

**Appendix: Summary of Nonimmigrant Categories and Eligibility to Apply for Extension of Stay and Change of Status**

**Summary of Nonimmigrant Categories and Eligibility to Apply for Extension of Stay and Change of Status**

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)*
<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><a href="#">INA 101(a)(15)(A)</a>, <a href="#">22 CFR 41.21</a></p>	<p>No. Not applicable as admitted for duration of status under <a href="#">8 CFR 214.1(c)(3)(v)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a></p>
<p>A-3 - Attendant, Servant, or Personal Employee of A-1 or A-2, or Immediate Family</p> <p><a href="#">INA 101(a)(15)(A)</a>, <a href="#">22 CFR 41.21</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 214.1(c)(2)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a></p>
<p>B-1 - Temporary Visitor for Business</p> <p>B-2 - Temporary Visitor for Pleasure (not admitted under Visa Waiver Program)</p> <p><a href="#">INA 101(a)(15)(B)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 214.1(c)(2)</a> and <a href="#">8 CFR 214.2(b)(1)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a></p>
<p>C-1 - Noncitizen in Transit</p> <p>C-1/D - Combined Transit and Crewmember Visa</p> <p><a href="#">INA 101(a)(15)(C) and (D)</a>, <a href="#">INA 212(d)(8)</a></p>	<p>No, per <a href="#">8 CFR 214.1(c)(3)(ii)</a></p>	<p>No, per <a href="#">8 CFR 248.2(a)(2)</a>, except for change to T and U status, <a href="#">8 CFR 248.2(b)</a>, using Form I-914 or I-918</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)*
<p>C-2 - Noncitizen in Transit to United Nations Headquarters District Under Section 11.(3), (4), or (5) of the Headquarters Agreement</p> <p><a href="#">INA 101(a)(15)(C) and (D)</a>, <a href="#">INA 212(d)(8)</a></p>	<p>No. Not applicable as admitted for duration of status, per <a href="#">8 CFR 214.1(c)(3)(ii)</a></p>	<p>No, per <a href="#">8 CFR 248.2(a)(2)</a>, except for change to T and U status, <a href="#">8 CFR 248.2(b)</a>, using Form I-914 or I-918</p>
<p>C-3 - Foreign Government Official, Immediate Family, Attendant, Servant or Personal Employee, in Transit</p> <p><a href="#">INA 101(a)(15)(C) and (D)</a>, <a href="#">INA 212(d)(8)</a></p>	<p>No, per <a href="#">8 CFR 214.1(c)(3)(ii)</a></p>	<p>No, per <a href="#">8 CFR 248.2(a)(2)</a>, except for change to T and U status, <a href="#">8 CFR 248.2(b)</a>, using Form I-914 or I-918</p>
<p>CW-1 - Commonwealth of Northern Mariana Islands Transitional Worker Section 6(d) of <a href="#">Pub. L. 94-241</a> (March 24, 1976), as added by Section 702(a) of <a href="#">Pub. L. 110-229</a> (May 8, 2008).</p> <p><a href="#">8 CFR 214.2(w)</a></p>	<p>Yes. Files Form I-129CW, per <a href="#">8 CFR 214.1(c)(2)</a> and <a href="#">8 CFR 214.2(w)(17)</a></p>	<p>Yes. Files Form I-129CW, per <a href="#">8 CFR 248.1(a)</a>; <a href="#">8 CFR 214.2(w)(18)</a></p>
<p>CW-2 - Spouse or Child of CW-1</p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 214.1(c)(2)</a> and <a href="#">8 CFR 214.2(w)(17)(v)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a>; <a href="#">8 CFR 214.2(w)(18)</a></p>
<p>D-1 - Crewmember (Sea or Air)</p> <p>D-2 - Crewmember</p>	<p>No, per <a href="#">8 CFR 214.1(c)(3)(iii)</a></p>	<p>No, per <a href="#">8 CFR 248.2(a)(2)</a>, except for change to T and U status, <a href="#">8 CFR</a></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)*
Departing from a Different Vessel than One of Arrival  <a href="#">INA 101(a)(15)(D)</a>		<a href="#">248.2(b)</a> , using Form I-914 or Form I-918
E-1, E-2 - Treaty Trader (Principal)  <a href="#">INA 101(a)(15)(E)</a>	Yes. Files Form I-129, per <a href="#">8 CFR 214.1(c)(1)</a> ; <a href="#">8 CFR 214.2(e)(20)</a>	Yes, Files Form I-129, per <a href="#">8 CFR 248.1(a)</a> and <a href="#">8 CFR 214.2(e)(21)(i)</a>
E-1, E-2 - Treaty Trader, Spouse or Child  <a href="#">INA 101(a)(15)(E)</a>	Yes. Files Form I-539, per <a href="#">8 CFR 214.1(c)(2)</a>	Yes. Files Form I-539, per <a href="#">8 CFR 214.2(e)(21)(ii)</a>
E-2-CNMI - Commonwealth of Northern Mariana Islands Investor (Principal) Section 6(c) of <a href="#">Pub. L. 94-241</a> (March 24, 1976), as added by Section 702(a) of <a href="#">Pub. L. 110-229</a> (May 8, 2008).  <a href="#">8 CFR 214.2(e)(23)</a>	Yes. Files Form I-129, per <a href="#">8 CFR 214.2(e)(23)(xii)</a>	Yes. Files Form I-129, per <a href="#">8 CFR 248.1(a)</a> and <a href="#">8 CFR 214.2(e)(23)(xiii)</a>
E-2-CNMI - Commonwealth of Northern Mariana Islands Investor, Spouse or Child Section 6(c) of <a href="#">Pub. L. 94-241</a> (March 24, 1976), as added by Section 702(a) of <a href="#">Pub. L. 110-229</a> (May 8, 2008).  <a href="#">8 CFR 214.2(e)(23)(x)</a>	Yes. Files Form I-539, per <a href="#">8 CFR 214.1(c)(2)</a>	Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a>

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E-3 - Australian Treaty Noncitizen Coming to the United States Solely to Perform Services in a Specialty Occupation	Yes. Files Form I-129, per <a href="#">8 CFR 214.1(c)(1)-(2)</a>	Yes. Files Form I-129, per <a href="#">8 CFR 248.1(a)</a>
E-3D - Spouse or Child of E-3  E-3R - Returning E-3  <a href="#">INA 101(a)(15)(E)(iii)</a>	Yes. Files I-539, per <a href="#">8 CFR 214.1(c)(1)-(2)</a>	Yes. Files I-539, per <a href="#">8 CFR 248.1(a)</a>
F-1 - Student in an Academic or Language Training Program (Principal)  <a href="#">INA 101(a)(15)(F)</a>	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. <a href="#">8 CFR 214.1(c)(3)(v)</a> ; <a href="#">8 CFR 214.2(f)(7)</a> ; <a href="#">8 CFR 214.2(f)(16)</a>	Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a>
F-2 - Spouse or Child of F-1  <a href="#">INA 101(a)(15)(F)</a>	No, not applicable as admitted for duration of status. <a href="#">8 CFR 214.1(c)(3)(v)</a> ; <a href="#">8 CFR 214.2(f)(3)</a>	Yes. Files Form I-539, per <a href="#">8 CFR 214.2(f)(3)</a>
G-1 - Principal Resident Representative of Recognized Foreign	No, not applicable as admitted for	Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a>

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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><a href="#">INA 101(a)(15)(G)</a></p>	<p>duration of status <a href="#">8 CFR 214.1(c)(3)(v)</a></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 <a href="#">8 CFR 214.1(c)(2)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a></p>
<p>H-1B - Noncitizen in a Specialty Occupation, Fashion Models of Distinguished Merit and</p>	<p>Yes. Files Form I-129, per <a href="#">8 CFR 214.1(c)(1)</a></p>	<p>Yes. Files Form I-129, per <a href="#">8 CFR 248.1(a)</a></p>

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

<sup>1</sup> 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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H-2B - Temporary Worker Performing Other Services Unavailable in the United States <a href="#">INA 101(a)(15)(H)(ii)(b)</a>	Yes. Files Form I-129, per <a href="#">8 CFR 214.1(c)(1)</a>	Yes. Files Form I-129
H-3 - Trainee <a href="#">INA 101(a)(15)(H)(iii)</a>	Yes. Files Form I-129, per <a href="#">8 CFR 214.1(c)(1)</a>	Yes. Files Form I-539
H-4 - Spouse or Child of Noncitizen Classified H1B/B1/C, H2A/B, or H-3  <a href="#">INA 101(a)(15)(H)(iv)</a>	Yes. Files Form I-539, per <a href="#">8 CFR 214.1(c)(2)</a>	Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a>
I - Representative of Foreign Information Media, Spouse and Child  <a href="#">INA 101(a)(15)(I)</a>	No, not applicable as admitted for duration of status, per <a href="#">8 CFR 214.1(c)(3)(v)</a>	Yes. Files Form I-539.
J-1 - Exchange Visitor  J-2 - Spouse or Child of J-1  <a href="#">INA 101(a)(15)(J)</a> .	No, not applicable, as generally admitted for duration of status, <sup>2</sup> per <a href="#">8 CFR 214.1(c)(3)(v)</a>	Yes, subject to receiving a waiver of the foreign residence requirement, if necessary, files Form I-539, per <a href="#">8 CFR 248.2(a)(4)</a> ; may apply for change to T and U status, using for Form I-914 or Form I-918, per <a href="#">8 CFR 248.2(b)</a>

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

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

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<p>M-2 - Spouse or Child of M-1</p> <p><a href="#">INA 101(a)(15)(M)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 214.1(c)(2)</a></p>	<p>Yes. Files Form I-539</p>
<p>N-8 - Parent of a Noncitizen 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><a href="#">INA 101(a)(15)(N)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 214.1(c)(2)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(e)</a></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</p>	<p>No, not applicable as admitted for duration of status, per <a href="#">8 CFR 214.1(c)(3)(v)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a></p>

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<p>Rank, or Immediate Family</p> <p>Art. 12, 5 UST 1094; Art. 20, 5 UST 1098.</p>		
<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 <a href="#">8 CFR 214.1(c)(3)(v)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a></p>

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<p>NATO-3 - Official Clerical Staff Accompanying Representative of Member State to NATO (including any of its Subsidiary Bodies), or Immediate Family</p> <p>Art. 14, 5 UST 1096.</p>	<p>No, not applicable as admitted for duration of status, per <a href="#">8 CFR 214.1(c)(3)(v)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a></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 <a href="#">8 CFR 214.1(c)(3)(v)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a></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 <a href="#">8 CFR 214.1(c)(3)(v)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a></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</p>	<p>No, not applicable as admitted for duration of status, per <a href="#">8 CFR 214.1(c)(3)(v)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a></p>

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<p>Military Headquarters” Set Up Pursuant to the North Atlantic Treaty; and their Dependents</p> <p>Art. 1, 4 UST 1794; Art. 3, 5 UST 877.</p>		
<p>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</p> <p>Arts. 12–20, 5 UST 1094–1098</p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 214.2(s)(1)(ii)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a></p>
<p>O-1 - Nonimmigrant with Extraordinary Ability in Sciences, Arts, Education, Business or Athletics or Extraordinary Achievement in the Motion Picture or Television Industry</p> <p>O-2 - Essential Support Workers Accompanying and Assisting in the Artistic or Athletic Performance by O-1</p>	<p>Yes. Files Form I-129, per <a href="#">8 CFR 214.1(c)(1)</a></p>	<p>Yes. Files Form I-129, per <a href="#">8 CFR 248.1(a)</a></p>

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<a href="#">INA 101(a)(15)(O)</a>		
O-3 - Spouse or Child of O-1 or O-2  <a href="#">INA 101(a)(15)(O)</a>	Yes. Files Form I-539, per <a href="#">8 CFR 214.1(c)(1) and (2)</a>	Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a>
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  <a href="#">INA 101(a)(15)(P)</a>  P-1S/P-2S/P-3S – Essential Support Workers  <a href="#">8 CFR 214.2(p)</a>	Yes. Files Form I-129, per <a href="#">8 CFR 213.1(c)(3)(i)</a>	Yes. Files Form I-129, per <a href="#">8 CFR 248.1(a)</a>
P-4 - Spouse or Child of P-1, P-2, or P-3  <a href="#">INA 101(a)(15)(P)</a>	Yes. Files Form I-539, per <a href="#">8 CFR 214.1(c) (1)-(2)</a>	Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a>

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

**Appendix: Summary of Nonimmigrant Categories and Eligibility to Apply for Extension of Stay and Change of Status**

**Summary of Nonimmigrant Categories and Eligibility to Apply for Extension of Stay and Change of Status**

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)*
<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><a href="#">INA 101(a)(15)(T).</a></p>	<p>Yes. Files Form I-539, per <a href="#">INA 214(o)(7)(B)</a> and <a href="#">8 CFR 214.1(c)(2)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a></p>
<p>TN - NAFTA Professional</p>	<p>Yes. Files Form I-129, per <a href="#">8 CFR 214.1(c)(1)</a></p>	<p>Yes. Files Form I-129, per <a href="#">8 CFR 248.1(a)</a></p>
<p>TD - Spouse or Child of NAFTA Professional</p> <p><a href="#">INA 214(e)(2)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 214.1(c)(2)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a></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 <a href="#">8 CFR 214.1(c)(2)</a> and <a href="#">8 CFR 214.14(g)(2)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a></p>

**Appendix: Summary of Nonimmigrant Categories and Eligibility to Apply for Extension of Stay and Change of Status**

**Summary of Nonimmigrant Categories and Eligibility to Apply for Extension of Stay and Change of Status**

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)*
<a href="#">INA 101(a)(15)(U)</a>		
<p>V-1 - Spouse of a Lawful Permanent Resident Awaiting Availability of Immigrant Visa</p> <p>V-2 - Child of a Lawful Permanent Resident Awaiting Availability of Immigrant Visa</p> <p>V-3 - Child of a V-1 or V-2</p> <p><a href="#">INA 101(a)(15)(V)(i)</a> or <a href="#">INA 101(a)(15)(V)(ii)</a>; <a href="#">INA 203(d)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 214.1(c)(2)</a> and <a href="#">8 CFR 214.15(g)(3)</a></p>	<p>Yes. Files Form I-539, per <a href="#">8 CFR 248.1(a)</a> and <a href="#">214.15(g)(3)</a></p>
<p>W-B - Visa Waiver for Visitor for Business, W-T - Visitor for Pleasure, Visa Waiver Program</p> <p><a href="#">INA 217</a></p>	<p>No, per <a href="#">8 CFR 214.1(c)(3)(i)</a> and <a href="#">214.1(c)(3)(viii)</a></p>	<p>No, except for change to T and U status, using Form I-914 or Form I-918, per <a href="#">8 CFR 248.2(b)</a></p>
<p>Guam-Commonwealth of the Northern Mariana Islands (CNMI) Visa Waiver Program. Public Law 110-229</p>	<p>No</p>	<p>No, except for change to T and U status, using Form I-914 or Form I-918, per <a href="#">8 CFR 248.2(b)</a></p>

**Appendix: Summary of Nonimmigrant Categories and Eligibility to Apply for Extension of Stay and Change of Status**

**Summary of Nonimmigrant Categories and Eligibility to Apply for Extension of Stay and Change of Status**

<b>Category</b>	<b>Eligible to Apply for Extension of Stay (May File Form I-129 or Form I-539)*</b>	<b>Eligible to Apply for Change of Status (May File Form I-129 or Form I-539)*</b>
<a href="#">8 CFR 212.1(q)</a>		