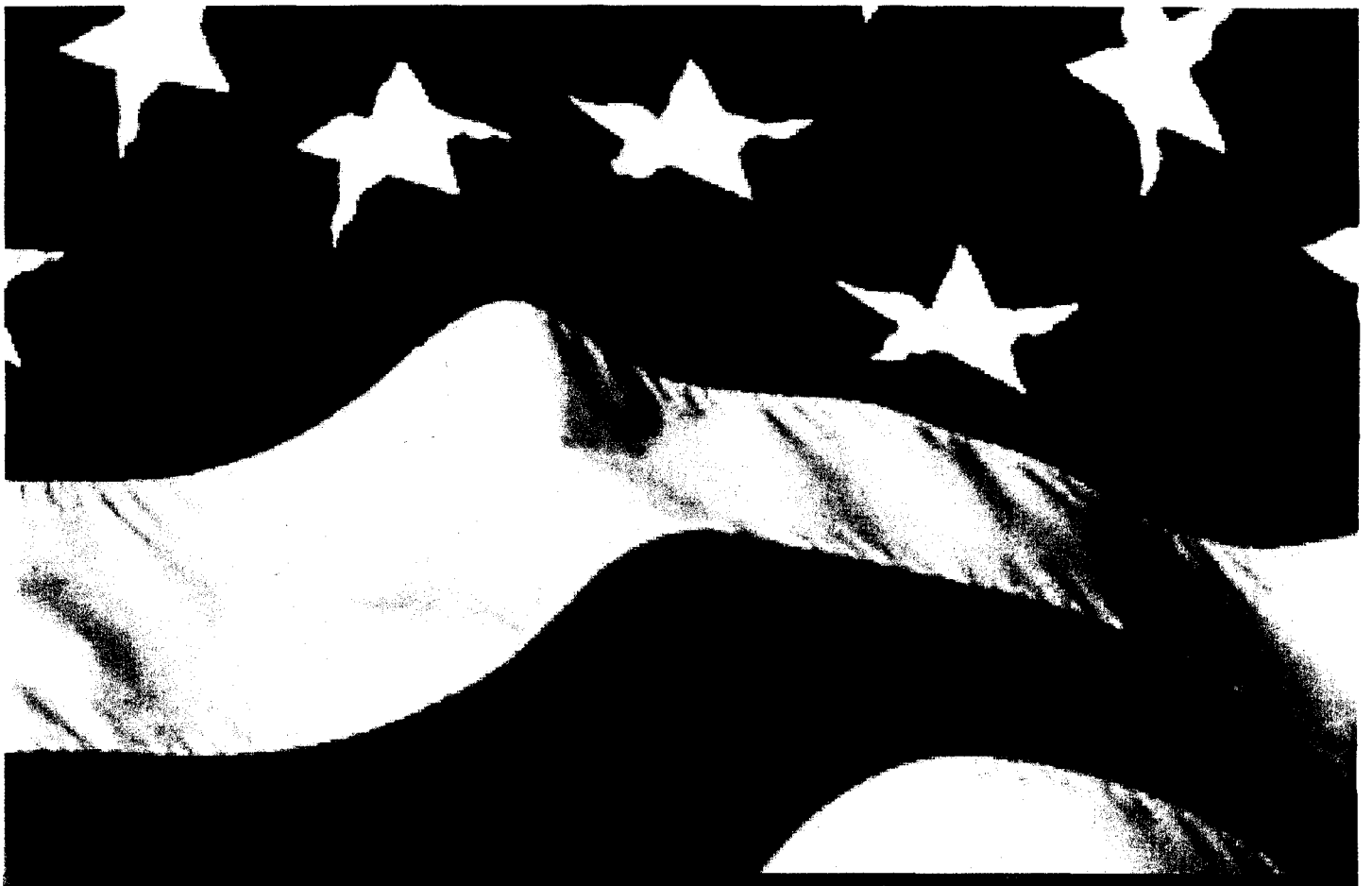

Characteristics of Specialty Occupation Workers (H-1B)

Fiscal Year 2007, Annual Report
October 1, 2006 – September 30, 2007

March 30, 2009

Homeland Security

Assistant Secretary for Legislative Affairs
U.S. Department of Homeland Security
Washington, DC 20528

MAR 3 0 2009

Foreword

I am pleased to present the following report, "Annual Report on Characteristics of Specialty Occupation Workers (H-1B) for Fiscal Year 2007" which has been prepared by the U.S. Citizenship and Immigration Services. The report has been compiled in response to a legislative requirement accompanying the American Competitiveness and Workforce Improvement Act of 1998 (P.L. 105-277).

The report provides information on the countries of origin and occupations of, educational levels attained by, and compensation paid to, aliens who were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (INA) during the previous fiscal year.

Pursuant to congressional requirements, this report is being provided to the following Members of Congress:

The Honorable Patrick Leahy
Chairman, Senate Judiciary Committee

The Honorable Arlen Specter
Ranking Member, Senate Judiciary Committee

The Honorable John Conyers
Chairman, House Judiciary Committee

The Honorable Lamar Smith
Ranking Member, House Judiciary Committee

I appreciate your interest in the Department of Homeland Security. If I may be of further assistance, please contact the Office of Legislative Affairs at (202) 447-5890.

Sincerely,

Chani Wiggins
Assistant Secretary

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

Executive Summary

The American Competitiveness and Workforce Improvement Act (ACWIA), Public Law 105-277, Division C, imposes annual reporting requirements on the U.S. Citizenship and Immigration Services (USCIS) concerning the demographic H-1B worker data.

To fulfill this requirement, U.S. Citizenship and Immigration Services submits the following report for Fiscal Year 2007, October 1, 2006 – September 30, 2007. The report provides information on the countries of origin and occupations of, educational levels attained by, and compensation paid to, aliens who were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act during the previous fiscal year. In all parts of this report, annual data for Fiscal Year 2007 are presented.

Highlights

- The number of H-1B petitions filed increased 3 percent from 295,915 in Fiscal Year 2006 to 304,877 in Fiscal Year 2007.
- The number of H-1B petitions approved increased approximately 4 percent from 270,981 in Fiscal Year 2006 to 281,444 in Fiscal Year 2007.
- Approximately 52 percent of all H-1B petitions approved in Fiscal Year 2007 were for workers born in India.
- About 48 percent of H-1B petitions approved in Fiscal Year 2007 were for workers between the ages of 25 and 34.
- Forty-four percent of H-1B petitions approved in Fiscal Year 2007 were for workers with a bachelor's degree, 40 percent had a master's degree, 10 percent had a doctorate, and 5 percent were for workers with a professional degree.
- Almost 50 percent of H-1B petitions approved in Fiscal Year 2007 were for workers in computer-related occupations.
- The median salary remained at $60,000 in Fiscal Year 2007, the same as in Fiscal Year 2006.

The data contained in this report are accurate as of October 2007.

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

Table of Contents

I. Legislative Requirement 1

II. Background 2

III. Data Report 4
Section 3.1 – General distribution of petitions..... 4
Section 3.2 – Distribution of petitions by country of birth..... 6
Section 3.3 – General distribution of petitions by age..... 8
Section 3.4 – Distribution of petitions by education..... 9
Section 3.5 – Distribution of petitions by occupation..... 11
Section 3.6 – Distribution of petitions by annual compensation 15
Section 3.7 – Distribution of petitions by industry 18

IV. Appendix 21
Section 4.1 – H-1B petition processing 21
Section 4.2 – Data limitations 21

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

I. Legislative Requirement

The American Competitiveness and Workforce Improvement Act (ACWIA), Public Law 105-277, Division C, includes the following requirement under section 416(c)(2):

> "...(T)he Attorney General shall submit on an annual basis, to the Committees on the Judiciary of the United States House of Representatives and the Senate, information on the countries of origin and occupations of, educational levels attained by, and compensation paid to, aliens who were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act during the previous fiscal year."

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

II. Background

An H-1B temporary worker is an alien admitted to the United States to perform services in a "specialty occupation."[1]

The H-1B nonimmigrant classification is a vehicle through which qualified aliens may seek admission to the United States on a temporary basis to work in their fields of expertise. Prior to employing an H-1B temporary worker, the U.S. employer must first file a Labor Condition Application (LCA) with the Department of Labor (DOL) and then file an H-1B petition with USCIS. However, while USCIS is responsible for evaluating an alien's qualifications for the H-1B classification, approval of an H-1B petition does not equate to admission of the alien to the U.S. in H-1B status. The Department of State (DOS) plays a vital role in the H-1B admission process.

The LCA specifies the job, salary, length and geographic location of employment. In addition, the employer must agree to pay the alien the greater of the actual or prevailing wage for the position. Once DOL approves the LCA, the U.S. employer may file the H-1B petition with USCIS.

To qualify as a specialty occupation, the position must meet one of the following requirements: (1) a bachelor's or higher degree or its equivalent is normally the minimum entry requirement for the position; (2) the degree requirement is common to the industry or, in the alternative, the position is so complex or unique that it can be performed only by an individual with a degree; (3) the employer normally requires a degree or its equivalent for the position; or (4) the nature of the specific duties is so specialized and complex that the knowledge required to perform the duties is usually associated with attainment of a bachelor's or higher degree. See 8 CFR § 214.2(h)(4)(iii)(A). In order to perform services in a specialty occupation, an alien must meet one of the following criteria: (1) hold a United States baccalaureate or higher degree as required by the specialty occupation from an accredited college or university; (2) possess a foreign degree determined to be equivalent to a United States baccalaureate or higher degree as required by the specialty occupation from an accredited college or university; (3) have any required license or other official permission to practice the occupation (for example, architect, surveyor, physical therapist) in the state in which employment is sought; or (4) have, as determined by USCIS, the equivalent of the degree required by the specialty occupation acquired through a combination of education, specialized training, and/or progressively responsible experience. Specialty occupations may include, but are not limited to, computer systems analysts and programmers, physicians, professors, engineers, and accountants.

An alien may be admitted to the United States in H-1B status for a maximum period of six years; however, the H-1B petition may only be approved for a maximum period of three years. See INA § 214(g)(4). Thus, the H-1B petition may be used to sponsor an alien for an initial period of H-1B employment or to extend or change the authorized stay of an alien previously admitted to the United States in H-1B status or another nonimmigrant status. Additionally, an employer may file the petition to sponsor an alien who currently has status as an H-1B nonimmigrant working for another employer or to seek an amendment of a previously approved petition. In the case of a petition to amend a previously approved petition, no corresponding request need be made to extend the authorized stay of the

[1] Section 214(i)(1) of the INA defines a specialty occupation as "an occupation that requires (A) the theoretical and practical application of a body of highly specialized knowledge, and (B) attainment of a bachelor's or higher degree in the specific specialty (or its equivalent) as a minimum for entry into the occupation in the United States." 8 U.S.C. §1184(i).

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

beneficiary. For example, an employer may file an amended petition notifying USCIS of a different location where the beneficiary will be employed or a material change in the beneficiary's job duties. Therefore, the total number of approved petitions in any given fiscal year exceeds the actual number of aliens who are provided nonimmigrant status as H-1B. At the end of the six-year period, the alien must either change to a different status (if eligible) or depart the United States.[2] USCIS regulations provide that an alien who has been outside the United States for at least one year may be eligible for a new six-year period of admission in H-1B status. See 8 CFR 214.2(h)(13)(iii)(A).

When the H-1B category was enacted in 1990, Congress established that a maximum of 65,000 H-1B visas may be issued to aliens during each fiscal year. This limitation, commonly referred to as the "H-1B cap," does not apply to H-1B petitions filed on behalf of aliens who have been counted against the cap in the previous six years and who have not been outside of the United States for one year or longer. Thus, generally, petitions to extend an H-1B nonimmigrant's period of stay, change the conditions of the H-1B nonimmigrant's current employment, or request new H-1B employment filed on behalf of H-1B workers already in the United States will not count against the H-1B fiscal year cap.

The INA, as amended by the Immigration Act of 1990, the American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) and the American Competitiveness in the Twenty-first Century Act (AC21), made significant changes to policy and procedure governing the H-1B category, including providing temporary increases in the fiscal year limitations on available H-1B visas and providing for certain exemptions to these limitations. Under ACWIA, the annual ceiling of H-1B petitions valid for new employment was increased from 65,000 to 115,000 in Fiscal Years 1999 and 2000 and to 107,500 in Fiscal Year 2001. AC21 raised the limit on petitions in Fiscal Year 2001 from 107,500 to 195,000 and in Fiscal Year 2002 from 65,000 to 195,000. The limit in Fiscal Year 2003 was 195,000. Starting in Fiscal Year 2004, the H-1B cap reverted back to 65,000 per fiscal year and presently remains at that level. These statutory provisions also provided for certain exemptions from the fiscal year H-1B cap; petitions for new H-1B employment are exempt if the aliens will be employed at institutions of higher education or related or affiliated nonprofit entities, or at nonprofit research organizations or governmental research organizations. In addition, the H-1B Visa Reform Act of 2004 mandates that the first 20,000 H-1B petitions filed on behalf of aliens with U.S.-earned master's or higher degrees will be exempt from any fiscal year cap on available H-1B visas.

[2] Certain aliens are exempt from the six-year maximum period of admission under the provisions of the American Competitiveness in the Twenty-First Century Act of 2000 (AC21) (Public Law 106-313).

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

III. Data Report

Section 3.1 – General distribution of petitions

During Fiscal Year 2007, USCIS approved 281,444 H-1B petitions submitted by employers on behalf of alien workers. The number of approved petitions exceeds the number of individual H-1B workers because more than one U.S. employer may file a petition on behalf of an individual H-1B worker (multiple petitions). The number of approved H-1B petitions for initial employment also exceeds the cap because of employer-based cap exemptions and multiple petitions for individuals. For example, approved petitions for initial employment are exempt from the cap if the sponsors are institutions of higher education or nonprofit organizations affiliated with institutions of higher education; the sponsors are nonprofit research organizations or governmental research organizations; or a beneficiary has a U.S. advanced degree. See INA § 214(g)(5).

Table 1 shows for Fiscal Year 2007 the number of petitions filed and/or approved for initial and continuing employment. Of the 281,444 petitions approved in 2007, a total of 120,031 petitions or 43 percent were for initial employment.[3] The corresponding number of petitions for continuing employment was 161,413.[4] These workers may have had a second (or subsequent) petition filed on their behalf in order to: 1) extend the period allowed to work with their current employer; 2) notify USCIS of changes in the conditions of employment including a change of employer; or 3) request concurrent H-1B status with another employer.

The number of H-1B petitions filed increased 3 percent and petitions approved increased 4 percent between Fiscal Years 2006 and 2007. For initial employment, petitions filed declined 6 percent and petitions approved increased 9 percent. In contrast, petitions filed for continuing employment increased 9 percent and petitions approved remained virtually the same.

Table 1. H-1B Petitions Filed and/or Approved by Type of Petition: Fiscal Years 2004 to 2007

	FY 2004	FY 2005	FY 2006	FY 2007
Petitions filed	**312,200**	**266,474**	**295,915**	**304,877**
Initial Employment	163,549	117,536	121,724	114,222
Continuing Employment	148,651	148,938	174,191	190,655
Petitions approved *	**287,418**	**267,131**	**270,981**	**281,444**
Initial Employment	130,497	116,927	109,614	120,031
Continuing Employment	156,921	150,204	161,367	161,413

* Regardless of when filed.

[3] The terms "initial employment" and "continuing employment" are used throughout this report to identify two types of petitions. Petitions for initial employment are filed for first-time H-1B employment with employers, only some of which are applied to the annual cap. Continuing employment petitions refer to extensions, sequential employment, and concurrent employment, which are filed for aliens already in the United States. Extensions are filed for H-1B workers intending to work beyond the initial 3-year period up to 6 years, the maximum period permissible under law during Fiscal Year 2006. Sequential employment refers to petitions for workers transferring between H-1B employers within the 6-year period. Finally, petitions for concurrent employment are filed for H-1B workers intending to work simultaneously for a second or subsequent H-1B employer.

[4] Neither AC21 nor prior legislation established a cap on H-1B petitions for continuing employment.

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

Table 2 shows the number of H-1B petitions filed by quarter in Fiscal Years 2004 to 2007. The general trend was an increase in filings each quarter with filing peaking in the third quarter of Fiscal Year 2007 at 147,412.

Table 2. H-1B Petitions Filed by Quarter: Fiscal Years 2004 to 2007

Quarter	FY 2004	FY 2005	FY 2006	FY 2007	Initial Employment	Percent of Total	Continuing Employment	Percent of Total
Total	**312,200**	**266,474**	**295,915**	**304,877**	**114,222**	**100**	**190,655**	**100**
October-December	69,835	41,020	48,678	50,268	4,762	4.2	45,506	23.9
January-March	64,022	41,847	50,445	49,515	5,388	4.7	44,127	23.1
April-June	74,823	98,831	132,655	147,412	96,719	84.7	50,693	26.6
July-September	103,520	84,776	64,137	57,682	7,353	6.4	50,329	26.4

Table 3 provides a breakdown of approved petitions in Fiscal Years 2004 to 2007 by type of petition. 120,031 H-1B beneficiaries were approved for initial employment and 161,413 for continuing employment in Fiscal Year 2007.

The number of aliens outside the United States approved for initial employment increased from 57,264 to 60,785 in Fiscal Year 2007. The corresponding numbers for aliens in the United States changing to H-1B status increased from 52,350 in 2006 to 59,246 in 2007.

Table 3. H-1B Petitions Approved by Type: Fiscal Years 2004 to 2007

Type of Petition	Petitions Approved							
	FY 2004	Percent	FY 2005	Percent	FY 2006	Percent	FY 2007	Percent
Total	**287,418**	**100**	**267,131**	**100**	**270,981**	**100**	**281,444**	**100**
Initial employment	**130,497**	**45**	**116,927**	**44**	**109,614**	**40**	**120,031**	**43**
Aliens outside U.S.	60,271	21	54,635	20	57,264	21	60,785	22
Aliens in U.S.	70,226	24	62,292	23	52,350	19	59,246	21
Continuing employment	**156,921**	**55**	**150,204**	**56**	**161,367**	**60**	**161,413**	**57**

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

Section 3.2 – Distribution of petitions by country of birth

Tables 4A and 4B show the distribution of beneficiaries by country of birth.[5] Of the H-1B petitions approved in Fiscal Year 2007, 52.4 percent were granted to individuals born in India. The number of beneficiaries from India approved for initial employment increased nearly 11.6 percent in 2007, while the number of beneficiaries approved for continuing employment increased 7.0 percent.

Table 4A. H-1B Petitions Approved by Country of Birth of Beneficiary and Type of Petition (Number): Fiscal Years 2006 and 2007

	All Beneficiaries		Initial Employment		Continuing Employment	
Country of Birth	FY 2006 Number	FY 2007 Number	FY 2006 Number	FY 2007 Number	FY 2006 Number	FY 2007 Number
Total	**270,981**	**281,444**	**109,614**	**120,031**	**161,367**	**161,413**
India	135,329	147,559	59,612	66,504	75,717	81,055
China, People's Republic	23,638	24,497	9,859	10,890	13,779	13,607
Canada	10,996	11,038	3,587	3,972	7,409	7,066
Philippines	8,870	9,380	2,829	3,696	6,041	5,684
Korea	7,570	7,663	3,313	3,612	4,257	4,051
United Kingdom	5,995	5,348	1,712	1,499	4,283	3,849
Japan	5,181	4,534	1,829	1,584	3,352	2,950
Taiwan	3,919	4,046	1,602	1,997	2,317	2,049
Mexico	3,435	3,803	1,169	1,476	2,266	2,327
Pakistan	3,781	3,634	1,263	1,302	2,518	2,332
Colombia	2,833	2,776	872	826	1,961	1,950
France	2,851	2,755	977	1,005	1,874	1,750
Germany	3,082	2,646	1,186	994	1,896	1,652
Turkey	2,367	2,587	908	1,196	1,459	1,391
Venezuela	2,351	2,306	726	717	1,625	1,589
Brazil	2,242	2,246	843	894	1,399	1,352
Russia	2,477	2,137	797	665	1,680	1,472
Malaysia	1,624	1,646	458	521	1,166	1,125
Argentina	1,743	1,561	521	460	1,222	1,101
Israel	1,622	1,471	516	509	1,106	962
Other countries	39,075	37,811	15,035	15,712	24,040	22,099

Notes: Countries of birth are ranked based on 2007 data.

[5] Data actually represent countries and territories of birth.

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

Table 4B. H-1B Petitions Approved by Country of Birth of Beneficiary and Type of Petition (Percent): Fiscal Years 2006 and 2007

Country of Birth	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2006 Percent	FY 2007 Percent	FY 2006 Percent	FY 2007 Percent	FY 2006 Percent	FY 2007 Percent
Total	------	------	------	------	------	------
Country of birth	100.0	100.0	100.0	100.0	100.0	100.0
India	49.9	52.4	54.4	55.4	46.9	50.2
China, People's Republic	8.7	8.7	9.0	9.1	8.5	8.4
Canada	4.1	3.9	3.3	3.3	4.6	4.4
Philippines	3.3	3.3	2.6	3.1	3.7	3.5
Korea	2.8	2.7	3.0	3.0	2.6	2.5
United Kingdom	2.2	1.9	1.6	1.2	2.7	2.4
Japan	1.9	1.6	1.7	1.3	2.1	1.8
Taiwan	1.4	1.4	1.5	1.7	1.4	1.3
Mexico	1.3	1.4	1.1	1.2	1.4	1.4
Pakistan	1.4	1.3	1.2	1.1	1.6	1.4
Colombia	1.0	1.0	0.8	0.7	1.2	1.2
France	1.1	1.0	0.9	0.8	1.2	1.1
Germany	1.1	0.9	1.1	0.8	1.2	1.0
Turkey	0.9	0.9	0.8	1.0	0.9	0.9
Venezuela	0.9	0.8	0.7	0.6	1.0	1.0
Brazil	0.8	0.8	0.8	0.7	0.9	0.8
Russia	0.9	0.8	0.7	0.6	1.0	0.9
Malaysia	0.6	0.6	0.4	0.4	0.7	0.7
Argentina	0.6	0.6	0.5	0.4	0.8	0.7
Israel	0.6	0.5	0.5	0.4	0.7	0.6
Other countries	14.4	13.4	13.7	13.1	14.9	13.7

Notes: Countries of birth are ranked based on 2007 data.
Sum of the percents may not add to 100.0 due to rounding.

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

Section 3.3 – Distribution of petitions by age

Table 5 shows the age distribution of the H-1B beneficiaries in Fiscal Year 2007 by type of petition. Sixty-six percent of workers granted H-1B status during 2007 were between 25 and 34 years of age at the time their petitions were approved. Sixty percent of initial beneficiaries were under 30, compared with 27 percent of continuing beneficiaries.

Table 5. H-1B Petitions Approved by Age of Beneficiary at Time of Approval and by Type of Petition: Fiscal Year 2007

Age	Total	Percent	Initial Employment	Percent	Continuing Employment	Percent
Total	281,444		120,031		161,413	
Age known	**281,217**	**100**	**119,915**	**100**	**161,302**	**100**
Under 20	150	0.1	126	0.1	24	0.0
20-24	21,947	7.8	19,543	16.3	2,404	1.5
25-29	94,061	33.4	52,085	43.4	41,976	26.0
30-34	90,748	32.3	29,631	24.7	61,117	37.9
35-39	43,040	15.3	10,920	9.1	32,120	19.9
40-44	17,793	6.3	4,347	3.6	13,446	8.3
45-49	7,874	2.8	1,891	1.6	5,983	3.7
50-54	3,323	1.2	777	0.6	2,546	1.6
55-59	1,471	0.5	383	0.3	1,088	0.7
60-64	616	0.2	153	0.1	463	0.3
65 and over	194	0.1	59	0.0	135	0.1
Age unknown	227	------	116	------	111	------

Notes: Age of beneficiary is calculated based on the date the petition was approved.
Sum of the percents may not add to 100.0 due to rounding.
Percentages shown in the table are based on the total number of approved petitions with known ages.

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

Section 3.4 – Distribution of petitions by education

Tables 6 and 7 show the highest level of education achieved by the beneficiaries at the time of their application. Employers are asked to provide the highest degree (domestic or foreign), but not training or experience deemed equivalent to a degree. The reporting of a domestic or foreign degree is not required in a standard format on USCIS or Department of Labor forms. However, in nearly all cases, the petitioning employer provides the information in supporting documentation. For degrees earned outside the United States, the employer usually supplies a credential evaluation stating that the foreign degree is "equivalent to" a particular U.S. degree. USCIS does not maintain separate data regarding whether the degree was earned in the United States or abroad. (Data on beneficiaries with U.S. advanced degrees has been available since May 2005.)

The breakdown of the highest level of education achieved by H-1B beneficiaries remained about the same between Fiscal Years 2006 and 2007. As shown in Table 6, 44 percent of all H-1B petitions approved for workers in 2007 reported that the beneficiary had earned the equivalent of a bachelor's degree; 40 percent a master's degree; 10 percent a doctorate, and 5 percent a professional degree. Altogether, 98 percent had earned at least a bachelor's degree and 55 percent had earned at least a master's degree.

Table 6. H-1B Petitions Approved by Level of Education: Fiscal Years 2004-2007

Level of Education	FY 2004	FY 2005	FY 2006	FY 2007
Education known	100	100	100	100
Less than a Bachelor's degree	1	1	1	1
Bachelor's degree	49	45	45	44
Master's degree	34	37	39	40
Doctorate degree	11	12	11	10
Professional degree	5	5	5	5

Note: Sum of percents may not sum to 100 due to rounding.

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

Table 7. H-1B Petitions Approved by Level of Education of Beneficiary and Type of Petition: Fiscal Year 2007

Level of Education	Total	Percent	Initial Employment	Percent	Continuing Employment	Percent
Total	**281,444**		**120,031**		**161,413**	
Education known	**281,338**	**100**	**120,022**	**100**	**161,316**	**100**
No high school diploma	152	0.1	72	0.1	80	0.0
High school graduate	697	0.2	374	0.3	323	0.2
Less than 1 year of college credit	122	0.0	42	0.0	80	0.0
1 or more years of college credit, no diploma	747	0.3	210	0.2	537	0.3
Associate's degree	617	0.2	215	0.2	402	0.2
Bachelor's degree	123,729	44.0	49,244	41.0	74,485	46.2
Master's degree	113,782	40.4	50,914	42.4	62,868	39.0
Doctorate degree	28,321	10.1	13,469	11.2	14,852	9.2
Professional degree	13,171	4.7	5,482	4.6	7,689	4.8
Education unknown	**106**	------	**9**	------	**97**	------

Notes: Sum of the percents may not add to 100.0 due to rounding.
Percents shown in the table are based on the number of approved petitions with known levels of education.

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

Section 3.5 – Distribution of petitions by occupation

Tables 8A and 8B show the distribution of beneficiaries by occupation category for Fiscal Years 2006 and 2007. The petitioning employer supplies the occupation code on the Labor Condition Application (LCA).[6] Computer-related occupations were the most numerous occupation categories in 2007; their share of total petitions approved increased from 48 percent in 2006 to 50 percent in Fiscal Year 2007. The corresponding shares for initial employment and continuing employment in computer-related occupations were 52 and 48 percent, respectively. Fifteen of the 17 occupation categories had more continuing than initial H-1B beneficiaries.

The number of H-1B petitions approved for workers in computer-related occupations increased 7 percent from 130,556 in 2006 to 139,628 in 2007. The remaining occupation groups increased 1 percent between 2006 and 2007.

Table 8A. H-1B Petitions Approved by Major Occupation Group of Beneficiary and Type of Petition (Number): Fiscal Years 2006 and 2007

Occupational Category	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2006 Number	FY 2007 Number	FY 2006 Number	FY 2007 Number	FY 2006 Number	FY 2007 Number
Total	**270,981**	**281,444**	**109,614**	**120,031**	**161,367**	**161,413**
Occupation known	**269,898**	**280,497**	**109,408**	**119,813**	**160,490**	**160,684**
Computer-related occupations	130,556	139,628	56,393	62,268	74,163	77,360
Occupations in Architecture, Engineering, and Surveying	29,883	31,866	10,490	12,116	19,393	19,750
Occupations in Education	25,610	26,107	11,220	12,530	14,390	13,577
Occupations in Administrative Specializations	24,636	25,099	9,047	9,737	15,589	15,362
Occupations in Medicine and Health	15,703	16,367	6,104	6,949	9,599	9,418
Managers and Officials n.e.c.*	10,061	9,796	2,895	2,818	7,166	6,978
Occupations in Life Sciences	7,731	6,946	3,216	3,036	4,515	3,910
Occupations in Mathematics and Physical Sciences	5,949	5,879	2,442	2,724	3,507	3,155
Occupations in Social Sciences	5,862	5,698	2,251	2,341	3,611	3,357
Miscellaneous Professional, Technical, and Managerial	5,964	5,586	2,282	2,164	3,682	3,422
Occupations in Art	3,400	3,168	1,122	1,105	2,278	2,063
Occupations in Law and Jurisprudence	1,666	1,658	723	784	943	874
Occupations in Writing	1,302	1,243	422	455	880	788
Occupations in Entertainment and Recreation	573	531	199	223	374	308
Fashion Models	606	512	438	349	168	163
Occupations in Museum, Library, and Archival Sciences	286	286	112	133	174	153
Occupations in Religion and Theology	110	127	52	81	58	46
Occupation unknown	**1,083**	**947**	**206**	**218**	**877**	**729**

Notes: Occupations ranked based on 2007 data.
* n.e.c. indicates *not elsewhere classified.*

[6] H-1B status requires a sponsoring U.S. employer. The employer must file a Labor Condition Application (LCA) with the Department of Labor attesting to several items, including payment of prevailing wages for the position, and the working conditions offered.

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

Table 8B. H-1B Petitions Approved by Major Occupation Group of Beneficiary and Type of Petition (Percent): Fiscal Years 2006 and 2007

Occupational Category	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2006 Number	FY 2007 Number	FY 2006 Number	FY 2007 Number	FY 2006 Number	FY 2007 Number
Occupational Category	Percent	Percent	Percent	Percent	Percent	Percent
Occupation known	100.0	100.0	100.0	100.0	100.0	100.0
Computer-related occupations	48.4	49.8	51.5	52.0	46.2	47.9
Occupations in Architecture, Engineering, and Surveying	11.1	11.4	9.6	10.1	12.1	12.2
Occupations in Education	9.5	9.3	10.3	10.5	9.0	8.4
Occupations in Administrative Specializations	9.1	8.9	8.3	8.1	9.7	9.5
Occupations in Medicine and Health	5.8	5.8	5.6	5.8	6.0	5.8
Managers and Officials n.e.c.*	3.7	3.5	2.6	2.4	4.5	4.3
Occupations in Life Sciences	2.9	2.5	2.9	2.5	2.8	2.4
Occupations in Mathematics and Physical Sciences	2.2	2.1	2.2	2.3	2.2	2.0
Occupations in Social Sciences	2.2	2.0	2.1	2.0	2.2	2.1
Miscellaneous Professional, Technical, and Managerial	2.2	2.0	2.1	1.8	2.3	2.1
Occupations in Art	1.3	1.1	1.0	0.9	1.4	1.3
Occupations in Law and Jurisprudence	0.6	0.6	0.7	0.7	0.6	0.5
Occupations in Writing	0.5	0.4	0.4	0.4	0.5	0.5
Occupations in Entertainment and Recreation	0.2	0.2	0.2	0.2	0.2	0.2
Fashion Models	0.2	0.2	0.4	0.3	0.1	0.1
Occupations in Museum, Library, and Archival Sciences	0.1	0.1	0.1	0.1	0.1	0.1
Occupations in Religion and Theology	0.0	0.0	0.0	0.1	0.0	0.0
Occupation unknown	------	------	------	------	------	------

Notes: Occupations ranked based on 2007 data.
Sum of the percents may not add to 100.0 due to rounding.
Percents shown in the table are based on the total number of petitions approved with known occupations.
* n.e.c. indicates *not elsewhere classified.*

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

- Detailed Occupation

Tables 9A and 9B indicate the distribution of beneficiaries by detailed occupational category in Fiscal Years 2006 and 2007. Each table shows occupations arranged in descending order by the total number of beneficiaries approved in Fiscal Year 2007. The relative distributions in 2006 and 2007 were similar. The list is limited to the top 20 categories. Forty-four percent of approved petitions in 2007 were for aliens working as systems analysts or programmers. The second largest category was occupations in colleges and university education.

Table 9A. H-1B Petitions Approved by Detailed Occupation of Beneficiary and Type of Petition (Number): Fiscal Years 2006 and 2007

Occupational Category	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2006	FY 2007	FY 2006	FY 2007	FY 2006	FY 2007
	Number	Number	Number	Number	Number	Number
Total	**270,981**	**281,444**	**109,614**	**120,031**	**161,367**	**161,413**
Occupation known	269,876	280,479	109,400	119,805	160,476	160,674
Occupations in Systems Analysis and Programming	115,782	123,986	51,838	57,051	63,944	66,935
Occupations in College and University Education	18,925	18,372	8,826	9,028	10,099	9,344
Computer-Related Occupations, n.e.c.*	10,420	11,290	3,235	3,768	7,185	7,522
Accountants, Auditors and Related Occupations	11,149	11,097	4,027	4,076	7,122	7,021
Electrical/Electronics Engineering Occupations	9,549	10,297	3,392	3,690	6,157	6,607
Physicians and Surgeons	7,355	7,459	2,806	3,051	4,549	4,408
Occupations in Economics	5,346	5,177	1,994	2,063	3,352	3,114
Miscellaneous Professional, Technical and Managers and Officials n.e.c.*	5,322	5,015	2,013	1,888	3,309	3,127
Mechanical Engineering Occupations	4,569	4,953	1,635	1,938	2,934	3,015
Miscellaneous Managers and Officials, n.e.c.*	4,991	4,839	1,461	1,361	3,530	3,478
Occupations in Biological Sciences	5,293	4,715	2,169	2,082	3,124	2,633
Budget and Management Systems Analysis Occupations	4,300	4,618	1,788	2,087	2,512	2,531
Occupations in Administrative Specializations, n.e.c.*	4,173	4,485	1,658	1,940	2,515	2,545
Occupations in Architecture, Engineering, and Surveying, n.e.c.*	4,331	4,393	1,414	1,502	2,917	2,891
Civil Engineering Occupations	3,491	3,877	1,220	1,624	2,271	2,253
Occupations in Medicine and Health, n.e.c.*	3,327	3,333	1,452	1,537	1,875	1,796
Occupations in Preschool, Primary School, and Kindergarten Education	2,933	3,075	1,123	1,301	1,810	1,774
Occupations in Secondary School Education	2,273	3,010	729	1,359	1,544	1,651
Architectural Occupations	2,901	2,873	917	995	1,984	1,878
Occupations in Data Communications and Networks	2,469	2,653	784	956	1,685	1,697
Other Occupations	40,977	40,962	14,919	16,508	26,058	24,454
Occupation Unknown	1,105	965	214	226	891	739

Notes: Occupations ranked on 2007 data.
* n.e.c. indicates not elsewhere classified.

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

Table 9B. H-1B Petitions Approved by Detailed Occupation of Beneficiary and Type of Petition (Percent): Fiscal Years 2006 and 2007

Occupational Category	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2006 Percent	FY 2007 Percent	FY 2006 Percent	FY 2007 Percent	FY 2006 Percent	FY 2007 Percent
Total	------	------	------	------	------	------
Occupation known	100.0	100.0	100.0	100.0	100.0	100.0
Occupations in Systems Analysis and Programming	42.9	44.2	47.4	47.6	39.8	41.7
Occupations in College and University Education	7.0	6.6	8.1	7.5	6.3	5.8
Computer-Related Occupations, n.e.c.*	3.9	4.0	3.0	3.1	4.5	4.7
Accountants, Auditors and Related Occupations	4.1	4.0	3.7	3.4	4.4	4.4
Electrical/Electronics Engineering Occupations	3.5	3.7	3.1	3.1	3.8	4.1
Physicians and Surgeons	2.7	2.7	2.6	2.5	2.8	2.7
Occupations in Economics	2.0	1.8	1.8	1.7	2.1	1.9
Miscellaneous Professional, Technical and Managerial Occupations, n.e.c.*	2.0	1.8	1.8	1.6	2.1	1.9
Mechanical Engineering Occupations	1.7	1.8	1.5	1.6	1.8	1.9
Miscellaneous Managers and Officials, n.e.c.*	1.8	1.7	1.3	1.1	2.2	2.2
Occupations in Biological Sciences	2.0	1.7	2.0	1.7	1.9	1.6
Budget and Management Systems Analysis Occupations	1.6	1.6	1.6	1.7	1.6	1.6
Occupations in Administrative Specializations, n.e.c.*	1.5	1.6	1.5	1.6	1.6	1.6
Occupations in Architecture, Engineering, and Surveying, n.e.c.*	1.6	1.6	1.3	1.3	1.8	1.8
Civil Engineering Occupations	1.3	1.4	1.1	1.4	1.4	1.4
Occupations in Medicine and Health, n.e.c.*	1.2	1.2	1.3	1.3	1.2	1.1
Occupations in Preschool, Primary School, and Kindergarten Education	1.1	1.1	1.0	1.1	1.1	1.1
Occupations in Secondary School Education	0.8	1.1	0.7	1.1	1.0	1.0
Architectural Occupations	1.1	1.0	0.8	0.8	1.2	1.2
Occupations in Data Communications and Networks	0.9	0.9	0.7	0.8	1.1	1.1
Other Occupations	15.2	14.6	13.6	13.8	16.2	15.2
Occupation unknown	------	------	------	------	------	------

Notes: Occupations ranked on 2007 data
Sum of the percents may not add to 100.0 due to rounding.
Percents shown in the table are based on the total number of petitions approved with known occupations.
* n.e.c. indicates *not elsewhere classified.*

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

Section 3.6 – Distribution of petitions by annual compensation[7]

Tables 10, 11, and 12 show compensation by occupation for beneficiaries of all, initial, and continuing employment, respectively. Each table shows occupations arranged in descending order by the total number of beneficiaries approved in Fiscal Year 2007. As shown in Table 10, the median annual compensation reported by employers of H-1B workers approved for employment during Fiscal Year 2007 was $60,000. This number compares with $60,000 in 2006. One-half were expected to earn between $49,000 and $80,000. Median compensation ranged from a low of $31,000 for occupations in religion and theology to a high of $103,000 for occupations in law and jurisprudence.

Table 10. Annual Compensation of All H-1B Beneficiaries by Major Occupation Group: Fiscal Year 2007

Occupation	Total Reported	25th Percentile	Median	Mean	75th Percentile
Total	**279,499**	**49,000**	**60,000**	**68,000**	**80,000**
Occupations with annual compensation known	**278,557**	**49,000**	**60,000**	**68,000**	**80,000**
Computer-related occupations	139,170	53,000	60,000	68,000	80,000
Occupations in Architecture, Engineering, and Surveying	31,712	55,000	67,000	72,000	84,000
Occupations in Education	25,887	37,000	43,000	51,000	57,000
Occupations in Administrative Specializations	24,878	42,000	55,000	64,000	77,000
Occupations in Medicine and Health	15,908	45,000	56,000	86,000	112,000
Managers and Officials , n.e.c.*	9,745	53,000	81,000	91,000	112,000
Occupations in Life Sciences	6,910	37,000	45,000	52,000	60,000
Occupations in Mathematics and Physical Sciences	5852	50,000	65,000	70,000	85,000
Occupations in Social Sciences	5,656	45,000	64,000	72,000	93,000
Miscellaneous Professional, Technical, and Managerial	5561	48,000	70,000	79,000	100,000
Occupations in Art	3,143	36,000	48,000	56,000	69,000
Occupations in Law and Jurisprudence	1,636	50,000	103,000	115,000	160,000
Occupations in Writing	1225	32,000	41,000	46,000	54,000
Occupations in Entertainment and Recreation	514	30,000	38,000	45,000	50,000
Fashion Models	357	100,000	100,000	152,000	200,000
Occupations in Museum, Library, and Archival Sciences	279	37,000	45,000	53,000	59,000
Occupations in Religion and Theology	124	26,000	31,000	36,000	41,000
Occupation unknown	**942**	**42,000**	**54,000**	**67,000**	**75,000**

Notes: Occupations ranked by number of beneficiaries.
* n.e.c. indicates *not elsewhere classified.*

Definitions: Median is the middle ranking value (50th percentile) of all values.
25th percentile and 75th percentile are the lower quarter and upper quarter ranking values, respectively.

[7] Annual compensation refers to what the employer agreed to pay the beneficiary at the time the application was filed. The amount excludes non-cash compensation and benefits such as health insurance and transportation. Further, compensation is based on full-time employment for 12 months, even if the beneficiary actually worked fewer than 12 months.

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

As revealed in Tables 11 and 12, beneficiaries for continuing employment reported higher annual compensation than did beneficiaries for initial employment. Median annual compensation was $69,000 for the former and $54,000 for the latter. In Fiscal Year 2006 workers approved for continuing employment and initial employment reported median annual compensation of $65,000 and $52,000 respectively.

Table 11. Annual Compensation of H-1B Beneficiaries for Initial Employment by Major Occupation Group: Fiscal Year 2007

Occupation	Total Reported	25th Percentile	Median	Mean	75th Percentile
Total	**118,966**	**46,000**	**54,000**	**59,000**	**63,000**
Occupations with annual compensation known	**118,750**	**46,000**	**54,000**	**59,000**	**63,000**
Computer-related occupations	62,029	50,000	55,000	58,000	60,000
Occupations in Education	12,391	36,000	42,000	49,000	53,000
Occupations in Architecture, Engineering, and Surveying	12,050	50,000	60,000	65,000	75,000
Occupations in Administrative Specializations	9,630	40,000	50,000	56,000	62,000
Occupations in Medicine and Health	6,706	43,000	50,000	73,000	75,000
Occupations in Life Sciences	3,012	36,000	41,000	48,000	53,000
Managers and Officials , n.e.c.*	2,795	45,000	68,000	79,000	96,000
Occupations in Mathematics and Physical Sciences	2,709	45,000	60,000	64,000	79,000
Occupations in Social Sciences	2,320	42,000	60,000	65,000	82,000
Miscellaneous Professional, Technical, and Managerial	2,152	40,000	60,000	68,000	90,000
Occupations in Art	1,092	33,000	40,000	45,000	50,000
Occupations in Law and Jurisprudence	770	45,000	90,000	103,000	155,000
Occupations in Writing	444	30,000	35,000	40,000	45,000
Fashion Models	229	100,000	100,000	139,000	140,000
Occupations in Entertainment and Recreation	213	26,000	34,000	40,000	44,000
Occupations in Museum, Library, and Archival Sciences	130	35,000	42,000	50,000	55,000
Occupations in Religion and Theology	78	25,000	30,000	34,000	38,000
Occupation unknown	**216**	**45,000**	**55,000**	**77,000**	**64,000**

Notes: Occupations ranked by the number of beneficiaries.
* n.e.c. indicates *not elsewhere classified.*

Definitions: Median is the middle ranking value (50th percentile) of all values.
25th percentile and 75th percentile are the lower quarter and upper quarter ranking values, respectively.

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

Table 12. Annual Compensation ($) of H-1B Beneficiaries for Continuing Employment by Major Occupation Group: Fiscal Year 2007

Occupation	Total Reported	25th Percentile	Median	Mean	75th Percentile
Total	**160,533**	**53,000**	**69,000**	**75,000**	**90,000**
Occupations with annual compensation known	**159,807**	**53,000**	**69,000**	**75,000**	**90,000**
Computer-related occupations	77,141	60,000	73,000	76,000	90,000
Occupations in Architecture, Engineering, and Surveying	19,662	58,000	71,000	75,000	88,000
Occupations in Administrative Specializations	15,248	45,000	60,000	76,000	84,000
Occupations in Education	13,496	38,000	46,000	56,000	60,000
Occupations in Medicine and Health	9,202	48,000	70,000	78,000	126,000
Managers and Officials , n.e.c.*	6,950	58,000	87,000	96,000	119,000
Occupations in Life Sciences	3,898	40,000	47,000	53,000	65,000
Miscellaneous Professional, Technical, and Managerial	3,409	55,000	79,000	55,000	109,000
Occupations in Social Sciences	3,336	48,000	70,000	126,000	98,000
Occupations in Mathematics and Physical Sciences	3,143	53,000	70,000	40,000	89,000
Occupations in Art	2,051	40,000	55,000	50,000	77,000
Occupations in Law and Jurisprudence	866	59,000	110,000	63,000	180,000
Occupations in Writing	781	35,000	45,000	49,000	58,000
Occupations in Entertainment and Recreation	301	31,000	40,000	69,000	54,000
Occupations in Museum, Library, and Archival Sciences	149	38,000	47,000	96,000	65,000
Fashion Models	128	100,000	100,000	86,000	260,000
Occupations in Religion and Theology	46	30,000	35,000	174,000	44,000
Occupation unknown	**726**	**40,000**	**54,000**	**64,000**	**76,000**

Notes: Occupations ranked by the number of beneficiaries.
* n.e.c. indicates *not elsewhere classified.*

Definitions: Median is the middle ranking value (50th percentile) of all values.
25th percentile and 75th percentile are the lower quarter and upper quarter ranking values, respectively.

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

Section 3.7 – Distribution of petitions by industry

Tables 13A and 13B show the industries that employed the most H-1B workers in Fiscal Years 2006 and 2007. The number of workers approved for all known industries increased 4 percent from 253,212 in Fiscal Year 2006 to 263,288 in Fiscal Year 2007. Among the top ten industries, six experienced an increase ranging from 5.8 percent (semiconductor & other electronic component manufacturing) to 24.7 percent (elementary and secondary schools). The remaining four industries experienced a decrease ranging from 3.7 percent (colleges, universities & professional schools) to 19.3 percent (management, scientific, & technical consulting services).

Industry data are collected using the North American Industry Classification System (NAICS). Unlike country of birth, age, education, and occupation, USCIS does not verify the NAICS code since the sponsor does not provide supporting documentation.

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

Table 13A. H-1B Petitions Approved by Detailed Industry and Type of Petition (Number): Fiscal Years 2006 and 2007

Industry	All Beneficiaries FY 2006 Number	All Beneficiaries FY 2007 Number	Initial Employment FY 2006 Number	Initial Employment FY 2007 Number	Continuing Employment FY 2006 Number	Continuing Employment FY 2007 Number
Total	**270,981**	**281,444**	**109,614**	**120,031**	**161,367**	**161,413**
Industry known	**253,212**	**263,288**	**103,794**	**113,868**	**149,418**	**149,420**
Computer Systems Design & Related Services	99,990	111,148	48,073	56,505	51,917	54,643
Colleges, Universities, & Professional Schools	24,718	23,804	11,279	11,413	13,439	12,391
Architectural, Engineering, & Related Services	10,618	11,271	3,746	4,377	6,872	6,894
Management, Scientific, & Technical Consulting Services	11,031	8,902	5,383	3,460	5,648	5,442
Scientific Research and Development Services	7,322	7,030	2,906	2,962	4,416	4,068
Securities & Commodity Contracts Intermediation & Brokerage	5,930	6,587	1,869	1,906	4,061	4,681
Elementary and Secondary Schools	5,163	6,438	1,875	2,969	3,288	3,469
General Medical and Surgical Hospitals	5,594	5,993	2,501	2,816	3,093	3,177
Semiconductor & Other Electronic Component Manufacturing	4,668	4,939	1,801	1,711	2,867	3,228
Accounting, Tax Preparation, Bookkeeping, & Payroll Services	4,795	4,509	2,217	1,820	2,578	2,689
Computer and Peripheral Equipment Manufacturing	2,602	3,584	451	870	2,151	2,714
Offices of Physicians	2,925	2,687	888	913	2,037	1,774
Other Financial Investment Activities	2,212	2,419	651	774	1,561	1,645
Communications Equipment Manufacturing	1,865	2,227	326	560	1,539	1,667
Pharmaceutical and Medicine Manufacturing	1,797	1,712	485	568	1,312	1,144
Health and Personal Care Stores	1,444	1,650	435	466	1,009	1,184
Other Professional, Scientific, & Technical Services	1,597	1,612	524	625	1,073	987
Legal Services	1,631	1,573	694	734	937	839
Nondepository Credit Intermediation	1,628	1,506	372	333	1,256	1,173
Offices of Other Health Practitioners	1,340	1,501	572	735	768	766
Depository Credit Intermediation	1,362	1,500	401	399	961	1,101
Software Publishers	1,719	1,466	606	400	1,113	1,066
Telecommunications	2,057	1,391	392	143	1,665	1,248
Advertising and Related Services	1,246	1,265	383	398	863	867
Specialized Design Services	1,377	1,245	496	482	881	763
Employment Services	1,175	1,224	434	499	741	725
Insurance Carriers	1,148	1,196	245	257	903	939
Navigational, Measuring, Electromedical, & Control Instruments	1,022	1,087	331	347	691	740
Traveler Accommodation	1,097	1,084	263	313	834	771
Management of Companies and Enterprises	998	1,072	280	319	718	753
Other industries	41,141	39,666	12,915	13,794	28,226	25,872
Industry unknown	**17,769**	**18,156**	**5,820**	**6,163**	**11,949**	**11,993**

Notes: Industries ranked by total beneficiaries in 2007
NAICS - North American Industry Classification System

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

Table 13B. H-1B Petitions Approved by Detailed Industry and Type of Petition (Percent): Fiscal Years 2006 and 2007

Industry	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2006 Percent	FY 2007 Percent	FY 2006 Percent	FY 2007 Percent	FY 2006 Percent	FY 2007 Percent
Total	------	------	------	------	------	------
Industry known	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**
Computer Systems Design & Related Services	39.5	42.2	46.3	49.6	34.7	36.6
Colleges, Universities, & Professional Schools	9.8	9.0	10.9	10.0	9.0	8.3
Architectural, Engineering, & Related Services	4.2	4.3	3.6	3.8	4.6	4.6
Management, Scientific, & Technical Consulting Services	4.4	3.4	5.2	3.0	3.8	3.6
Scientific Research and Development Services	2.9	2.7	2.8	2.6	3.0	2.7
Securities & Commodity Contracts Intermediation & Brokerage	2.3	2.5	1.8	1.7	2.7	3.1
Elementary and Secondary Schools	2.0	2.4	1.8	2.6	2.2	2.3
General Medical and Surgical Hospitals	2.2	2.3	2.4	2.5	2.1	2.1
Semiconductor & Other Electronic Component Manufacturing	1.8	1.9	1.7	1.5	1.9	2.2
Accounting, Tax Preparation, Bookkeeping, & Payroll Services	1.9	1.7	2.1	1.6	1.7	1.8
Computer and Peripheral Equipment Manufacturing	1.0	1.4	0.4	0.8	1.4	1.8
Offices of Physicians	1.2	1.0	0.9	0.8	1.4	1.2
Other Financial Investment Activities	0.9	0.9	0.6	0.7	1.0	1.1
Communications Equipment Manufacturing	0.7	0.8	0.3	0.5	1.0	1.1
Pharmaceutical and Medicine Manufacturing	0.7	0.7	0.5	0.5	0.9	0.8
Health and Personal Care Stores	0.6	0.6	0.4	0.4	0.7	0.8
Other Professional, Scientific, & Technical Services	0.6	0.6	0.5	0.5	0.7	0.7
Legal Services	0.6	0.6	0.7	0.6	0.6	0.6
Nondepository Credit Intermediation	0.6	0.6	0.4	0.3	0.8	0.8
Offices of Other Health Practitioners	0.5	0.6	0.6	0.6	0.5	0.5
Depository Credit Intermediation	0.5	0.6	0.4	0.4	0.6	0.7
Software Publishers	0.7	0.6	0.6	0.4	0.7	0.7
Telecommunications	0.8	0.5	0.4	0.1	1.1	0.8
Advertising and Related Services	0.5	0.5	0.4	0.3	0.6	0.6
Specialized Design Services	0.5	0.5	0.5	0.4	0.6	0.5
Employment Services	0.5	0.5	0.4	0.4	0.5	0.5
Insurance Carriers	0.5	0.5	0.2	0.2	0.6	0.6
Navigational, Measuring, Electromedical, & Control Instruments	0.4	0.4	0.3	0.3	0.5	0.5
Traveler Accommodation	0.4	0.4	0.3	0.3	0.6	0.5
Management of Companies and Enterprises	0.4	0.4	0.3	0.3	0.5	0.5
Other industries	16.2	15.1	12.4	12.1	18.9	17.3
Industry unknown	------	------	------	------	------	------

Notes: Industries ranked by total beneficiaries in 2007.
Sum of the percents may not add to 100 due to rounding.
Percents shown are based on the total number of petitions approved with industry known.
NAICS stands for North American Industry Classification System

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)

IV. Appendix

Section 4.1 – H-1B petition processing

Petitions for obtaining H-1B nonimmigrant status for alien workers are submitted by their prospective employers on USCIS Form I-129, Petition for a Nonimmigrant Worker, and the addendum, H-1B Data Collection and Filing Fee Exemption Supplement. The petitions are mailed to one of two USCIS Service Centers (St. Albans, Vermont or Laguna Niguel, California) for processing, depending on the location of the beneficiary's worksite.

Upon receipt, each petition is stamped with its date of arrival at the Service Center. A clerk creates a paper file that contains the original petition as well as all supporting documentation. This file becomes the official file of record for all activities connected with the petition.

Biographical data, such as name, date of birth, and country of birth, is entered from the petition by a data entry clerk into the case tracking system Computer-Linked Application Information Management System (CLAIMS3). The computer system generates a unique receipt number for the file. After being sorted into potential cap and non-cap cases, the file is distributed to an adjudicator.

The adjudicator then determines whether there is adequate information in the file to approve or deny the petition. If sufficient evidence is available, the adjudicator makes a decision and enters the corresponding information into the tracking system. Otherwise, the adjudicator seeks additional information from the sponsoring employer. The employer must respond within a set period of time or the petition will be denied.

After petitions are adjudicated, the associated paper files are forwarded either to the USCIS records center in Harrisonburg, Virginia for storage or to the Kentucky Consular Center in Williamsburg, Kentucky for consular processing.

Section 4.2 – Data Limitations

The tables in this report have been extracted from an electronic data file created from USCIS Service Center electronic data files. Errors in this extract file may have occurred in several ways. For example, data submitted by the petitioner might have been inaccurate; and keying errors may have occurred during data entry at the service centers or as a result of being improperly transferred electronically between the service centers and USCIS Headquarters. Minimum editing has been done to the data in this file. Impossible or highly improbable values have been defined as unknown; for example, beneficiaries younger than 16 (except for fashion models) or those beneficiaries working without compensation. Lastly, information in electronic format is not available regarding the cities or states where H-1B workers are employed.

AILA InfoNet Doc. No. 09123168. (Posted 12/31/09)