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Contact: Mini Timmaraju,
(202) 857-9773;
mini@ncapaonline.org

National Council of Asian Pacific Americans (NCAPA) Commends the Department of Homeland Security (DHS) for New Rule Extending Employment Eligibility to Spouses of H-1B Visa Holders

WASHINGTON, D.C. — The National Council of Asian Pacific Americans (NCAPA) commends U.S. Citizenship & Immigration Services (USCIS) and the Department of Homeland Security (DHS) for announcing a new rule that will allow some spouses of H-1B visa holders to be eligible for employment in the U.S. The work authorization rule will be effective May 26, 2015 and it applies to the spouses of H-1B visa holders who have started the process of seeking employment-based lawful permanent resident status.

“Today’s announcement is exciting news for our communities. Those eligible will be able to contribute to the U.S. economy and build sustainable lives for themselves and their families,” said NCAPA National Director Mini Timmaraju. “We look forward to working with DHS and USCIS to expand this opportunity to other family members of H1-B holders.”

In its comment on the proposed rule in July, NCAPA wrote that many H-1B holders do not pursue the path to lawful permanent resident status in part because their spouse is unable to work in the U.S. If the rule is expanded, many H-1B workers and their families would likely stay in the U.S. and apply for citizenship and thrive in financially-stable households.

This announcement will have a significant impact on Asian American communities. In 2012, more than 230,000 individuals from Asian countries, including India, China and South Korea, received H-1B status, which made up close to half of the total number of H-1B workers that year, according to the DHS Office of Immigration Statistics. The spouses and children of H-1B workers enter as H-4 visa holders, and the majority of H-4 visa holders come from Asian countries.

For more information on the new rule and how to apply for employment authorization, [visit the USCIS website](#).

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The National Council of Asian Pacific Americans (NCAPA), founded in 1996, is a coalition of 34 national Asian Pacific American organizations. Based in Washington D.C., NCAPA serves to represent the interests of Asian American, Native Hawaiian and Pacific Islander (AA & NHPI) communities and to provide a national voice on policy issues and priorities.