

**GOVERNMENT OF INDIA  
EXTERNAL AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:2136  
ANSWERED ON:02.12.2009  
RESTRICTION ON H-1B VISA  
Pradhan Shri Amarnath

**Will the Minister of EXTERNAL AFFAIRS be pleased to state:**

- (a) whether restrictions have been imposed by the US Government on issuing H-1B visas to Indian professionals;
- (b) if so, the details thereof including the number of Indian IT Companies located in US and facing difficulties as a result thereof;
- (c) whether the Government has taken up the matter with the US Government; and
- (d) if so, the outcome thereof?

**Answer**

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA)

(a) & (b) Under the American Recovery and Reinvestment Act 2009, US firms receiving bailout money under the Troubled Assets Relief Programme (TARP) must operate as an "H-1B dependent company" when applying to hire foreign nationals under H-1B category. These companies are required to attest to actively recruiting American workers, not displacing American workers with H-1B visa holders, and not replacing laid-off American workers with foreign workers. H-1B dependent companies are those in which 15% or more of their workforce carry H-1B visas.

Data about the number of Indian IT companies located in USA and facing difficulties as a result of restrictions on H-1B visas is not available with the Ministry of External Affairs.

(c) & (d) The Government of India is fully committed to protecting the interests of Indian professionals working in USA. Pointing out that India is the largest contributor of highly skilled workers to the US economy, the need for higher allocation of H-1B visas for Indian professionals has been emphasised in various bilateral fora with the US Government.