



H-4 Dependents Inside U.S.

**For legally married spouses and unmarried children up to age 21 physically present in the United States.
To be submitted concurrently with a request for an H-1B petition.**

The VISA Office provides this checklist as a courtesy to dependents of H-1B workers. This information does not constitute legal advice. Forms, filing requirements, and fees are subject to change without notice and you should check for the most up-to-date information at the U.S. Citizenship and Immigration Services (USCIS) website at www.uscis.gov. It is your responsibility to contact an immigration attorney if you encounter a problem with this application. The VISA Office will file this application with the employee's H-1B petition as a courtesy but is not responsible for reviewing it for accuracy and completeness.

Please upload the required documents into the Terra Dotta system at your earliest convenience.

One Application per Family:

- Original of completed and signed [Form I-539](#)
 - Original of completed and signed [Form I-539A](#) for any additional family members
PLEASE NOTE: Form I-539 should include dependent family member information only – not the information for the H-1B employee
 - Visit <https://www.uscis.gov/forms/filing-fees> for current USCIS filing fees and methods of payment.
- Note: Form I-539/539A may be filed online. If you wish to do so, you must wait until we have received the receipt notice for the employee's H-1B petition.*

Supporting Documents for Each Dependent:

(All foreign language documents must include a certified English translation.)

- Copy of the passport identification page
- Copy of the most recent passport visa stamp
- Copies of all documents showing current and past legal status in the U.S. (e.g. Form I-797 (*H-1B*), Form I-20 (*F-1*), Form DS-2019 (*J-1*), Employment Authorization Document, etc.)
- Copy of the most recent Form [I-94 Arrival/Departure Record](#)
- Copies of documents showing the relationship to the primary H-1B visa holder (marriage certificate, birth certificate, family register, etc.)
- (If applicable) One copy of I-797 Receipt/Approval Notices for I-140/I-485 petitions (*permanent residency filing*)

Notes:

YOUR REQUEST WILL BE PROCESSED AND MAILED TO USCIS WITHIN 6-8 WEEKS OF RECEIPT OF A COMPLETE H-1B PACKET AND THE ELECTRONIC H-1B REQUEST IN THE TERRA DOTTA SYSTEM.



H-4 Spouse Employment Authorization Document (EAD)

*To be submitted concurrently with a H-4 application
in cases where the H-1B visa holder has an approved I-140.*

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Please upload the required documents into the Terra Dotta system at your earliest convenience.

Application:

- Original of completed and signed [Form I-765](#).
PLEASE NOTE: Form I-765 should include dependent spouse information only – not the information for the H-1B applicant. Child dependents are not eligible for the H4 EAD.
- Visit <https://www.uscis.gov/forms/filing-fees> for current USCIS filing fees and methods of payment.
Note: Form I-765 may be filed online. If you wish to do so, you must wait until we have received the receipt notice for the employee's H-1B petition and if not filed at the same time as the I-539, you have received the receipt notice for the I-539.

Supporting Documents:

(All foreign language documents must include a certified English translation.)

Evidence of H-4 spouse's status and identification:

- Copy of the passport identification page (and page with extension of validity, if appropriate)
- Copies of all documents showing current H4 legal status in the U.S. (e.g. Form I-797 and or visa stamp)
- Copy of the most recent [Form I-94 Arrival/Departure Record](#)
- Copies of any prior/current EADs *(if applicable)*
- Two identical 2"x 2" passport-style color photographs

Evidence of H-1B status of H-1B spouse:

- Copy of the marriage certificate showing the relationship to the primary H-1B visa holder
- Copy of H-1B holder's current H-1B Approval or Receipt Notice
- Copies of H-1B holder's three most recent paystubs
- Copy of H-1B holder's Form I-94, passport biographical page, and most recent visa stamp

Evidence of EAD Eligibility:

- Copy of I-797 Approval Notice for H-1B holder's Form I-140 immigrant petition.