Spouses & Children

Spouses and unmarried children (under the age of 21) of H-1B visa holders are considered dependents and are eligible for H-4 status. H-4 visa holders are only eligible to stay in the United States while their H-1B spouse or parents are in the United States maintaining the terms and conditions of their H-1B visa status.

Most H-4 visa holders are not permitted to work in the United States and cannot obtain Social Security Numbers. However, a special provision allows certain H-4 spouse visa holders to apply for work authorization. [1] In addition, H-4 spouse's approved work authorization may be automatically extended [2] with a pending renewal application under certain conditions. Please speak to an OISS adviser [3] if you have questions.

H-4 visa holders may apply to change their visa status to H-1B if they qualify for the specialty occupation requirement and find an employer who is willing to file a petition on their behalf.

H-4 visa holders may study in the United States, full-time or part-time, for the duration of the H-1B’s period of stay.

Source URL: https://oiss.yale.edu/immigration/h-1b-temporary-worker/scholar-overview/maintaining-legal-status/spouses-children

Links
[3] https://oiss.yale.edu/node/184