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Indian IT fears impact as US moves on new H-1B process

Indian companies are concerned that the process would be non-transparent and would favour US firms over them.

ET Bureau | Last Updated: Aug 19, 2019, 06:37 AM IST

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Once the proposed H-1B registration rule is published in the next few days, USCIS will open it for public comment before being finalised.

PUNE: The US has moved a step closer to changing how the H-1B visa issuance process is carried out from next year that would impact Indian IT services firms.

Last week, the Office of Management and Budget said it has completed a review of a proposed regulation from the Department of Homeland Security (DHS) that would mandate employers to register without paying the H-1B visa fees of those employees who they intend to sponsor for H-1B visa permit. A lottery system would

shortlist people for the work permit, following which the applications will be accepted.

Indian companies are concerned that the process of issuing visas would be non-transparent and would favour US technology companies over them.

The Blueprint

- US government claims that new rule will help employers save costs
- US expected to make the process more efficient
- Proposed regulation to mandate employers to register without paying the H-1B visa fees
- A lottery system will shortlist people for the work permit

ET reported on August 9, that Indian IT firms have seen higher rejections for their visa

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applications, as the Trump administration looks at hiring more locals. The DHS body also did a review of increasing the visa fee, a move once finalised would come into effect by April 2020. The revised fees has not been announced yet.

Once the proposed H-1B registration rule is published in the next few days, US Citizen and [Immigration Services \(USCIS\)](#) will open it for public comment before being finalised. Poorvi Chothani, managing partner at the Mumbai-based immigration law firm Lawcompanies Quest, said that USCIS should solicit feedback from interested stakeholders before the electronic registration system is implemented to make sure they roll out a viable and sustainable system.

“It is important that USCIS confirms by mid September, 2019 whether it intends to mandate use of the electronic registration for the H-1B CAP petitions that will be filed in April 2020 for FY 2021. This is important because a large number of companies begin their H-1B cap filing process as early as August, and no later than January, depending on the industry.”

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