

GOVERNMENT OF INDIA  
MINISTRY OF EXTERNAL AFFAIRS  
RAJYA SABHA  
UNSTARRED QUESTION NO- 1516  
ANSWERED ON 12/02/2026

**IMPACT OF H-1B VISA POLICY ON INDIANS**

1516. DR. KANIMOZHI NVN SOMU

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

- (a) whether Government has assessed the impact of recent H-1B visa policy and processing issues on Indian professionals working in the United States;
- (b) the number of Indian nationals expected to return to India due to such issues; and
- (c) the measures taken or proposed, including facilitating alternate employment, skill redeployment, or job creation, to address the concerns of returning professionals?

**ANSWER**

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS  
(SHRI KIRTI VARDHAN SINGH)

(a to c) On 19 September 2025, the U.S. Administration issued a Presidential Proclamation titled Restriction on Entry of Certain Nonimmigrant Workers which imposed a fee of US\$100,000 on certain new H-1B petitions filed on or after September 21, 2025. The objective of the proclamation was to reform the H-1B visa program to curb abuses and protect American workers.

Subsequently, on 21 September 2025, the United States Immigration and Citizenship Services (USCIS) issued FAQs providing clarity that the fee of \$100,000 is not applicable to the following categories:

- Those who already have H-1B visas.
- Those who have filed H-1B petitions prior to 12:01 a.m. eastern daylight time on Sept. 21, 2025.
- Those who have filed for H-1B renewals.
- Those who hold a current H-1B visa and are traveling in and out of the United States.
- F-1 students already in the United States and transitioning to H-1B status via change of status.

USCIS has also clarified that exceptions to the US\$100,000 H-1B payment might be granted in the “extraordinarily rare circumstance” where the Secretary of Homeland Security determines that:

- The H-1B worker’s employment is in the U.S. national interest.
- No qualified U.S. worker is available for the position.
- The worker poses no security or welfare risk.
- Requiring the payment would undermine U.S. interests.

On 3 December 2025, the U.S. Department of State announced that beginning 15 December 2025, it will carry out a vetting of the online presence of all H-1B applicants and their dependents (H-4) to determine their admissibility to the United States. Subsequently, the consular appointments of several H-1B and H-4 visa applicants scheduled in December 2025 were rescheduled to new dates in 2026, leading to a large number of the applicants remaining in India.

Furthermore, on 29 December 2025, the U.S. Department of Homeland Security issued a new rule implementing a weighted selection process that would generally favour the allocation of H-1B visas to higher skilled and higher paid aliens, effective from 27 February 2026.

Since the above measures are of recent nature there is no comparable data as yet on the impact on Indian nationals.

While visa-related decisions are sovereign matters, India believes that skilled talent mobility has long played a significant role in promoting technology advancement, innovation, economic growth, and wealth creation in both India and the United States. Stakeholders in both countries remain engaged in discussions on ensuring continued support for innovation-driven industries.

The Government has established various channels to enable Indian workers abroad to reach out to the Mission/Post in case they need any assistance. The workers can contact the Missions/Posts through walk-in, email, multilingual 24x7 emergency numbers, grievance redressal portal like MADAD, CPGRAMS, eMigrate, and social media, etc.

Government of India's various initiatives to enhance and support employment opportunities are available to all Indian citizens including professionals returning from the United States.

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