

Employment Authorization for Certain H-4 Dependent Spouses

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Intro:

Mr. Andrew Cuevas, Esq., is the President of Cuevas & Associates, P.A., and Vantage Property Title Company. Mr. Cuevas has been practicing law since 1993 in the area of Business Immigration Law and Commercial transactions, including commercial and residential real estate transactions and business acquisitions for foreign investors. If you have any questions regarding this article or any other questions, you can contact Mr. Cuevas at (305) 461-9500 or at acuevas@cuevaslaw.com. If you are interested in reading previous newsletters, please visit www.cuevaslaw.com, select the icon for **Newsletters**, and then choose the area of law you are interested in.

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In the past, spouses of H-1B nonimmigrant visa were not authorized to work in the United States. The proposal of extending the benefit for employment authorization to certain H-4 dependent spouses of H-1B nonimmigrant is an initiative to improve the visa programs in order to grow the U.S. economy and create more jobs.

On February 24, 2015, USCIS announced that effective on 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 nonimmigrant's who are seeking employment-based lawful permanent resident status.

You may now apply for employment authorization under this rule if your H-1B nonimmigrant spouse meet one of the following requirements:

- 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 nonimmigrant seeking lawful permanent residence to work and remain in the United States beyond the six-year limit on their H-1B status.

For additional details about the Employment Authorization for Certain H-4 Dependent Spouses, please feel free to contact our office.

This article is solely a partial explanation of all the issues related to the topic of this newsletter, and is not to be considered legal advice. Persons interested in obtaining more information should consult with their legal counsel to obtain explanations of all issues addressed herein.