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Employment Authorization for Certain H-4 Dependent Spouses Final Rule in Effect Today, May 26, 2015

Certain H-4 dependent spouses may now apply for employment authorization under the H-4 rule. On February 24, 2015, USCIS announced that effective today, May 26, 2015, the Department of Homeland Security (DHS) would begin accepting applications for employment authorization from certain H-4 dependent spouses of H-1B nonimmigrants who are seeking employment-based lawful permanent resident status.

Starting today, you may apply for employment authorization under this rule if your H-1B nonimmigrant spouse:

- Is the principal beneficiary of an approved [Form I-140, Immigrant Petition for Alien Worker](#); or
- Has been granted H-1B status under sections 106(a) and (b) of the American Competitiveness in the Twenty-first Century Act of 2000 as amended by the 21st Century Department of Justice Appropriations Authorization Act (AC21). AC21 permits H-1B nonimmigrants seeking lawful permanent residence to work and remain in the United States beyond the six-year limit on their H-1B status.

For more information on applying for employment authorization under the H-4 rule, please visit the [Employment Authorization for Certain H-4 Dependent Spouses Web page](#) and the list of [Frequently Asked Questions](#) that we have compiled since we announced the H-4 rule in February.

Last Reviewed/Updated: 05/26/2015



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