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The recent H-1B Visa controversy in the USA

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Abstract:

This article looks at how globalization is contested through the debates on the H1-B visa program. The system of neoliberal globalization that encourages the free movement of workers, and prioritizes efficiency, is credited for the birth of the H-1B visa which sought to fill the technological skill shortage in America. Drawing from Global Capitalism by David Harvey and some other writers listed in the introduction, it is argued that the program reveals significant contradictions of global capitalism. Although the visa facilitates the movement of skilled migrants, particularly from India, it places them within a framework of cultural marginalization and exploitation of laissez faire labor conditions. Furthermore, it results in domestic backlash regarding loss of jobs and wage suppression.

Keywords- H-1B Visa, Globalization, Neoliberalism, Labor Mobility, Immigration Policy, Skilled Labor, Capitalism, Imperialism, Indian American Community, Technology Workforce, Economic Inequality

Introduction-

People often see globalization as a force that changes everything. It helps economies grow, technology advance, and cultures mix **Veltmeyer, J., & Veltmeyer, H. (2001). *Globalization unmasked: Imperialism in the 21st century* (p. 13). Fernwood Publishing; Zed Books.** But the recent fight over the H-1B visa program in the U.S. shows the problems with globalization. The H-1B program lets U.S. companies hire skilled workers from other countries **Varma, R., & Rogers, E. M. (2004). *Indian cyber workers in the U.S. Economic and Political Weekly*, 39(52), 5645.** Now it's causing arguments. Some say it hurts U.S. workers, takes advantage of foreign workers, and makes inequality worse. Globalization aims to connect the world more. Yet it remains a hot topic. This is because its benefits aren't shared . There's tension between what countries want and letting workers move . Businesses, governments, and workers all want different things.

To dig into this debate, we need to grasp the bigger economic and political forces at work. David Harvey's book *A Brief History of Neoliberalism* offers a critical way to look at how

neoliberal economic policies have shaped globalization. In chapters 1, 3, and 6, Harvey makes the case that globalization isn't a neutral process. Instead, it's driven by what multinational companies and powerful countries want. These groups often put deregulation, privatization, and free market answers ahead of social welfare. People view the H-1B visa program as a result of this neoliberal agenda. It puts business interests to access cheap and flexible labor above protecting workers' rights, both at home and abroad.

We can further explore how globalization affects labor migration by looking at the Indian-American community's experiences. R. S. Khare's work is called "Indian American Community: Changes and Challenges." In it, he shows how Indian professionals, many of whom have H-1B visas, deal with the challenges of economic opportunity and fitting into a new culture. Khare's insights help us understand the wider social and cultural effects of labor migration. They show that globalization doesn't just change economic outcomes. It also changes the lives of individual workers and communities **Khare, R. S. (1996). Indian American community: Changes and challenges. *World Affairs: Journal of International Issues*, 5(1), 51.**

In the 21st Century, globalization serves as a new type of imperialism **Petrus, J., & Veltmeyer, H. (2001). *Globalization unmasked: Imperialism in the 21st century* (p. 12). Fernwood Publishing; Zed Books.** They suggest that strong countries control the worldwide job market. They show how the movement of workers through plans like the H-1B visa strengthens the power balance between rich industrial nations and poorer growing ones. This view sees the H-1B visa as a way to control the economy. It suggests that companies lure skilled workers from places like India to the U.S. job market. These workers often face shaky job situations. This setup helps big global companies but keeps unfairness going.

The story of Indian IT experts which Roli Varma and Everett M. Rogers included in their study about Indian cyber workers in the U.S. states the opposite of the narrative of globalization as fair and benefiting both side's process. The authors have revealed in their research how important Indian employees are, especially those in the technology industry, for the U.S. economy, but still, they are facing exploitation and lack of labor protections **Varma, R., & Rogers, E. M. (2004). Indian cyber workers in the U.S. *Economic and Political Weekly*, 39(52), 5650.** The H-1B visa, in this light, is not a mutually profitable interaction but a tool for the personification of skilled labor and therefore the minimum cost extraction of labor. She

wrote a final article contrasting her scathing economic critique of the visa program with almost any earlier argument. Those in favor of it say the program works on free-market principles to tackle labor shortages; on the other side, critics call it an engine of resources over migrant exploitations and wage repression in the U.S. labor market. Watts' investigation proves that H-1B works as an exemplary case of the contradictions within the globalization project for economic efficiency, i.e., to the detriment of vulnerable workers.

In this case, the H-1B visa debate eventually became an exemplary case within the larger debates on globalization. Thus, one comes to see economic effectiveness, national independence, advocating for workers' rights, and the battle over cultural identities all as sites for contradictions about globalization as an idea. Given that globalization is becoming all the more alive, the question becomes: Who benefits the most from globalization, and at what cost?

Globalization and Neoliberalism- A Case Study of the H-1B Visa Controversy

Globalization, which is conventionally perceived as the internationalization of national economies through trade, investment, and the labor of doing what they love (which is virtually the same as buying and selling commodities) has indeed totally changed the way the world economy works. Nevertheless, viewed through the H-1B visa controversy in the United States, globalization remains a very hot object. Despite this, the economic philosophy, neoliberalism which values the dearth of government regulations, promotion of private businesses, and free trade is central to this debate, particularly regarding the labor migration policies such as the H-1B visa program. David Harvey's *A Brief History of Neoliberalism* (2005) provides a critical framework for understanding how neoliberalism through globalization encourages inequalities that defy the benefits that are claimed.

Neoliberalism, as defined by Harvey, was propelled to the central position of the economic paradigm in the 1970s through the response to economic crises in Western capitalist economies **Harvey, D. (2005). *A brief history of neoliberalism* (pp. 22). Oxford University Press.** It suggests that free markets, deregulation, and little government involvement are the ways to economic prosperity for all. Harvey contends that neoliberalism is not only an economic model, but it is also a political project constructed to give back the power of elites and corporations to the point that they are able to dismantle the welfare state and permeate national economies to global market forces. In this connection, the flexibility of labor is usually depicted as an

important element of a globalized economy, so that workers can be manufactured in any place based on the requirements from multinational corporations.

The H-1B visa program, a plan that lets U.S. businesses into hiring foreign personnel with specific abilities, has its roots in the neoliberal developments that have occurred. The U.S. government formulated the H-1B visa in the 1990s with the aim of fulfilling the perceived deficiencies in trained labor in sectors like information technology and engineering. Against this background, a visa such as H-1B, which is a labor market-driven one, is configured as the solution to a labor market need by assignment of the labor forces. The basic idea is that the unencumbered availability of skilled workers shall stimulate investments as well as bring about improvements in efficiency and competitiveness. Firms such as those in Silicon Valley argue in favor of extending the H-1B program, professing that it is a cornerstone in genesis and advancement of innovation and the economy. This is evidently consistent with the neoliberal stance which has business interests put before national or local labor concerns.

But the H-1B visa controversy is a witness to the contradictory nature of globalization under neoliberalism. While companies look forward to getting cheap labor, this same program sometimes turns to exploitation when their wages and working conditions are far inferior to those experienced by foreign workers. Harvey argues that while neoliberalism focuses on economic efficiency, it often ignores the attendant social costs concerning labor markets; the H-1B is a case in point. The H-1B visa regime, however, favors corporations over workers and is socially irrational because it renders enormous economic benefits to multinational corporations at the expense of migrant workers with insecure employment conditions.

Impact of Globalization on Immigrant Communities

One of the finest examples of the complexities emanated in globalization is the Indian-American community, especially those who migrated through programs such as the H-1B Visa. This merger itself had both visible merits as well as several drawbacks to the Indian-American community. With the increasing flows of labor and capital around the globe, that same Indian-American community experiences divisions. This paper is based on R.S. Khare's 1996 study, 'Indian American Community: Changes and Challenges,' attempts to discover how Indian immigrants negotiate a dual experience: participating in global labor flows and facing the challenges of integration, identity, and discrimination in the United States **Khare, R. S. (1996).**

Indian American community: Changes and challenges. *World Affairs: Journal of International Issues*, 5(1), 51

This H-1B visa program has been an extremely important channel for the movement of skilled labor toward the United States, particularly from countries like India. Indian immigrants have since the 1990s steadily flowed to the United States, many by way of the tech industry, very much dependent on skilled labor. According to Khare, the Indian-American population in the U.S. was able to multiply because of the H-1B visa, which allows companies to hire foreign labor in specialized occupations.

In these avenues of the H-1B visa, Indian professionals, especially in IT, engineering, and medical fields, appeared to have gained economically. In many respects, the program has made it easier for these professionals to migrate to the U.S., with the highly educated labor force and skill set which in turn made a contribution to the U.S. economy, and at the same time, these immigration policies helped many Indians settle down and lead a good life. The immigrants have contributed significantly to the U.S. professional workforce, globalization, through connecting businesses in the U.S. with various global streams of talented labor. However, the growth of the Indian-American community had its challenges. While the community has been relatively successful economically, integration into American society has often proved difficult, as Khare narrates. Cultural assimilation, language barriers, and maintaining a cultural identity in a society that is diversely constituted yet predominantly exclusionary are some of the hurdles Indian immigrants face **Khare, R. S. (1996). Indian American community: Changes and challenges. *World Affairs: Journal of International Issues*, 5(1), 51.** The balancing act of retaining cultural heritage while also fitting into mainstream sociocultural American life is a major challenge for many.

The cultural piece of globalization also plays a role here. This community is the offspring of global labor flows across borders for better opportunities. At the same time, members find themselves caught between two worlds: one in which they hold dear their roots and the other in which they must contend with a foreign cultural environment. According to Khare, this tension sometimes fuels feelings of cultural displacement or the formation of a hybrid identity, with individuals sometimes choosing aspects of both their Indian ancestry and American culture. And, beyond the challenges that Indian-American groups face in the areas of integration

and identity, they often experience discrimination, especially in terms of race and ethnicity. Khare shows that, regardless of professional success, Indian immigrants encounter racial concatenation and exclusion--a situation representative of larger societal frictions indeed concerning immigration and the evolving demographic scenario of the U.S **Khare, R. S. (1996). Indian American community: Changes and challenges. *World Affairs: Journal of International Issues*, 5(1), 52.**

Essentially, globalization permits movement and mobility; however, it collides with and intensifies some prejudices' already-existing character. It encapsulates the range of experiences in discrimination extending from microaggressions to systemic biases in workplaces, which adds the sense of belonging to more complexities for many Indian Americans. They illuminate that the experience is very racialized with regard to the contestation of globalization on which standards for economic benefits cannot be ensured, and social integration is neither guaranteed. These immigrants to India are "outsiders" even when contributing to the economy of the U.S., suggesting that globalization is not necessarily a step toward another more inclusive or harmonious society.

To sum it up, the testimony of the Indian-American community on the H-1B Visa shows that globalization is still deeply contested. The program has not only favored the movement of skilled labor, yet also closely severed its ties with the economic success of so many Indian immigrants; yet it can also be seen as forcing them into complex situations with regard to cultural identity, social integration, and discrimination. According to Khare's research, the Indian-American community is both a victim of and participant in global labor flows, embracing the benefits of globalization while facing the related social and cultural problems. Moreover, contestation in globalization, as highlighted by the experience of Indian immigrants, reflects the universal contradiction in the movements of people versus capital.

The Relevance of Global Capital and National Sovereignty

In the wake of the H-1B visa contest in the United States, globalization is stripped of illusions; all its contradictions are laid bare. The program admits highly qualified foreign workers to the United States to fill labor shortages in U.S. companies, thus providing a battleground for the competing interests of immigration, economic policies, and national sovereignty.

In their book, *Globalization Unmasked: Imperialism in the 21st Century*, authors James Petras and Henry Veltmeyer comment on the global capitalist order, concluding that contrary to the assumptions of either neutrality or irrelevance to mankind's fate, globalization is principally the domain of imperialist interests **Petras, J., & Veltmeyer, H. (2001). *Globalization unmasked: Imperialism in the 21st century* (p. 33). Fernwood Publishing; Zed Books.** Those powerful forces control much of the economic landscape, procuring value from labor and resources everywhere while continuing the trend of economic inequalities. This analysis delineates the polarity between global capital and the national sovereignty involved in the dynamic conflict of globalization as epitomized in the ongoing controversy surrounding the H-1B visas.

Petras and Veltmeyer say that globalization is much more than the moving of goods and cultures beyond borders. It is, in fact, a tool used to impose the power of the rich multinational corporations and to dominate powerful financial institutions over states. Those strong hands dominate the major variety of the economic landscape and suck all economic values from laboring and resourcing regions to perpetuate the same trend of inequalities. The function of H-1B visas is significant in this discussion; in the sense that projects how it allows corporations to fetch a cheaper labor pool from away with countries such as India, skirting domestic labor shortages and wage demands.

While skilled workers from abroad pour into the U.S., making it possible for U.S. companies to get services by workers at often lower wages than those earned by native professionals, private U.S. workers experience job loss and wage suppression. This accords with the no overall structure for national labor markets empowered by global capital. This says the program has less to do with genuine labor shortage or innovation but offers multinational companies in the United States cost control on labor.

The approach Petras and Veltmeyer take in analyzing globalization makes it very clear that this model of global capitalism is primarily concerned with the interests of corporations at international levels with regard to the welfare of laborers, both in the U.S. and abroad. Unlike most countries, it imports cheap labor while offering the United States maximum profits derived from the global exploitation of human resources. *Globalization Unmasked* highlights the core question of capital's unlimited expansion against the preservation of a nation-state's sovereignty. For Petras and Veltmeyer, much of the modern globalization process is basically

an attack on national autonomy, which favors global market integration at the expense of domestic economic interests. The U.S. in an H-1B Visa scheme aided in foreign workers' entrance thereby "occupying" important jobs away while limiting the domestic labor force in competition for these jobs. This legislative interference constitutes a growing example of how global capital is able to intervene in national decision-making by exerting pressure to ensure governments not only oblige its wanting policies.

The case of the H-1B Visa exemplifies the dilemma of balancing national interests with global economic demands. On the one hand, the U.S. government claims that the program fosters economic growth by providing access to skilled labor which activates innovation and technology. On the other side, critics charge that it allows global capital to undermine national sovereignty by establishing a labor policy that supports corporate profits at the expense of job creation and wage stabilization in the U.S.

In its critique of neoliberalism, Petras and Veltmeyer explore how global capital often operates to undermine national sovereignty, with governments having increased pressure from transnational corporate interests. The H-1B Visa debates serve to illustrate how U.S. government policies on immigration and labor are influenced more by powerful multinational companies than by the needs of their own citizens. A glaring illustration of the divisive state of globalization is the whole H-1B Visa hullabaloo and the context of the interaction of global capital with national sovereignty. Capital's deglobalization has been, as Petras and Veltmeyer state in *Globalization Unmasked*, accompanied by the erosion of national authority over economic and labor policies. H-1B is ostensibly a tool for dealing with labor shortages. Rather, it has become a conduit through which multinational corporations hire cheap labor, thus perpetuating the growing economic divide. Conflicts of interest between global capital and nations determined to protect sovereignty and the welfare of their citizens are a testament to how globalization is increasingly contested. Therefore, issues regarding the H1-B Visa are just microcosms of the bigger battles that surround how globalization has affected national economic systems.

Technological Change and the Global Labor Market

A fine instance of current contestation around the still-project in globalization refers to the United States' H-1B Visa controversy, especially as it relates to the global labor market. Though commonly identified with the less-than-free flow of capital and labor across borders,

it is the entry of skilled foreign workers, especially in such areas as information technology (IT), that spurs debate with respect to immigration policy, labor rights, and national economic interests. The essay is based on the work of Roli Varma and Everett M. Rogers on, 'Indian Cyber Workers in the United States,' attempts to showcase how this flow of Indian workers into the American labor market, courtesy of the H-1B Visa, is fraught with contradictions and conflicts in building globalization **Varma, R., & Rogers, E. M. (2004). Indian cyber workers in the US. *Economic and Political Weekly*, 39(52), 5651.**

This study investigates the life history of Indian cyber workers (primarily those employed on H-1B visas by the U.S. IT sector). These people happen to be a prime example of the great skilled labor flow that globalized capitalism created as U.S. businesses started relying more than ever on foreign workers to meet the demands for high-tech expertise. The fact that India is creating new cyber workers for the U.S. labor market is a phenomenon that can well be understood in the neomodern description of global labor flow ushered in by the neoliberalization of economic policies: the free movement of capital and labor **Varma, R., & Rogers, E. M. (2004). Indian cyber workers in the US. *Economic and Political Weekly*, 39(52), 5650.** Indeed, the very provision of the H-1B Visa has become a major channel for such movement of labor between the two countries, enabling U.S. companies to source much-needed talent externally for short-term needs from countries like India.

In fact, according to Varma and Rogers, the flow of workers from one country increases into another in recent years portraying the utmost extent of globalization in the contemporary workplace. Very highly literate people, able to even pursue higher studies in computer science and engineering, are the Indian immigrants contributing towards the development of the U.S. tech sector within the ambit of the same global networks of innovation across which they are traversing. But while they do contribute to the economy, they are also noted for their exploitation and unequal opportunities at the workplaces.

While laborers are being pushed into greater mobility by the H-1B Visa, certain hindrances are being caused by it **Varma, R., & Rogers, E. M. (2004). Indian cyber workers in the US. *Economic and Political Weekly*, 39(52), 5647.** Of major concern is the dependence of workers upon employer sponsorship. Since H-1B workers are tied to their sponsoring employers, switching jobs is difficult, for if they do so, their legal positions in the U.S. will be put in jeopardy. The reliance on an employer to renew the visa and grant work may lead to the

exploitation of workers, who could be forced to work under unpleasant conditions or for lower wages, fearing dismissal and loss of visa status.

Further, the H-1B program brings in foreign workers, who can now compete for jobs with native-born U.S. workers. While proponents argue that the program helps fill labor shortages in key industries, critics often claim it can threaten job security for domestic workers. This tension is analyzed by Julie R. Watts in 2001, wherein she discusses how the H-1B Visa is justified by its proponents as a solution to labor shortages in technology and allied sectors **Watts, J. R. (2001). The H-1B visa: Free market solutions for business and labor. *Population Research and Policy Review*, 20(1/2), 145.** However, it can create turf-wars for domestic workers who perceive foreign entry as a threat to their job opportunities or wage advancement.

The clash between the free movement of labor and local resistance is but one example of the tensions that globalization creates. First comes globalization that allows labor to flow across borders to create economic growth, innovation, and competition. The United States welcoming an influx of highly skilled workers, who have proved their worth in upholding the country's technological and economic stature, is the other side of the coin. At the same time, local workers perceive such intrusions as a threat to their present job opportunities or bargaining power when they see foreign workers as ready to accept lower standards of compensation in the same jobs. When they believe native jobs are being taken by foreigners, wage stagnation and job displacement farther take hold. Consequently, concerns are being expressed regarding how employers may abuse the H-1B program in hiring foreign workers at wages lower than what is considered fair for the same work for the native worker.

In 'The H-1B Visa: Free Market Solutions for Business and Labor', Julie Watts critically examined the H-1B Visa program in the United States in 2001. Watts argues that while the Visa program is often positioned as a free-market solution to the needs of business, it has substantial state intervention and regulation attached to it **Watts, J. R. (2001). The H-1B visa: Free market solutions for business and labor. *Population Research and Policy Review*, 20(1/2), 150.** Watts points to the contradictions that arise under this so-called "free market" approach to labor migration and the role of government in shaping these markets **Watts, J. R. (2001). The H-1B visa: Free market solutions for business and labor. *Population Research and Policy Review*, 20(1/2), 152.** Especially apparent are the contradictions when juxtaposing

the global economic ideals of a free market with national protectionist policies geared towards saving domestic labor forces, such as restriction on immigration and job outsourcing, where the H-1B Visa controversy shines forth in that light, thus rendering that very case a microcosm for the version of globalization that is contested at the national level against the backdrop of nationalism and growing protectionism.

The H-1B Visa program is often portrayed as a solution to labor shortages in those industries where domestic labor is practically absent, and it allows U.S. companies to hire foreign workers for special occupations, such as technology, engineering, and medicine. Supporters say that it allows for the optimal distribution of labor, that it supports a theory of free market in the global context, and that it enhances U.S. competitiveness. But Watts makes the point that, "but applying a market argument is not straightforward." The argument frames the program as one promoting the market idea yet it runs contrary to the intervention by the state. The government of the U.S. determines the quotas, implements rules concerning the issue of visas, and restricts the stay of H-1B workers, all of which interfere with a notion of a labor market free from regulation. Besides, firms find it convenient to use H-1B workers not only due to a lack of domestic talent but also because H-1B allows them to pay lower wages than they would pay domestic workers. In this regard, the program would justly be seen as an example of how migrant workers are being used as tools by corporations, albeit of a labor market that is not entirely free.

One must now think, contrasting and juxtaposing free-market solutions with protectionism, in a broader geopolitical sense. In a free market, labor would flow across national boundaries without hindrance, according to market demand, and businesses in need of talent would go to whichever part of the world such talent happened to be. We all know that this is not ever true. The very system of H-1B, although purportedly global in scope, has for its very design national protectionism aimed at checking the inflow of foreign labor against the protection of domestic American labor. This tension becomes particularly evident during any recession when the critics claim that foreign workers are taking the jobs away from American citizens, thus generating a huge backlash against immigration.

This growing contradiction between globalization and protectionism often indicates sympathy for nationalism in many countries, including the United States. Nationalists are often inclined to see immigration and the presence of foreign workers through programs like the H-1B Visa

as a national identity and economic security threat. Increasingly so, protectionist initiatives receive political momentum in the United States when immigration is popularly blamed for the spread of income inequality, job losses, and the decline of manufacturing industries. Nationalist arguments portray immigration as the soft underbelly of foreign powers and multinational corporations, who have been accused of undermining domestic labor markets for profit. This backlash against globalization in the shape of anti-immigration or restrictive immigration policies, and protests against outsourcing, are observable with increasing clarity in the contemporary U.S. political scene.

The H-1B Visa controversy thus serves as a prime case in point of the contestation of globalization at the national level. The free-market rhetoric surrounding the visa program stands in stark contrast to the protectionist measures implemented by the U.S. government to discipline labor markets and to soothe public anxiety about job security. As nationalist and protectionist moods prosper, these policies bear witness to a more pervasive conflict between the global forces of economic liberalization and the local desires for economic self-sufficiency and national sovereignty. The H-1B Visa question, under such circumstances, is not merely about immigration or labor market efficiency-it is an emblem of the struggle between globalization as a contested process in which interests of global capital continuously clash with those of national states and their citizens.

Conclusion

Debates around the H-1B visa, introduced and manipulated by certain groups in the United States, aptly illustrate the harsh contradictions in the theory and practice of globalization. As a visa program for the temporary employment of skilled workers abroad, H-1B implementation supports globalization furthered by the neoliberal ideology of global capitalism, which encourages the movement of labor and resources across borders so as to maximize economic growth. However, the same globalization gives rise to vast struggles and contradictions through the lenses of labor markets, national identity, and cultural integration. The readings thus provided paradigms for seeing the H-1B visa controversy as a more focused instance of globalization crises.

In *The H-1B Visa: Free Market Solutions for Business and Labor*, Julie Watts reflects on the claim of H-1B visas as free-market solutions to labor shortages in sectors like technology and engineering. Labor unions and some immigration reformists contest this view and assert that

the visa system undermines wages and job opportunities for American workers. The contradictions within neoliberal policies are underscored by cases where markets collide with protection for local labor and national interests, making the H-1B visa a point of contention over the costs and benefits of globalization.

In conclusion, the H-1B visa embodies the contested terrain of globalization. While it provides for inter-border movement of skilled labor facilitating economic growth, it also exposes severe inequities, both within the United States and across the globe. Confrontations between free market ideologies and national protectionism, and labor exploitation realities, reveal the contorted nature of globalization. This contradiction puts forth the question of any given project of globalization: Who wins, who loses? Which breaks up the already lopsided inequality, and which undermines the concept of national identity and sovereignty? Thus, the H-1B visa controversy provides a very good case of the continued contention of the dynamics of globalization in the economic and political arenas.

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