

BIDEN ALLOWS H1-B VISA BAN TO EXPIRE

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Welcome back:Firms hiring foreigners 'struggled to fill jobs', despite high domestic unemployment, says a study.AP/FILEWilfredo Lee

The White House has allowed a 2020 ban on H1-B skilled worker and certain other temporary visas to expire on March 31. H1-B visas, used more by Indian professionals than any other nationality, were suspended by President Donald Trump in June last year, ostensibly to protect American jobs, already reeling under the impact of the COVID-19 pandemic. Visas for intra-company transfers (L1), exchange visitors (J1), temporary non-agricultural workers (H-2B) and dependents of H1-B holders (H4) were also impacted by the expiring ban.

The White House did not make an official statement on the suspension's expiration, as President Joe Biden travelled to Pittsburgh on Wednesday to unveil his \$2 trillion American Jobs Plan — a massive, eight-year infrastructure plan.

While the stated reason for Mr. Trump's suspension was protecting American jobs in the face of unprecedented unemployment last year, the ban did not have its intended impact, according to the preliminary findings of a *Wall Street Journal* study.

The analysis found that businesses employing foreigners "struggled to fill jobs" despite very high domestic unemployment.

The ban, which was opposed by several prominent industry bodies, was litigated last year. The American Chamber of Commerce and the National Association of Manufacturers had won a preliminary injunction against the ban for their members from a federal court last October (the start of the U.S. fiscal year).

Indian IT industry body NASSCOM said it applauded the decision to let the visa ban expire.

"Allowing the suspension to lapse makes great sense for the United States. As the courts seemed to agree, there was no credible evidence that the visa holders do harm to the U.S. labour market. Quite the contrary, these individuals are a vital part of the U.S. workforce and their presence enhances and helps enable the U.S. economy, innovate, and grow jobs across the country. NASSCOM believes this will help U.S. businesses access talent critical to the economic recovery phase in the post-COVID world," the NASSCOM statement said.

The Information Technology Industry Council, an IT and tech industry association with members such as Amazon, Google, Cognizant and Tata Consultancy Services (TCS), also said it welcomed the ban expiration.

Immigration reforms

"ITI welcomes the expiration of the prior administration's H1-B visa ban today, and we look forward to working with @POTUS and the U.S. Congress on advancing sound immigration reforms moving forward," a tweet from the organisation read.

U.S. Senator Josh Hawley, a member of the right flank of the Republican Party, wrote to Mr. Biden asking him to consider a ban extension.

“I urge you to extend the temporary foreign worker entry suspension until the national unemployment rate has meaningfully declined, and until your administration has conducted a thorough review of non-immigrant visa programs to ensure that American workers are fully and effectively protected from harm,” he said. U.S. joblessness claims fell to 6,84,000 in March – the lowest since the pandemic began a year ago.

While the ban has expired, some workers wanting to travel to the U.S. will not be able to due to pandemic-related U.S. travel restrictions on regions and countries, including South Africa, most of Europe and Brazil.

(With inputs from Yuthika Bhargava in New Delhi)

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