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A fourth of all new H-1B visa requests rejected

Cognizant saw over 60% of its initial applications rejected, followed by Capgemini, Accenture, Wipro and Infosys.

By [Ayan Pramanik](#), ET Bureau | Last Updated: Oct 30, 2019, 02:51 PM IST

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The Trump administration has plans to rescind an Obama-era rule that allowed spouses of H-1B work permit holders to work in the US.

The Donald Trump-led US administration has rejected nearly a fourth of all fresh H-1B applications through the third quarter of the financial year 2018-19 (October to June), according to a US body. The rejection rate has jumped three times in FY19 compared to FY15, according to an analysis of H-1B data from US Citizenship and Immigration Services (USCIS) by the National Foundation for American Policy.

Indian nationals account for nearly 70% of all H-1B permit holders as global technology

companies rely on such talent to work onsite in the US. USCIS follows the October to September financial year.

“The denial rates for H-1B petitions have increased because USCIS has changed the standards for approval without new regulations or Congress passing a new law,” Stuart Anderson, executive director of NFAP, told ET.

Denial rates for initial H-1B petitions or fresh applications stood at around 6% in FY 2015.

“The denial rate for initial employment, primarily for new employees, has increased for nearly all leading companies but it’s clear USCIS adjudicators have singled out information technology services companies for the most restrictive policies,” Anderson said.

[Cognizant](#) saw over 60% of its initial applications rejected, followed by [Capgemini](#), [Accenture](#), [Wipro](#) and [Infosys](#).

In 2018, the top six Indian firms got just 16% or 2,145 H-1B work permits, less than the 2,399 visas that Amazon, the world’s largest online retailer, secured for its employees.

Apple, Cummins and Walmart are the three companies that have seen no change in the percentage of rejections, according to the analysis of 27 top technology companies by NFAP.

Immigration experts say such high rejection rates for work permits could hit talent movement and thereby the tech services companies’ ongoing business.

“There is a problem... a sharp increase in denials. Also the denial rate for past petitions for extension cases have gone up and that is more alarming,” Poorvi Chothoni, managing partner, LawQuest, an immigration law firm.

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The denial rate of 12% for continuing employment (average of continuing petitions for 27 companies) in FY19 is four times higher than the denial rate of only 3% for such petitions in FY2015, NFAP analysis showed.

Ever since President Trump began delivering on his election promise of anti-immigration reforms, Indian IT firms have been at the receiving end of growing protectionism.

The US has also shifted to a new rule that favours candidates with US master's degree for the work permit.

The Trump administration has plans to rescind an Obama-era rule that allowed spouses of H-1B work permit holders to work in the US.

Indian nationals, the majority of them qualified women, have been the primary beneficiaries of the H-4 EAD, receiving over 90% of the 120,000 visas issued since 2015.

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