force Entering in Accordance with the Provisions of the NATO Status-of-Forces Agreement or in Accordance with the provisions of the “Protocol on the Status of International Military Headquarters”; Members of Such a Force if Issued Visas</p> <p>Art. 13, 5 UST 1094; Art. 1, 4 UST 1794; Art. 3, 4 UST 1796.</p>	<p>No, not applicable as admitted for duration of status, per 8 CFR 214.1(c)(3)(v)</p>	<p>Yes. Files Form I-539, per 8 CFR 248.1(a)</p>	<p>No, per INA 102 and 22 CFR 41.21(d)</p>
<p>NATO-3 - Official Clerical Staff Accompanying Representative of Member State to NATO (including any of its Subsidiary Bodies), or</p>	<p>No, not applicable as admitted for duration of status, per 8 CFR 214.1(c)(3)(v)</p>	<p>Yes. Files Form I-539, per 8 CFR 248.1(a)</p>	<p>No, per INA 102 and 22 CFR 41.21(d)</p>

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<p>Immediate Family</p> <p>Art. 14, 5 UST 1096.</p>			
<p>NATO-4 - Official of NATO (Other Than Those Classifiable as NATO-1), or Immediate Family</p> <p>Art. 18, 5 UST 1098.</p>	<p>No, not applicable as admitted for duration of status, per 8 CFR 214.1(c)(3)(v)</p>	<p>Yes. Files Form I-539, per 8 CFR 248.1(a)</p>	<p>No, per INA 102 and 22 CFR 41.21(d)</p>
<p>NATO-5 - Experts, Other Than NATO Officials Classifiable Under NATO-4, Employed in Missions on Behalf of NATO, and their Dependents</p> <p>Art. 21, 5 UST 1100.</p>	<p>No, not applicable as admitted for duration of status, per 8 CFR 214.1(c)(3)(v)</p>	<p>Yes. Files Form I-539, per 8 CFR 248.1(a)</p>	<p>No, per INA 102 and 22 CFR 41.21(d)</p>
<p>NATO-6 - Member of a Civilian Component Accompanying a Force Entering in Accordance with the Provisions of the NATO Status-of-Forces Agreement; Member of a Civilian Component Attached to or Employed by an Allied Headquarters Under the “Protocol on the Status of International Military Headquarters” Set Up Pursuant to the North Atlantic Treaty; and</p>	<p>No, not applicable as admitted for duration of status, per 8 CFR 214.1(c)(3)(v)</p>	<p>Yes. Files Form I-539, per 8 CFR 248.1(a)</p>	<p>No, per INA 102 and 22 CFR 41.21(d)</p>

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their Dependents Art. 1, 4 UST 1794; Art. 3, 5 UST 877.			
NATO-7 - Attendant, Servant, or Personal Employee of NATO-1, NATO-2, NATO-3, NATO-4, NATO-5, and NATO-6 Classes, or Immediate Family Arts. 12–20, 5 UST 1094–1098	Yes. Files Form I-539, per 8 CFR 214.2(s)(1)(ii)	Yes. Files Form I-539, per 8 CFR 248.1(a)	No, per INA 102 and 22 CFR 41.21(d)
O-1 - Alien with Extraordinary Ability in Sciences, Arts, Education, Business or Athletics or Extraordinary Achievement in the Motion Picture or Television Industry O-2 - Essential Support Workers Accompanying and Assisting in the Artistic or Athletic Performance by O-1	Yes. Files Form I-129, per 8 CFR 214.1(c)(1)	Yes. Files Form I-129, per 8 CFR 248.1(a)	Yes

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INA 101(a)(15)(O)			
O-3 - Spouse or Child of O-1 or O-2 INA 101(a)(15)(O)	Yes. Files Form I-539, per 8 CFR 214.1(c)(1) and (2)	Yes. Files Form I-539, per 8 CFR 248.1(a)	Yes
P-1 - Internationally Recognized Athlete or Member of Internationally Recognized Entertainment Group P-2 - Artist or Entertainer in a Reciprocal Exchange Program P-3 - Artist or Entertainer in a Culturally Unique Program INA 101(a)(15)(P) P-1S/P-2S/P-3S – Essential Support Workers 8 CFR 214.2(p)	Yes. Files Form I-129, per 8 CFR 213.1(c)(3)(i)	Yes. Files Form I-129, per 8 CFR 248.1(a)	Yes
P-4 - Spouse or Child of P-1, P-2, or P-3 INA 101(a)(15)(P)	Yes. Files Form I-539, per 8 CFR 214.1(c) (1)-(2)	Yes. Files Form I-539, per 8 CFR 248.1(a)	Yes

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Q-1 - Participant in an International Cultural Exchange Program INA 101(a)(15)(Q)(i)	Yes. Files Form I-129, per 8 CFR 213.1(c)(3)(i)	Yes. Files Form I-129, per 8 CFR 248.1(a)	Yes
R-1 - Alien in a Religious Occupation INA 101(a)(15)(R)	Yes. Files Form I-129, per 8 CFR 213.1(c)(3)(i)	Yes. Files Form I-129, per 8 CFR 248.1(a)	Yes
R-2 - Spouse or Child of R-1 INA 101(a)(15)(R)	Yes. Files Form I-539, per 8 CFR 214.1(c)(1)-(2)	Yes. Files Form I-539, per 8 CFR 248.1(a)	Yes
S-5 - Certain Aliens Supplying Critical Information Relating to a Criminal Organization or Enterprise S-6 - Certain Aliens Supplying Critical Information Relating to Terrorism S-7 - Qualified Family Member of S-5 or S-6 INA 101(a)(15)(S)	No, per 8 CFR 213.1(c)(3)(vi)	No, per 8 CFR 248.2(2) except for change to T and U status, 8 CFR 248.2(b) , using Form I-914 or Form I-918	Yes
T-1 - Victim of a Severe Form of Trafficking in Persons INA 101(a)(15)(T)	Yes. Files Form I-539, per INA 214(o)(7)(B) , 8 CFR 214.11(l)(1)-(2) , and 8 CFR 214.1(c)(2)	Yes. Files Form I-539, per 8 CFR 248.1(a) .	No

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<p>T-2 - Spouse of T-1</p> <p>T-3 - Child of T-1</p> <p>T-4 - Parent of T-1 under 21 years of age</p> <p>T-5 - Unmarried Sibling under age 18 of T-1</p> <p>T-6 - Adult or Minor Child of a Derivative Beneficiary of a T-1</p> <p>INA 101(a)(15)(T).</p>	<p>Yes. Files Form I-539, per INA 214(o)(7)(B) and 8 CFR 214.1(c)(2)</p>	<p>Yes. Files Form I-539, per 8 CFR 248.1(a)</p>	<p>No</p>
<p>TN - NAFTA Professional</p>	<p>Yes. Files Form I-129, per 8 CFR 214.1(c)(1)</p>	<p>Yes. Files Form I-129, per 8 CFR 248.1(a)</p>	<p>Yes</p>
<p>TD - Spouse or Child of NAFTA Professional</p>	<p>Yes. Files Form I-539, per 8 CFR 214.1(c)(2)</p>	<p>Yes. Files Form I-539, per 8 CFR 248.1(a)</p>	<p>Yes</p>
<p>U-1 - Victim of criminal activity</p> <p>U-2 - Spouse of U-1</p> <p>U-3 - Child of U-1</p> <p>U-4 - Parent of U-1 under 21 years of age</p> <p>U-5 - Unmarried Sibling under age 18 of U-1 under 21 years of age</p>	<p>Yes. Files Form I-539, per 8 CFR 214.1(c)(2) and 8 CFR 214.14(g)(2)</p>	<p>Yes. Files Form I-539, per 8 CFR 248.1(a)</p>	<p>No</p>

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Category	Eligible to Apply for Extension of Stay (May File Form I-129 or Form I-539)*	Eligible to Apply for Change of Status (May File Form I-129 or Form I-539)*	Subject to Public Benefits Condition under 8 CFR 214.1(a)(3)(iv) ; 8 CFR 248.1(a) ; 8 CFR 248.1(c)(4)
INA 101(a)(15)(U)			
<p>V-1 - Spouse of a Lawful Permanent Resident Alien Awaiting Availability of Immigrant Visa</p> <p>V-2 - Child of a Lawful Permanent Resident Alien Awaiting Availability of Immigrant Visa</p> <p>V-3 - Child of a V-1 or V-2</p> <p>INA 101(a)(15)(V)(i) or INA 101(a)(15)(V)(ii); INA 203(d)</p>	Yes. Files Form I-539, per 8 CFR 214.1(c)(2) and 8 CFR 214.15(g)(3)	Yes. Files Form I-539, per 8 CFR 248.1(a) and 214.15(g)(3)	Yes
<p>W-B - Visa Waiver for Visitor for Business, W-T - Visitor for Pleasure, Visa Waiver Program</p> <p>INA 217</p>	No, per 8 CFR 214.1(c)(3)(i) and 214.1(c)(3)(viii)	No, except for change to T and U status, using Form I-914 or Form I-918, per 8 CFR 248.2(b)	Not applicable
<p>Guam-Commonwealth of the Northern Mariana Islands (CNMI) Visa Waiver Program. Public Law 110-229</p> <p>8 CFR 212.1(g)</p>	No	No, except for change to T and U status, using Form I-914 or Form I-918, per 8 CFR 248.2(b)	Not applicable

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Category	Eligible to Apply for Extension of Stay (May File Form I-129 or Form I-539)*	Eligible to Apply for Change of Status (May File Form I-129 or Form I-539)*	Subject to Public Benefits Condition under 8 CFR 214.1(a)(3)(iv) ; 8 CFR 248.1(a) ; 8 CFR 248.1(c)(4)
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* Form I-129/Form I-129CW and Form I-539/Form I-539A contain questions about receipt of public benefits since the time the nonimmigrant status was approved. Whether the alien must file a Form I-129 or a Form I-539 depends on the status the alien is applying to change to or extend. If more than one person is applying using the I-539 application, USCIS requires the applicants to submit the Supplemental Information for Application to Extend/Change Nonimmigrant Status (Form I-539A) in addition, to provide all of the requested information for each additional applicant listed.