



U.S. Citizenship
and Immigration
Services

PM-602-0065

JUN 1 2012

Policy Memorandum

SUBJECT: Submission of Form I-20 or DS-2019 in support of the Application to Extend/Change Nonimmigrant Status.

Purpose

This Policy Memorandum (PM) establishes U.S. Citizenship and Immigration Services (USCIS) policy on the adjudication of the Application to Extend/Change Nonimmigrant Status (Form I-539).

Scope

Unless specifically exempted herein, this PM applies to all USCIS officers adjudicating Form I-539.

Authority

Sections 214(a)(1) and 248 of the Immigration and Nationality Act and Title 8, Code of Federal Regulations, Part 248 and Sections 103.2, 214.1, 214.2(f), 214.2(j), and 214.2(m).

Background

USCIS requires applicants to submit a Certificate of Eligibility for Nonimmigrant Student Status (Form I-20) with Form I-539 when applying:

- to change nonimmigrant status to F-1 or M-1;
- for reinstatement to F-1 or M-1 status;
- for a transfer of schools when in M-1 status; or
- for an extension of M-1 status.

USCIS also requires that the Form I-20 contain the original signatures of the "Designated School Official" and the "Student." If the Form I-539 is approved, USCIS stamps the original Form I-20 and returns it to the applicant.

Likewise, USCIS requires applicants to submit a Certificate of Eligibility for Exchange Visitor Status (Form DS-2019) with Form I-539 when applying to change status to J-1. The Form DS-2019 must also contain the original signatures of the "Responsible Officer or Alternate

Responsible Officer” for the Exchange Program and the “Applicant.” If the Form I-539 is approved, USCIS stamps the original Form DS-2019 and returns it to the applicant.

USCIS is transforming its business processes and systems to improve operational efficiency and customer service, and to strengthen the security and integrity of the immigration system. This effort is known as USCIS Transformation. As part of this effort, USCIS is modifying its data collection practices to eventually convert all data collections to e-filing in the USCIS Electronic Immigration System (USCIS ELIS). The intent of this change is to improve the consistency and timeliness of benefit adjudications, as well as to support identity management, benefit eligibility evaluation, customer service operations, and to better manage national security and benefit risks. As a result, USCIS will eliminate the requirement that the Form I-20 or DS-2019 contain original signatures.

USCIS is issuing this PM as guidance for the adjudication of Form I-539 when a Form I-20 or DS-2019 is required.

Policy

When USCIS ELIS is launched for public use, applicants will have the option of submitting their application by either using ELIS or the current paper filing. For applications filed with USCIS ELIS, USCIS will accept a scanned, electronic version of a valid and properly executed Form I-20 or DS-2019 for all Form I-539 filings when required.

For any Form I-539 filed outside USCIS ELIS, USCIS will accept a photocopy of a valid and properly executed Form I-20 or DS-2019.

Regardless of how the applicant files once USCIS ELIS launches for public use, USCIS will not return the Form I-20 or DS-2019 to the applicant upon approval of Form I-539.

Applicants wishing to have USCIS stamp their Form I-20 or DS-2019 may make an appointment online through InfoPass and take their form to their local USCIS office. Stamping of Form I-20s or DS-2019s is a transitional service that field offices will perform for 6 months after ELIS launches for public use.

Use

This PM is intended solely for the guidance of USCIS personnel in the performance of their official duties. It is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law or by any individual or other party in removal proceedings, in litigation with the United States, or in any other form or manner.

Contact Information

Questions or suggestions regarding this PM should be addressed through appropriate channels to the Office of Transformation.