

GOVERNMENT OF INDIA  
MINISTRY OF EXTERNAL AFFAIRS

**LOK SABHA**  
**UNSTARRED QUESTION NO.7**  
TO BE ANSWERED ON 18.07.2018

**H1-B VISA**

7. DR. K. GOPAL:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether there has been no major change in the H1-B visa policy by the US and if so, the details thereof;
- (b) whether changes made are meant to enforce existing rules strictly and to stop the programme's misuse and if so, the details thereof;
- (c) whether the Government has been keeping a close eye on the issue and is in touch with all the stakeholders to protect the interest of Indian techies and employers in the US; and
- (d) if so, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS  
[GEN. (DR) V. K. SINGH (RETD)]

(a) & (b) In the current (115th) Congress, seven Bills relating to H-1B visa programme have been introduced by individual Congressmen and Senators. However, so far, none of these Bills have been passed.

On the Executive side, on 18 April 2017, President Trump issued an Executive Order (EO) titled "Buy American and Hire American", which requires different arms of the U.S. Administration to suggest reforms to the H-1B visa programme. This process is still underway. The US Administration has also taken some steps towards stricter enforcement and prevention of abuse of the work visa programmes. These include, inter alia, issue of memos by U.S. Citizenship and Immigration Services on clarification relating to multiple H-1B filings; placing the burden on the petitioner to demonstrate that the beneficiary is employed in a third-party worksite for a specific assignment in a specialty occupation; applying the same level of scrutiny to both petitions and extension requests; a more targeted approach to combating visa fraud and abuse; preventing misuse of H-1B visa process by employers against U.S. workers; and policy guidance on "H-1B computer related positions".

(c) & (d) Government of India has closely engaged with the U.S. Administration and the Congress on all issues relating to movement of Indian professionals including under the H-1B visa programme. In our engagements, we have emphasized that this has been a mutually-beneficial partnership which should be nurtured. Indian skilled professional have contributed to the growth and development of the U.S. economy and have helped the U.S. retain its competitive edge and innovation advantage.

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