American Immigration Council

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FACT SHEET

The H-4 Visa Classification

Attracting and Maintaining Global Talent

Temporary workers and trainees in the H category are eligible to bring their spouses and children with them to the United States in what is called H-4 status.[1] Many of those spouses have careers of their own or otherwise need to work to support their families. Providing work permits to the spouses of temporary workers makes the United States a more attractive place to work and helps families remain self-sufficient. Therefore, since 2015, the federal government has granted work permits to certain spouses of H-1B workers, many of whom reside in the United States for years while waiting for a immigrant visa to become available and allow them to obtain lawful permanent resident status.[2]

This fact sheet provides an overview of the H-4 visa category, details the characteristics of H-4 recipients, explains the work eligibility of certain H-4 spouses, and describes the benefits of continuing to allow H-4 spouses to work.

Rules Governing the H-4 Visa Category

The H-4 is a temporary, nonimmigrant visa category for the spouses and unmarried children under 21 years of age (dependents) of individuals in one of the following nonimmigrant visa categories:[3]

- H-1B (workers in a specialty occupation)
- H-2A (temporary or seasonal agricultural workers)
- H-2B (temporary non-agricultural workers)
- H-3 (nonimmigrant trainees, other than medical or academic)

The H-4 status of an eligible spouse or child is dependent on the primary worker maintaining a valid immigration status.[4] Thus, these individuals are referred to as "H-4 dependents," which includes both children and adults.

H-4 dependents can attend school in the United States without needing a student visa.[5] However, they are not eligible for temporary employment related to their field of study—something available to some foreign students, such as those in an F-1 visa category status.[6] Furthermore, they are ineligible for any form of employment.

H-4 dependents can apply for an extension to remain in the United States with their spouse or parents, but the length of stay cannot exceed that of the primary worker.[7] Further, H-4 dependents can apply to change to another nonimmigrant status.[8] However, if an H-4 dependent child turns 21 without having obtained another form of valid immigration status, they will "age out" of eligibility for their H-4 status and be required to depart the United States.[9] As of 2026, there were an estimated 224,000 so-called "Documented Dreamers" who faced the prospect of having to leave the country if they failed to obtain another visa category.[10]

Characteristics of H-4 Visa Recipients

The number of H-4 visas allocated to family members of H-category nonimmigrant workers increased from 47,206 in Fiscal Year (FY) 1997 to 146,158 in FY 2025.[11] Overall, the majority of H-4 dependents come from Asia, with 77% coming from India in FY 2025 (Table 1).

TABLE 1. TOTAL H-4 VISAS ISSUED FISCAL YEARS 1997-2025, BY TOP COUNTRIES

Fiscal Year	Total Number of H-4 Visas Issued	Countries with Highest Number and Percent of H-4 Visas Issued							
		India		China		Mexico		Philippines	
		No.	%	No.	%	No.	%	No.	%
1997	**47,206**	17,693	37	2,107	4	2,060	4	1,766	4
1998	**54,595**	24,303	45	2,562	5	1,791	3	1,818	3
1999	**69,194**	32,711	47	3,480	5	1,964	3	2,217	3
2000	**79,518**	38,705	49	3,769	5	1,922	2	2,387	3
2001	**95,967**	44,784	47	4,285	4	2,296	2	3,903	4
2002	**79,725**	33,798	42	4,041	5	2,496	3	4,266	5
2003	**69,289**	30,238	44	3,313	5	2,241	3	3,359	5
2004	**83,128**	40,394	49	3,632	4	2,633	3	3,635	4
2005	**70,266**	31,337	45	3,857	5	2,159	3	3,319	5
2006	**74,326**	38,999	52	3,563	5	2,237	3	2,891	4
2007	**86,219**	51,326	60	3,711	4	2,510	3	4,112	5
2008	**71,019**	44,277	62	2,870	4	2,009	3	3,465	5
2009	**60,009**	34,490	57	2,982	5	1,662	3	3,987	7
2010	**66,176**	38,833	59	3,216	5	2,124	3	3,527	5
2011	**74,205**	46,969	63	3,444	5	2,330	3	2,230	3
2012	**80,015**	53,877	67	3,355	4	2,927	4	1,925	2
2013	**96,753**	71,953	74	3,362	3	3,052	3	1,830	2
2014	**109,147**	85,900	79	3,678	3	2,687	2	1,446	1
2015	**124,484**	102,119	82	4,154	3	2,493	2	1,108	1
2016	**131,051**	110,003	84	4,601	4	2,161	2	1,065	1
2017	**136,393**	117,522	86	4,770	3	2,066	2	955	1
2018	**130,814**	111,242	85	5,632	4	2,353	2	692	1
2019	**125,999**	106,162	84	5,701	5	2,420	2	720	1
2020	**66,232**	57,545	87	1,947	3	1,315	2	321	1
2021	**55,444**	45,211	82	1,100	2	1,974	4	394	1
2022	**137,246**	116,632	85	1,737	1	3,066	2	1,176	1
2023	**186,748**	160,141	86	3,585	2	4,639	3	1,781	1
2024	**139,874**	108,930	78	4,675	3	6,639	5	2,351	2
2025	**146,158**	113,089	77	4,451	3	7,349	5	2,700	2

Source: U.S. Department of State Bureau of Consular Affairs, "Nonimmigrant Visa Issuances by Visa Class and by Nationality: FY1997-2025 NIV Detail Table," accessed August 22, 2026.

Employment Authorization for the H-4 Visa Category

When Congress passed the Immigration Act of 1990, which first introduced the category of H-1B visas, it created new pathways for U.S. employers to attract and hire foreign workers in specialty fields where the U.S. labor market was unable to meet the demand. After it was introduced, it became a widely used option for companies to fill positions in emerging and expanding sectors (particularly in the technology field) or to address limited labor supplies in rural areas (including at rural hospitals).[12]

Congress initially capped the H-1B program at 65,000 visas annually, but rising demand and technical issues with the program quickly led to significant backlogs. In the American Competitiveness in the 21st Century Act of 2000 (AC21), Congress increased the H-1B visa cap to 85,000 and put in place technical fixes that would make it easier for H-1B workers to renew their status.[13]

The H-1B visa category was created as a "dual intent", allowing H-1B workers to live and work in the United States with non-immigrant status while also in the process of obtaining permanent residency.[14] Congress also permitted H-1B workers to bring their spouses and children on H-4 visas as dependents. Initially, spouses in H-4 status were not authorized to work, even to support their own family. This became a growing concern throughout the 1990s and 2000s as delays in the immigrant visa system mounted, leaving some H-1B workers stuck in backlogs that would last years or even decades, forcing families to have only one breadwinner for years at a time.

To address the rising concerns of H-1B workers and their families, in May 2015, U.S. Citizenship and Immigration Services issued a regulation authorizing H-4 spouses to work in the United States.[15] Under the regulation, the only H-4 dependents eligible to apply for employment authorization are H-4 **spouses** of H-1B nonimmigrants who have reached certain stages in the multistep process of becoming lawful permanent residents (LPRs) or who have H-1B status under the amended AC21[16] H-4 **children** are still ineligible to work.

Work authorization for eligible H-4 spouses is unrestricted, meaning that they can work for any employer or be self-employed. Yet, their work authorization, like their immigration status, is dependent on the primary H-1B worker maintaining a valid immigration status.[17] Work permits for H-4 spouses generally last up to three years, after which they may be renewed.[18]

In the decade following the implementation of the H-4 work authorization regulation, the U.S. government approved over 280,000 H-4 spouses to work in the United States while they wait for permanent legal status (Table 2).[19] As delays in the availability of employment-based immigrant visa numbers continue to rise, a growing number of people are also renewing H-4 employment authorization documents each year.

TABLE 2: APPROVED INITIAL AND RENEWAL EMPLOYMENT AUTHORIZATION DOCUMENTS (EAD) FOR H-4 SPOUSES OF H-1B WORKERS, FY 2015-2025

Fiscal Year	Initial Approvals	Renewals
2015	26,651	169
2016	31,623	9,626
2017	27,447	18,908
2018	24,390	29,022
2019	20,812	26,569
2020	21,043	31,021
2021	19,052	40,081
2022	31,528	51,088
2023	30,737	47,097
2024	25,191	44,248
2025	25,193	53,942

Source: U.S. Citizenship and Immigration Services, Immigration and Citizenship Data, https://www.uscis.gov/tools/reports-and-studies/immigration-and-citizenship-data

Advantages of Allowing H-4 Spouses to Work

Authorizing H-4 spouses to work is advantageous for several reasons. Notably, allowing spouses to work brings the United States in line with other countries competing to attract talented foreign nationals.[20] The highly skilled individuals U.S. employers hope to attract and employ in H-1B nonimmigrant visa status often have a spouse or family to consider. The potential worker may have a spouse with an established career or a family needing the support of two working parents. If a spouse retains the option of being employed, the U.S. employer can provide a more appealing and competitive job offer.[21] Highly educated immigrants are more likely to choose a country where immediate family members would have an easier path to establishing themselves. In addition, the ability to work can facilitate the integration of H-4 spouses into the United States and reduce isolation. The majority of H-4 spouses are female,[22] and authorizing their employment allows them to contribute their skills and talents to their communities and the United States overall, while strengthening their families' economic well-being.

ENDNOTES

1 8 U.S.C. § 1101(a)(15)(H)(i)(b)-(iii); see also U.S. Citizenship and Immigration Services (USCIS), "Temporary (Nonimmigrant) Workers" webpage, last updated June 17, 2026, https://www.uscis.gov/working-in-the-united-states/temporary-nonimmigrant-workers.

2 8 C.F.R. § 214.2(h)(9)(iv).

3 8 U.S.C. § 1101(a)(15)(H)(i)(b)-(iii); *see also* USCIS, "Temporary (Nonimmigrant) Workers" webpage last updated June 17, 2026, https://www.uscis.gov/working-in-the-united-states/temporary-nonimmigrant-workers.

4 8 C.F.R. § 214.2(h)(9)(iv).

5 See, e.g., USCIS, "Change My Nonimmigrant Status" webpage, last updated April 11, 2024, https://www.uscis.gov/visit-the-united-states/change-my-nonimmigrant-status (stating that "You do not need to apply to change your nonimmigrant status if you wish to attend school in the United States, and you are the spouse or child of someone who is currently in the United States in any of the following nonimmigrant visa categories… [including] Temporary workers (H visa)"); American Immigration Council, "Documented Dreamers: An Overview" (November 2024), https://www.americanimmigrationcouncil.org/research/documented-dreamers-overview.

6 8 C.F.R. § 214.2(f)(10).

7 *Id.* § 214.2(h)(9)(iv).

8 *See* 8 C.F.R. § 248.1.

9 American Immigration Council, "Documented Dreamers: An Overview" (November 2024), https://www.americanimmigrationcouncil.org/research/documented-dreamers-overview.

10 Ibid.

11 U.S. Department of State Bureau of Consular Affairs, "FY1997-2024 NIV Detail Table," Nonimmigrant Visa Statistics webpage, *last accessed* September 30, 2026, available at https://travel.state.gov/content/dam/visas/Statistics/Non-Immigrant-Statistics/NIVDetailTables/FYs97-24_NIVDetailTable.xlsx; U.S. Department of State, "Monthly Nonimmigrant Visa Issuance Statistics," *last accessed* September 30, 2026, https://travel.state.gov/content/travel/en/legal/visa-law0/visa-statistics/nonimmigrant-visa-statistics/monthly-nonimmigrant-visa-issuances.html, .

12 Immigration Act of 1990, Pub. L. No. 101-649, 104 Stat. 4978 (1990).

13 8 C.F.R. § 214.2(h)(9)(iv).

14 8 U.S.C. § 1184(b).

15 Employment Authorization for Certain H-4 Dependent Spouses, 80 Fed. Reg. 10284 (Feb. 25. 2015), https://www.federalregister.gov/documents/2015/02/25/2015-04042/employment-authorization-for-certain-h-4-dependent-spouses (codified at 8 C.F.R. pts. 214 and 274a).

16 8 C.F.R. § 214.2(h)(9)(iv).

17 *Id.*

18 U.S. Citizenship and Immigration Services, Policy Manual, Volume 10, Part B, Chapter 2, "Employment Authorization for Certain H-4, E, and L Nonimmigrant Dependent Spouses," https://www.uscis.gov/policy-manual/volume-10-part-b-chapter-2, *last viewed August 25, 2026.*

19 U.S. Citizenship and Immigration Services, Office of Performance and Quality, "Form I-765 Application for Employment Authorization; All Receipts, Approvals, Denials Grouped by Eligibility Category and Filing Type FY 2003-2022", https://www.uscis.gov/sites/default/files/document/data/i765_rad_fy03-22_annualreport_update_20241202.xlsx; U.S. Citizenship and Immigration Services, "Form I-765, Application for Employment Authorization, Eligibility Category and Filing Type FY2023," https://www.uscis.gov/sites/default/files/document/data/i-765_application_for_employment_fy23.pdf; U.S. Citizenship and Immigration Services, "Form I-765, Application for Employment Authorization, Eligibility Category and Filing Type FY2024," https://www.uscis.gov/sites/default/files/document/data/i765_application_for_employment_fy24.xlsx; Fiscal Year 2025 data available by quarter at U.S. Citizenship and Immigration Services, "Immigration and Citizenship Data," https://www.uscis.gov/tools/reports-and-studies/immigration-and-citizenship-data.

20 Employment Authorization for Certain H-4 Dependent Spouses, 80 Fed. Reg. at 10284 (Feb. 25. 2015), https://www.federalregister.gov/documents/2015/02/25/2015-04042/employment-authorization-for-certain-h-4-dependent-spouses ("The rule also will bring U.S. immigration policies concerning this class of highly skilled workers more in line with those of other countries that compete to attract similar highly skilled workers.").

21 Ibid.

22 Divya Ravindranath, "Visa Regulations and Labour Market Restrictions: Implications for Indian Immigrant Women in the United States," *The Indian Journal of Labour Economics* 60, no. 2 (June 2017): 217-232, https://doi.org/10.1007/s41027-017-0095-y.