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H-1 to H-4

H-1 to H-4 [1]

Submitted by Chief Editor on Jul 24th 2013

My spouse and I work for the same IT company. My spouse who is on H-1B visa is already in the US and my H-1B is under process, hoping to get it stamped latest by October 13th. I plan to quit my current job after stamping is over (may be in Oct13) and join my spouse on dependent visa (H-4). 1) When I apply for H-4, will my H-1B be valid or my company will cancel my H-1B? 2) Assuming H-1B still remains valid after my H-4, can I apply for change of status to H-1 later and search for jobs while on H-4? 3) How long does it take for change of status from H-4 to H-1?

ANSWER:

1. H-1 cancellation (revocation) is not automatic, but the company would have to be extremely ill-informed not to revoke the H-1. They must.
2. You can revert back to H-1 from H-4. You will not be subject to quota.
3. The same time as a new H-1. Apply premium if in a hurry.

Unless the context shows otherwise, all answers here were provided by [Rajiv](#) [2] and were compiled and reported by our editorial team from comments and blog on immigration.com [3]

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