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Effect of H-1B Approval on H-4 EAD

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Submitted by Chief Editor on Sep 24th 2019

My wife currently working on H4 EAD which is valid till October 2020. Her company filed for H1B this year and she got approval for 3 years starting 10/01/2019. However, She would like to stay on H4 EAD. Does law permits her to work on H4EAD even after her H1B approved? or naturally her work visa status will convert to H1B effecting 10/01/2019?

ANSWER:

[Watch the Video on this FAQ: Effect of H-1B approval on H-4 EAD](#) ^[2]

Video Transcript:

The practical solution would be to have your lawyers contact USCIS and explain to them the problem, and if you are willing to take a risk go ahead and have the H-1 revoked. Also make sure that it gets done over the phone as well as in writing. So if a change of status does not take effect I think you would continue to be in the old status which is H-4 EAD. So act quickly before October 1st to revoke or withdraw your wife's H -1. [FAQ in detail...](#) ^[2]

Note: This is a verbatim transcript of the referenced audio/video media delivered as oral communication, and, therefore, may not conform to written grammatical or syntactical form.

Nonimmigrant Visas:

[Change of status](#) ^[3]

[H-4 EAD](#) ^[4]

[H-1 Visa](#) ^[5]

FAQ Transcript:

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Unless the context shows otherwise, all answers here were provided by Rajiv [6] and were compiled and reported by our editorial team from comments and blog on immigration.com [7]

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Links:

- [1] <https://immigration.com/faq/effect-h-1b-approval-h-4-ead>
- [2] <https://youtu.be/KaAa43c2Mv4?t=86>
- [3] <https://immigration.com/visa/nonimmigrant-visas/change-status>
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