

**GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA**

UNSTARRED QUESTION NO:3441

ANSWERED ON:01.08.2014

TRADE PROTECTIONISM WITH UNITED STATES

Kumar Shri P.

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) whether the Government had taken up the matter with the United States (US) on trade protectionism and of obstructing temporary work visa for skilled Indian professionals;
- (b) if so, the details and the outcome thereof;
- (c) whether any discussion between India and US was held in the past in this regard; and
- (d) if so, the details and the outcome thereof?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (INDEPENDENT CHARGE) (SMT. NIRMALA SITHARAMAN)

(a) to (d): The Department of Commerce (DOC) has viewed with great seriousness some of the developments of the US regarding the mobility of Indian IT professionals to the US. The Department has at its own level raised this issue with various concerned authorities in the US highlighting the negative impact of such bills, particularly on Indian IT Companies.

Commerce Secretary had written to USTR apprising him of his concerns on the proposed Comprehensive Immigration Reforms legislation. Our Ambassador to the US had also written to various US Senators on this issue as well. The Comprehensive Immigration Reforms Bill seeks to deny access to visas or place additional visa related restrictions including higher fees on H-1B and L-1 visas either based on 50:50 model (those applicants who employ 50 and more people and 50% of whom are non-immigrants in the H1B and L-1 visa categories), or any other tiered approach. These restrictions, including language which negatively impacts our companies on important issue such as non-displacement and wage level classification. This is not only discriminatory but also creates an unequal playing field for Indian IT Companies. Any legislation that seeks to selectively apply visa related restriction only against Indian IT business interest in the US would not be in accord with the spirit of deepening strategic partnership between the two countries and may impact on the common efforts to strengthen economic and trade cooperation that the governments of the two countries are actively pursuing.