



# Characteristics of H1B Specialty Occupation Workers

Fiscal Year 2012 Annual Report to Congress  
October 1, 2011 – September 30, 2012



Homeland  
Security

*U.S. Citizenship and  
Immigration Services*



**Homeland  
Security**

June 26, 2013

## Foreword

On behalf of the Department of Homeland Security, I am pleased to present the following report, “Characteristics of H-1B Specialty Occupation Workers” for Fiscal Year 2012, prepared by U.S. Citizenship and Immigration Services.

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

The Honorable Patrick J. Leahy  
Chairman, Senate Judiciary Committee

The Honorable Charles Grassley  
Ranking Member, Senate Judiciary Committee

The Honorable Robert W. Goodlatte  
Chairman, House Judiciary Committee

The Honorable John Conyers, Jr.  
Ranking Member, House Judiciary Committee

Inquiries relating to this report may be directed to me at (202) 447-5890.

Sincerely,

A handwritten signature in black ink that reads "Brian de Vallance".

Brian de Vallance  
Acting Assistant Secretary for Legislative Affairs

# Executive Summary

*The American Competitiveness and Workforce Improvement Act of 1998 (ACWIA)*, Pub. L. No. 105-277, div. C, tit. IV § 416(c)(2), 112 Stat. 2681, imposes annual reporting requirements on U.S. Citizenship and Immigration Services (USCIS) concerning 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 (FY).

To fulfill this requirement, USCIS submits the following report for FY 2012, October 1, 2011 – September 30, 2012.

## **Highlights**

- The number of H-1B petitions filed increased 15 percent from 267,654 in FY 2011 to 307,713 in FY 2012.
- The number of H-1B petitions approved decreased 3 percent from 269,653 in FY 2011 to 262,569 in FY 2012.<sup>1</sup>
- Seventy-two percent of H-1B petitions approved in FY 2012 were for workers between the ages of 25 and 34.
- Forty-six percent of H-1B petitions approved in FY 2012 were for workers with a bachelor's degree, forty-one percent had a master's degree, 8 percent had a doctorate, and 4 percent were for workers with a professional degree.
- Sixty-one percent of H-1B petitions approved in FY 2012 were for workers in computer-related occupations.
- The median salary of beneficiaries of approved petitions remained at \$70,000 for both FYs 2011 and 2012.

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<sup>1</sup> This number does not reflect approval versus denial rates but rather shows the number of approved petitions overall this year versus the number approved last year. The figures for Fiscal Year 2012, include 45,595 petitions which were received *prior* to Fiscal Year 2012, but were approved in Fiscal Year 2012 (see footnote 11).



# Characteristics of H1B Specialty Occupation Workers

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# I. Legislative Requirement

Section 416(c)(2) of the *American Competitiveness and Workforce Improvement Act of 1998* (ACWIA), Pub. L. No. 105-277, div. C, tit. IV, 112 Stat. 2681, includes the following reporting requirement:<sup>2</sup>

[T]he Attorney General<sup>3</sup> 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.

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<sup>2</sup> Sections 416(c)(1) and (3) of ACWIA, Pub. L. No. 105-277, div. C, tit. IV, 112 Stat. 2681, require the submission of data on the number of aliens issued visas or otherwise provided nonimmigrant status pursuant to petitions filed by institutions or organizations described in section 212(p) of the INA. This data is included in the “Report on H1B Petitions” for Fiscal Year 2012.

<sup>3</sup> As of March 1, 2003, in accordance with section 1517 of Title XV of the *Homeland Security Act* of 2002 (HSA), Pub. L. No. 107-296, 116 Stat. 2135, any reference to the Attorney General in a provision of the Immigration and Nationality Act describing functions which were transferred from the Attorney General or other Department of Justice official to the Department of Homeland Security by the HSA “shall be deemed to refer to the Secretary” of Homeland Security. See 6 U.S.C. § 557 (2003) (codifying HSA, Title XV, § 1517).

## II. Background

*An H-1B temporary worker is an alien admitted to the United States to perform services in a “specialty occupation.”*<sup>4</sup>

The H-1B nonimmigrant classification is a vehicle through which a qualified alien may seek admission to the United States on a temporary basis to work in his or her field of expertise. An H1B petition can be filed for an alien to perform services in a specialty occupation, services relating to a Department of Defense (DOD) cooperative research and development project or coproduction project, or services of distinguished merit and ability in the field of fashion modeling. 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.<sup>5</sup> The LCA specifies the job, salary, length, and geographic location of employment. The employer must agree to pay the alien the greater of the actual or prevailing wage for the position.

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 in parallel positions among similar organizations 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 U.S. bachelor’s 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 U.S. bachelor’s 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 education, specialized training, or progressively responsible experience (or a combination thereof) that is equivalent to completion of a U.S. bachelor’s degree or higher in the specialty occupation, and have recognition of expertise through progressively responsible positions directly related to the specialty occupation. See 8 CFR 214.2(h)(4)(iii)(C). Specialty occupations may include, but are not limited to, computer systems analysts and programmers, physicians, professors, engineers, and accountants. See 8 CFR 214.2(h)(4)(ii).

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<sup>4</sup> Section 214(i)(1) of the INA, 8 U.S.C. 1184(i)(1), 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.”

<sup>5</sup> An LCA is not required for petitions involving DOD cooperative research and development projects or coproduction projects. 8 CFR 214.2(h)(4)(vi)(A)(2).

Although USCIS is responsible for evaluating an alien’s qualifications for the H-1B classification and effecting a change of nonimmigrant status for aliens already in the United States in another nonimmigrant classification, approval of an H-1B petition does not guarantee issuance of an H-1B visa or admission to the United States in H-1B status. The responsibility for visa issuance rests primarily with the U.S. Department of State (DOS), which determines after the H-1B petition has been approved by USCIS whether a prospective alien employee is eligible for issuance of a visa at a U.S. Embassy or Consulate abroad. Determinations whether to admit an alien in H-1B status are made by U.S. Customs and Border Protection (CBP) at a port-of-entry. Possession of a visa does not guarantee admission.

An alien generally may be admitted to the United States in H-1B status for a maximum period of six years, see INA 214(g)(4); however, each H-1B petition may only be approved for a maximum period of three years.<sup>6</sup> See 8 CFR 214.2(h)(9)(iii)(A)(1). 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. An employer may file the petition to sponsor an alien who currently has H-1B nonimmigrant status working for another employer or amend a previously approved petition. Therefore, the total number of approved petitions in any given fiscal year may exceed the actual number of aliens who are provided nonimmigrant status in the H-1B classification. At the end of the six-year period, the alien must either change to a different status (if eligible) or depart the United States, unless otherwise exempt.<sup>7</sup> USCIS regulations provide that an alien who has resided and been physically present 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 set a maximum of 65,000 aliens who could be issued H-1B visas or otherwise provided H-1B status 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 certain aliens who have previously been counted against the cap. Thus, generally, a petition 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 for an H-1B worker already in the United States will not count against the H-1B fiscal year cap. An approved petition for initial employment is also exempt from the cap if the petitioner is an institution of higher education or nonprofit entity affiliated with or related to an institution of higher education, or if the petitioner is a nonprofit research organization or governmental research organization. See INA 214(g)(5), 8 USC 1184(g)(5)(C).

*The Immigration Act of 1990, the ACWIA, and the American Competitiveness in the Twenty-first Century Act of 2000 (AC21), made significant changes to policy and procedure governing the*

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<sup>6</sup> An alien involved in DOD cooperative research and development projects or coproduction projects may be admitted to the United States in H-1B status for a maximum period of ten years, see 8 CFR 214.2(h)(13)(iii)(B); however, the H-1B petition may only be approved for a maximum period of five years. See 8 CFR 214.2(h)(9)(iii)(A)(2).

<sup>7</sup> Certain aliens are exempt from the 6-year maximum period of admission under the provisions of the AC21, Pub. L. No. 106-313, 114 Stat. 1251.

H-1B classification, including providing temporary increases in the fiscal year limitations on the number of aliens who may be issued H-1B visas or otherwise provided H-1B status and providing certain exemptions to these limitations. Under ACWIA, the annual ceiling was increased from 65,000 to 115,000 in FYs 1999 and 2000 and to 107,500 in FY 2001. AC21 raised the limit in FY 2001, FY 2002, and FY 2003 to 195,000. Starting in FY 2004, the H-1B cap reverted to 65,000 per fiscal year and remains at that level.<sup>8</sup> These statutory provisions also provided for certain exemptions from the fiscal year H-1B cap, as described above. The *H-1B Visa Reform Act of 2004* mandated that up to 20,000 H-1B petitions filed on behalf of aliens with U.S.-earned masters or higher degrees will be exempt from each fiscal year's H-1B cap. See INA 214(g)(5)(C), 8 USC 1184(g)(5)(C).

### III. Data Report

#### Section 3.1 – General distribution of petitions

During FY 2012, USCIS approved 262,569 H-1B petitions submitted by employers on behalf of alien workers. The number of approved petitions exceeds the number of individual H-1B workers sponsored because of the different types of petitions that can be filed (e.g., requests for concurrent employment with another employer, requests for extension of stay, amended petitions).

Table 1 shows for FYs 2009 to 2012 the number of petitions filed for initial and continuing employment and the number of petitions approved for initial and continuing employment. Of the petitions approved in 2012, a total of 136,890 petitions, or 52 percent, were for initial employment.<sup>9</sup> The corresponding number of petitions for continuing employment was 125,679.<sup>10</sup> A worker may have had a second (or subsequent) petition filed on his or her behalf 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.

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<sup>8</sup> Each fiscal year, up to 1,400 H-1B visa numbers are set aside for nationals of Chile and up to 5,400 are set aside for nationals of Singapore under the provisions of free trade agreements between the U.S. and each country. See INA 214(g)(8)(B)(ii), 8 U.S.C. 1184(g)(8)(B)(ii). In addition, there is a limit of no more than 100 aliens in the U.S. at any time performing services in a DOD cooperative research and development projects or coproduction projects. See 8 CFR 214.2(h)(8)(i)(B).

<sup>9</sup> 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 an employer, only some of which are applied to the annual cap. Examples of petitions for initial employment that are exempt from the cap include petitions submitted by nonprofit research organizations or governmental research organizations. Continuing employment petitions refer to extensions, sequential employment, and concurrent employment, which are filed for aliens already in the United States. Extensions generally are filed for H-1B workers intending to work beyond the initial 3-year period up to a total of six years, the maximum period generally permissible under law. 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 an additional H-1B employer.

<sup>10</sup> Neither AC21 nor prior legislation established a cap on H-1B petitions for continuing employment.



The number of H-1B petitions filed increased 15 percent and petitions approved decreased by 3 percent between FYs 2011 and 2012. For initial employment, petitions filed increased 36 percent and petitions approved increased by 29 percent. Petitions filed for continuing employment decreased 0.5 percent and petitions approved decreased by 23 percent.

**Table 1. H-1B Petitions Filed and Approved by Type of Petition:  
FYs 2009 to 2012**

	FY 2009	FY 2010	FY 2011	FY 2012
<b>Petitions filed</b>	<b>246,647</b>	<b>247,617</b>	<b>267,654</b>	<b>307,713</b>
Initial Employment	105,775	99,146	114,529	155,292
Continuing Employment	140,872	148,471	153,125	152,421
<b>Petitions approved<sup>11</sup></b>	<b>214,271</b>	<b>192,990</b>	<b>269,653</b>	<b>262,569</b>
Initial Employment	86,300	76,627	106,445	136,890
Continuing Employment	127,971	116,363	163,208	125,679

Table 2 shows the number of H-1B petitions filed by quarter in FYs 2009 to 2012. More than sixty-six percent of filings for initial employment occurred in the third quarter of FY 2012, when the cap-subject petition filing season opened. Sixty-two percent of filings for continuing employment were received in the third and fourth quarters of FY 2012.

**Table 2. H-1B Petitions Filed by Quarter:  
FYs 2009 to 2012**

Quarter	FY 2009	FY 2010	FY 2011	FY 2012	FY 2012 Initial Employment	Percent of Total	FY 2012 Continuing Employment	Percent of Total
<b>Total</b>	<b>246,647</b>	<b>247,617</b>	<b>267,654</b>	<b>307,713</b>	<b>155,292</b>	<b>100</b>	<b>152,421</b>	<b>100</b>
October-December	36,669	50,790	55,781	65,186	37,377	24.1	27,809	18.2
January-March	37,291	34,313	44,995	36,217	6,153	4.0	30,064	19.7
April-June	121,782	88,501	86,716	150,104	103,142	66.4	46,962	30.8
July-September	50,905	74,013	80,162	56,206	8,620	5.6	47,586	31.2

Note: Sum of the percent may not add to 100 due to rounding.

<sup>11</sup> These figures represent all approved petitions during the respective fiscal year, irrespective of whether the petition was filed in the same or in a previous fiscal year. To illustrate, in FY 2012, USCIS received 307,713, but approved 262,569 petitions. Of the 262,569 petitions that were approved, 216,974 were received in FY 2012, whereas 45,595 petitions were received prior to FY 2012.

Table 3 provides a breakdown of approved petitions in FYs 2009 to 2012 by type of petition. 136,890 H-1B beneficiaries were approved for initial employment and 125,679 for continuing employment in FY 2012.

The number of aliens outside the United States approved for initial employment increased nearly 54 percent from 48,665 in FY 2011 to 74,997 in FY 2012. The corresponding numbers for aliens in the United States requesting a change to H-1B status increased by 7 percent to 61,893 in 2012.

**Table 3. H-1B Petitions Approved by Type:  
FYs 2009 to 2012**

Type of Petition	Petitions Approved							
	FY2009	Percent	FY2010	Percent	FY2011	Percent	FY2012	Percent
<b>Total</b>	<b>214,271</b>	<b>100</b>	<b>192,990</b>	<b>100</b>	<b>269,653</b>	<b>100</b>	<b>262,569</b>	<b>100</b>
<b>Initial employment</b>	<b>86,300</b>	<b>40</b>	<b>76,627</b>	<b>40</b>	<b>106,445</b>	<b>39</b>	<b>136,890</b>	<b>52</b>
Aliens outside U.S.	33,283	16	34,848	18	48,665	18	74,997	28
Aliens in U.S.	53,017	25	41,779	22	57,780	21	61,893	24
<b>Continuing employment</b>	<b>127,971</b>	<b>60</b>	<b>116,363</b>	<b>60</b>	<b>163,208</b>	<b>61</b>	<b>125,679</b>	<b>48</b>

Note: Sum of the percent may not add to 100 due to rounding.

## Section 3.2 – Distribution of petitions by country of birth

Tables 4A and 4B show the distribution of beneficiaries by country of birth.<sup>12</sup> Of the H-1B petitions approved in FY 2012, 64 percent reported that the beneficiary was born in India. The second most prevalent country of birth of H-1B beneficiaries was the People’s Republic of China, representing 8 percent of all beneficiaries. The number of beneficiaries from India approved for initial employment increased 8 percent in 2012, while the number of beneficiaries approved for continuing employment decreased 18 percent in FY 2012.

<sup>12</sup> Data represent countries and territories of birth.

**Table 4A. H-1B Petitions Approved by Country of Birth of Beneficiary and Type of Petition (Number): FYs 2011 and 2012**

Country of Birth	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2011 Number	FY 2012 Number	FY 2011 Number	FY 2012 Number	FY 2011 Number	FY 2012 Number
<b>Total</b>	<b>269,653</b>	<b>262,569</b>	<b>106,445</b>	<b>136,890</b>	<b>163,208</b>	<b>125,679</b>
India	156,317	168,367	55,972	86,477	100,345	81,890
China, People's Republic	23,787	19,850	10,165	11,409	13,622	8,441
Canada	9,362	7,999	3,584	3,660	5,778	4,339
Philippines	7,582	5,304	2,020	1,863	5,562	3,441
South Korea	6,689	4,579	3,407	2,662	3,282	1,917
United Kingdom	4,629	3,535	2,573	2,013	2,056	1,522
Mexico	3,473	3,047	1,367	1,528	2,106	1,519
Japan	3,274	2,542	1,276	1,171	1,998	1,371
Taiwan	2,937	2,387	1,455	1,368	1,482	1,019
France	2,653	2,232	1,517	1,377	1,136	855
Pakistan	2,552	1,997	891	851	1,661	1,146
Germany	2,193	1,816	1,210	1,083	983	733
Turkey	2,161	1,774	967	989	1,194	785
Brazil	2,010	1,712	1,105	996	905	716
Nepal	1,566	1,636	719	932	847	704
Venezuela	1,734	1,494	846	807	888	687
Colombia	1,786	1,392	705	623	1,081	769
Italy	1,351	1,332	816	804	535	528
Russia	1,514	1,321	873	829	641	492
Spain	1,198	1,015	684	632	514	383
Other countries	30,885	27,238	14,293	14,816	16,592	12,422

Note: Countries of birth are ranked based on FY 2012 data.

**Table 4B. H-1B Petitions Approved by Country of Birth of Beneficiary and Type of Petition (Percent): FYs 2011 and 2012**

Country of Birth	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2011 Percent	FY 2012 Percent	FY 2011 Percent	FY 2012 Percent	FY 2011 Percent	FY 2012 Percent
<b>Total</b>	-----	-----	-----	-----	-----	-----
<b>Country of birth</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
India	58.0	64.1	52.6	63.2	61.5	65.2
China, People's Republic	8.8	7.6	9.5	8.3	8.3	6.7
Canada	3.5	3.0	3.4	2.7	3.5	3.5
Philippines	2.8	2.0	1.9	1.4	3.4	2.7
South Korea	2.5	1.7	3.2	1.9	2.0	1.5
United Kingdom	1.7	1.3	2.4	1.5	1.3	1.2
Mexico	1.3	1.2	1.3	1.1	1.3	1.2
Japan	1.2	1.0	1.2	0.9	1.2	1.1
Taiwan	1.1	0.9	1.4	1.0	0.9	0.8
France	1.0	0.9	1.4	1.0	0.7	0.7
Pakistan	0.9	0.8	0.8	0.6	1.0	0.9
Germany	0.8	0.7	1.1	0.8	0.6	0.6
Turkey	0.8	0.7	0.9	0.7	0.7	0.6
Brazil	0.7	0.7	1.0	0.7	0.6	0.6
Nepal	0.6	0.6	0.7	0.7	0.5	0.6
Venezuela	0.6	0.6	0.8	0.6	0.5	0.5
Colombia	0.7	0.5	0.7	0.5	0.7	0.6
Italy	0.5	0.5	0.8	0.6	0.3	0.4
Russia	0.6	0.5	0.8	0.6	0.4	0.4
Spain	0.5	0.4	0.8	0.5	0.4	0.3
Other countries	11.5	10.4	13.4	10.8	10.2	9.9

Notes: Countries of birth are ranked based on FY 2012 data.

Sum of the percent may not add to 100 due to rounding.

## Section 3.3 – Distribution of petitions by age

Table 5 shows the age distribution of the H-1B beneficiaries in FY 2012 by type of petition. Seventy-two percent of workers granted H-1B status during FY 2012 were between 25 and 34 years of age at the time their petitions were approved. Over 57 percent of initial beneficiaries were under 30, compared with over 30 percent of continuing beneficiaries.

**Table 5. H-1B Petitions Approved by Age of Beneficiary at Time of Approval and by Type of Petition: FY 2012**

Age	All Beneficiaries	Percent	Initial Employment	Percent	Continuing Employment	Percent
<b>Total</b>	<b>262,569</b>		<b>136,890</b>		<b>125,679</b>	
<b>Age known</b>	<b>262,555</b>	<b>100</b>	<b>136,882</b>	<b>100</b>	<b>125,673</b>	<b>100</b>
Under 20	85	0.1	59	0.1	26	0.1
20-24	14,123	5.4	13,205	9.7	918	0.7
25-29	103,068	39.3	65,774	48.1	37,294	29.7
30-34	86,154	32.8	36,828	27.0	49,326	39.3
35-39	37,505	14.3	13,031	9.5	24,474	19.5
40-44	12,611	4.8	4,467	3.3	8,144	6.5
45-49	5,186	2.0	1,988	1.5	3,198	2.5
50-54	2,233	0.9	879	0.6	1,354	1.1
55-59	968	0.4	390	0.3	578	0.5
60-64	431	0.2	168	0.1	263	0.2
65 and over	191	0.1	93	0.1	98	0.1
<b>Age unknown</b>	<b>14</b>	<b>-----</b>	<b>8</b>	<b>-----</b>	<b>6</b>	<b>-----</b>

Notes: Anyone reported as under 16 years old and not a fashion model was assumed to be of unknown age.  
 Age of beneficiary is calculated based on the date the petition was approved.  
 Sum of the percent may not add to 100 due to rounding.  
 Percentages shown in the table are based on the total number of approved petitions with known ages.

## 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 filing the petition. Employers are asked to provide the highest degree (domestic or foreign) when completing the H-1B petition, 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 DOL 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 mostly constant between FYs 2011 and 2012. As shown in Table 6, 46 percent of all H-1B petitions approved for workers in FY 2012 reported that the beneficiary had earned the equivalent of a bachelor’s degree; 41 percent a master’s degree; eight percent a doctorate, and four percent a professional degree. Altogether, 99 percent had earned at least a bachelor’s degree, and 53 percent had earned at least a master’s degree.

**Table 6. Percent of H-1B Petitions Approved by Level of Education:  
FYs 2009-2012**

Level of Education	FY 2009	FY 2010	FY 2011	FY 2012
<b>Education known</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Less than a Bachelor's degree	1	1	1	1
Bachelor's degree	41	42	41	46
Master's degree	40	39	42	41
Doctorate degree	13	12	11	8
Professional degree	6	6	5	4

Note: Sum of percent may not add to 100 due to rounding.

**Table 7. H-1B Petitions Approved by Level of Education of Beneficiary  
and Type of Petition: Fiscal Year 2012**

Level of Education	All Beneficiaries	Percent	Initial Employment	Percent	Continuing Employment	Percent
<b>Total</b>	<b>262,569</b>		<b>136,890</b>		<b>125,679</b>	
<b>Education known</b>	<b>262,539</b>	<b>100</b>	<b>136,871</b>	<b>100</b>	<b>125,668</b>	<b>100</b>
No high school diploma	150	0.1	108	0.1	42	0.1
High school graduate	329	0.1	220	0.2	109	0.1
Less than 1 year of college credit	59	0.1	35	0.1	24	0.1
1 or more years of college credit, no diploma	467	0.2	259	0.2	208	0.2
Associate's degree	345	0.1	174	0.1	171	0.1
Bachelor's degree	121,513	46.3	67,728	49.5	53,785	42.8
Master's degree	107,045	40.8	52,331	38.2	54,714	43.5
Doctorate degree	22,040	8.4	11,465	8.4	10,575	8.4
Professional degree	10,591	4.0	4,551	3.3	6,040	4.8
<b>Education unknown</b>	<b>30</b>	<b>-----</b>	<b>19</b>	<b>-----</b>	<b>11</b>	<b>-----</b>

Notes: Sum of the percent may not add to 100 due to rounding.

Percentages shown in the table are based on the number of approved petitions with known levels of education.

## Section 3.5 – Distribution of petitions by occupation

### **Occupational Category**

Tables 8A and 8B show the distribution of beneficiaries by occupational category for FYs 2011 and 2012. The category of computer-related occupations was the largest occupational category in 2012; its share of total petitions approved increased to 59 percent in FY 2012 from 50 percent in FY 2011. The corresponding shares for initial employment and continuing employment in computer-related occupations were 61 and 57 percent, respectively. The top ten occupational categories representing 97 percent of all beneficiaries had more initial employment than continuing employment beneficiaries.

The number of H-1B petitions approved for workers in computer-related occupations increased 15 percent from 134,873 in 2011 to 154,869 in 2012. The number of H-1B petitions for all other occupation groups combined decreased 20 percent between 2011 and 2012.

**Table 8A. H-1B Petitions Approved by Major Occupation Group of Beneficiary and Type of Petition (Number): Fiscal Years 2011 and 2012**

Occupational Category	All Beneficiaries		Initial Employment		Continuing Employment	
	FY2011 Number	FY2012 Number	FY2011 Number	FY2012 Number	FY2011 Number	FY2012 Number
<b>Total</b>	<b>269,653</b>	<b>262,569</b>	<b>106,445</b>	<b>136,890</b>	<b>163,208</b>	<b>125,679</b>
<b>Occupation known</b>	<b>265,365</b>	<b>260,428</b>	<b>105,395</b>	<b>135,966</b>	<b>159,970</b>	<b>124,462</b>
Computer-related occupations	134,873	154,869	51,570	83,444	83,303	71,425
Occupations in Architecture, Engineering and Surveying	29,695	26,329	11,950	13,082	17,745	13,247
Occupations in Administrative Specializations	21,240	18,204	9,553	9,781	11,687	8,423
Occupations in Education	24,321	17,421	9,081	8,492	15,240	8,929
Occupations in Medicine and Health	18,704	14,083	6,037	5,649	12,667	8,434
Managers and Officials N.E.C.*	7,341	6,060	3,187	2,921	4,154	3,139
Occupations in Mathematics and Physical Sciences	5,968	4,969	2,450	2,465	3,518	2,504
Occupations in Life Sciences	6,375	4,820	2,992	2,505	3,383	2,315
Miscellaneous Professional, Technical, and Managerial	4,944	4,171	2,315	2,266	2,629	1,905
Occupations in Social Sciences	4,928	3,993	2,346	2,156	2,582	1,837
Occupations in Art	3,013	2,619	1,577	1,505	1,436	1,114
Occupations in Law and Jurisprudence	1,325	1,051	692	580	633	471
Occupations in Writing	943	681	486	385	457	296
Miscellaneous	550	463	461	265	89	198
Occupations in Entertainment and Recreation	556	212	270	119	286	93
Sales Promotion Occupations	387	165	335	151	52	14
Occupations in Museum, Library, and Archival Sciences	202	164	93	107	109	57
<b>Occupation unknown</b>	<b>4,288</b>	<b>2,141</b>	<b>1,050</b>	<b>924</b>	<b>3,238</b>	<b>1,217</b>

Notes: Occupations ranked based on FY 2012 data.

\*N.E.C. indicates *not elsewhere classified*.



**Table 8B. H-1B Petitions Approved by Major Occupation Group of Beneficiary and Type of Petition (Percent): FYs 2011 and 2012**

Occupational Category	All Beneficiaries		Initial Employment		Continuing Employment	
	FY2011 Number	FY2012 Number	FY2011 Number	FY2012 Number	FY2011 Number	FY2012 Number
<b>Occupation known</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Computer-related occupations	50.8	59.5	48.9	61.4	52.1	57.4
Occupations in Architecture, Engineering, and Surveying	11.2	10.1	11.3	9.6	11.1	10.6
Occupations in Administrative Specializations	8.0	7.0	9.1	7.2	7.3	6.8
Occupations in Education	9.2	6.7	8.6	6.2	9.5	7.2
Occupations in Medicine and Health	7.0	5.4	5.7	4.2	7.9	6.8
Managers and Officials N.E.C.*	2.8	2.3	3.0	2.1	2.6	2.5
Occupations in Mathematics and Physical Sciences	2.2	1.9	2.3	1.8	2.2	2.0
Occupations in Life Sciences	2.4	1.6	2.8	1.7	2.1	1.5
Miscellaneous Professional, Technical, and Managerial	1.9	1.5	2.2	1.6	1.6	1.5
Occupations in Social Sciences	1.9	1.0	2.2	1.1	1.6	0.9
Occupations in Art	1.1	0.4	1.5	0.4	0.9	0.4
Occupations in Law and Jurisprudence	0.5	0.3	0.7	0.3	0.4	0.2
Occupations in Writing	0.4	0.2	0.5	0.2	0.3	0.2
Miscellaneous	0.2	0.1	0.3	0.1	0.2	0.1
Occupations in Entertainment and Recreation	0.2	0.1	0.3	0.1	0.2	0.0
Sales Promotion Occupations	0.0	0.0	0.0	0.0	0.0	0.0
Occupations in Museum, Library, & Archival Sciences	0.1	0.0	0.1	0.0	0.1	0.0
<b>Occupation unknown</b>	-----	-----	-----	-----	-----	-----

Notes: Occupations ranked based on FY 2012 data.

Sum of the percent may not add to 100 due to rounding.

Percentages shown in the table are based on the total number of petitions approved with known occupations.

\*N.E.C. indicates *not elsewhere classified*.

## Detailed Occupation

Tables 9A and 9B indicate the distribution of beneficiaries by detailed occupational category in FYs 2011 and 2012. Each table shows occupations arranged in descending order by the total number of beneficiaries approved in FY 2012. The list is limited to the top 20 categories. Fifty-one percent of approved petitions in 2012 were for aliens working as systems analysts or programmers. The second largest category was computer-related occupations.

**Table 9A. H-1B Petitions Approved by Detailed Occupation of Beneficiary and Type of Petition (Number): FYs 2011 and 2012**

Occupational Category	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2011 Number	FY 2012 Number	FY 2011 Number	FY 2012 Number	FY 2011 Number	FY 2012 Number
<b>Total</b>	<b>269,653</b>	<b>262,569</b>	<b>106,445</b>	<b>136,890</b>	<b>163,208</b>	<b>125,679</b>
<b>Occupation known</b>	265,346	262,557	105,384	136,888	159,962	125,669
Occupations in Systems Analysis and Programming	116,236	134,037	44,912	73,092	71,324	60,945
Computer-Related Occupations, N.E.C.*	13,901	16,367	4,696	8,015	9,205	8,352
Occupations in College and University Education	17,859	12,992	7,397	6,902	10,462	6,090
Electrical/Electronics Engineering Occupations	11,400	9,854	4,831	5,049	6,569	4,805
Accountants, Auditors, and Related Occupations	8,750	7,363	3,658	3,835	5,092	3,528
Physicians and Surgeons	8,649	6,479	2,655	2,576	5,994	3,903
Mechanical Engineering Occupations	5,070	4,935	1,940	2,521	3,130	2,414
Misc Professional, Technical, and Managerial Occupations, N.E.C.*	4,467	3,914	2,098	2,128	2,369	1,786
Budget and Management Systems Analysis Occupations	4,028	3,777	1,874	2,132	2,154	1,645
Occupations in Administrative Specializations, N.E.C.*	4,295	3,639	2,021	1,923	2,274	1,716
Occupations in Biological Sciences	4,683	3,576	2,218	1,886	2,465	1,690
Occupations in Economics	4,352	3,550	1,991	1,877	2,361	1,673
Occupations in Architecture, Engineering, and Surveying, N.E.C.*	3,937	3,315	1,662	1,596	2,275	1,719
Miscellaneous Managers and Officials, N.E.C.*	3,762	3,174	1,613	1,512	2,149	1,662
Occupations in Medicine and Health, N.E.C.*	3,654	2,825	1,603	1,405	2,051	1,420
Industrial Engineering Occupations	2,630	2,411	1,102	1,217	1,528	1,194
Therapists	2,783	2,120	869	766	1,914	1,354
Occupations in Data Communications and Networks	2,555	2,112	1,066	1,154	1,489	958
Occupations in Computer System Technical Support	1,573	1,953	681	1,061	892	892
Civil Engineering Occupations	2,363	1,871	633	697	1,730	1,174
Other Occupations	37,292	32,293	16,009	15,544	21,283	16,749
<b>Occupation Unknown</b>	4,307	12	1,061	2	3,246	10

Notes: Occupations ranked based on FY 2012 data.

\*N.E.C. indicates *not elsewhere classified*.

**Table 9B. H-1B Petitions Approved by Detailed Occupation of Beneficiary  
and Type of Petition (Percent): FYs 2011 and 2012**

Occupational Category	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2011 Percent	FY 2012 Percent	FY 2011 Percent	FY 2012 Percent	FY 2011 Percent	FY 2012 Percent
<b>Total</b>	-----	-----	-----	-----	-----	-----
<b>Occupation known</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Occupations in Systems Analysis and Programming	43.8	51.0	42.6	53.4	44.6	48.5
Computer-Related Occupations, N.E.C.*	5.2	6.2	4.5	5.9	5.8	6.6
Occupations in College and University Education	6.7	4.9	7.0	5.0	6.5	4.8
Electrical/Electronics Engineering Occupations	4.3	3.8	4.6	3.7	4.1	3.8
Accountants, Auditors, and Related Occupations	3.3	2.8	3.5	2.8	3.2	2.8
Physicians and Surgeons	3.3	2.5	2.5	1.9	3.7	3.1
Mechanical Engineering Occupations	1.9	1.9	1.8	1.8	2.0	1.9
Misc Professional, Technical, and Managerial Occupations, N.E.C.*	1.7	1.5	2.0	1.6	1.5	1.4
Budget and Management Systems Analysis Occupations	1.5	1.4	1.8	1.6	1.3	1.3
Occupations in Administrative Specializations, N.E.C.*	1.6	1.4	1.9	1.4	1.4	1.4
Occupations in Biological Sciences	1.8	1.4	2.1	1.4	1.5	1.3
Occupations in Economics	1.6	1.4	1.9	1.4	1.5	1.3
Occupations in Architecture, Engineering, and Surveying, N.E.C.*	1.5	1.3	1.6	1.2	1.4	1.4
Miscellaneous Managers and Officials, N.E.C.*	1.4	1.2	1.5	1.1	1.3	1.3
Occupations in Medicine And Health, N.E.C.*	1.4	1.1	1.5	1.0	1.3	1.1
Industrial Engineering Occupations	1.0	0.9	1.0	0.9	1.0	1.0
Therapists	1.0	0.8	0.8	0.6	1.2	1.1
Occupations in Data Communication and Networks	1.0	0.8	1.0	0.8	0.9	0.8
Occupations in Computer System Technical Support	1.0	0.7	0.8	0.8	1.2	0.7
Civil Engineering Occupations	1.0	0.7	1.0	0.5	0.9	0.9
Other Occupations	14.0	12.3	15.0	11.4	13.0	13.3
<b>Occupation Unknown</b>	-----	-----	-----	-----	-----	-----

Notes: Occupations ranked based on FY 2012 data.

Sum of the percent may not add to 100 due to rounding.

Percentages shown in the table are based on the total number of petitions approved with known occupations.

\* N.E.C. indicates *not elsewhere classified*.

## Section 3.6 – Distribution of petitions by annual compensation<sup>13</sup>

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 FY 2012. As shown in Table 10, the median annual compensation reported by employers of H-1B workers approved for employment during FY 2012 was \$70,000. The median annual compensation was also \$70,000 in FY 2011. Half were expected to earn between \$60,000 and \$90,000. Median compensation ranged from a low of \$50,000 for occupations in biological sciences to a high of \$141,000 for physicians and surgeons.

**Table 10. Annual Compensation (\$) of All H-1B Beneficiaries by Major Occupation  
Group: FY 2012 (Approvals)**

Occupation	Total Reported	25 <sup>th</sup> Percentile	Median	Mean	75 <sup>th</sup> Percentile
<b>Total</b>	<b>260,309</b>	<b>60,000</b>	<b>70,000</b>	<b>79,000</b>	<b>90,000</b>
<b>Known Occupations with annual compensation</b>	<b>260,298</b>	<b>60,000</b>	<b>70,000</b>	<b>79,000</b>	<b>90,000</b>
Occupations in Systems Analysis and Programming	133,562	60,000	69,000	77,000	88,000
Computer-related occupations N.E.C.*	16,300	65,000	83,000	86,000	100,000
Occupations in College and University Education	12,864	43,000	53,000	65,000	70,000
Electrical/Electronics Engineering occupations	9,820	74,000	85,000	90,000	102,000
Accountants, Auditors, and related occupations	7,229	50,000	60,000	71,000	80,000
Physicians and Surgeons	6,380	56,000	141,000	141,000	195,000
Mechanical Engineering occupations	4,886	63,000	74,000	78,000	87,000
Miscellaneous Professional, Technical, and Managerial	3,894	63,000	85,000	94,000	117,000
Budget and Management Systems Analysis occupations	3,703	55,000	68,000	80,000	95,000
Occupations in Administrative Specializations	3,599	45,000	61,000	74,000	91,000
Occupations in Biological Sciences	3,552	42,000	50,000	59,000	69,000
Occupations in Economics	3,496	55,000	77,000	89,000	106,000
Occupations in Architecture, Engineering, and Surveying	3,290	62,000	80,000	87,000	100,000
Miscellaneous Managers and Officials N.E.C.*	3,156	67,000	97,000	112,000	127,000
Occupations in Medicine and Health N.E.C.*	2,756	45,000	54,000	64,000	72,000
Industrial Engineering occupations	2,389	63,000	75,000	79,000	94,000
Occupations in Data Communications and Networks	2,100	60,000	66,000	74,000	85,000
<b>Occupation unknown</b>	<b>11</b>	<b>60,000</b>	<b>85,000</b>	<b>86,000</b>	<b>109,000</b>

Notes: Occupations ranked by number of beneficiaries.

\*N.E.C. indicates *not elsewhere classified*.

Definitions: Median is the middle ranking value (50<sup>th</sup> percentile) of all values.

Mean is the average of all values.

25<sup>th</sup> percentile and 75<sup>th</sup> percentile are the lower quarter and upper quarter ranking values, respectively.

<sup>13</sup> 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 worked fewer than 12 months.

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 \$79,000 for the former and \$65,000 for the latter. In FY 2012 workers approved for continuing employment and initial employment reported mean annual compensation of \$86,000 and \$73,000 respectively.

**Table 11. Annual Compensation (\$) of H-1B Beneficiaries for Initial Employment by Major Occupation Group: FY 2012 (Approvals)**

Occupation	Total Reported	25 <sup>th</sup> Percentile	Median	Mean	75 <sup>th</sup> Percentile
<b>Total</b>	<b>135,798</b>	<b>57,000</b>	<b>65,000</b>	<b>73,000</b>	<b>80,000</b>
<b>Known Occupations with annual compensation</b>	<b>135,796</b>	<b>57,000</b>	<b>65,000</b>	<b>73,000</b>	<b>80,000</b>
Occupations in System Analysis and Programming	72,872	60,000	65,000	70,000	74,000
Computer-related occupations N.E.C.*	7,981	62,000	73,000	79,000	95,000
Occupations in College and University Education	6,845	42,000	51,000	63,000	69,000
Electrical/Electronics Engineering occupations	5,030	70,000	82,000	85,000	99,000
Accountants, Auditors, and related occupations	3,754	47,000	55,000	63,000	70,000
Physicians and Surgeons	2,554	53,000	130,000	138,000	190,000
Mechanical Engineering occupations	2,492	60,000	68,000	75,000	80,000
Miscellaneous Professional, Technical, and Managerial	2,120	58,000	75,000	84,000	100,000
Budget and Management Systems Analysis occupations	2,081	52,000	62,000	75,000	83,000
Occupations in Administrative Specializations	1,896	43,000	55,000	66,000	76,000
Occupations in Biological Sciences	1,875	40,000	48,000	56,000	62,000
Occupations in Economics	1,847	50,000	70,000	79,000	95,000
Occupations in Architecture, Engineering, and Surveying	1,579	57,000	71,000	83,000	92,000
Miscellaneous Managers and Officials N.E.C.*	1,501	62,000	86,000	114,000	125,000
Occupations in Medicine and Health N.E.C.*	1,375	42,000	50,000	60,000	65,000
Industrial Engineering occupations	1,203	60,000	71,000	77,000	94,000
Occupations in Data Communications and Networks	1,149	60,000	63,000	68,000	73,000
<b>Occupation unknown</b>	<b>2</b>	<b>50,000</b>	<b>53,000</b>	<b>53,000</b>	<b>56,000</b>

Notes: Occupations ranked by the number of beneficiaries.

\* N.E.C. indicates *not elsewhere classified*.

Definitions: Median is the middle ranking value (50<sup>th</sup> percentile) of all values.

Mean is the average of all values.

25<sup>th</sup> percentile and 75<sup>th</sup> percentile are the lower quarter and upper quarter ranking values, respectively.

**Table 12. Annual Compensation (\$) of H-1B Beneficiaries for Continuing Employment by Major Occupation Group: FY 2012 (Approvals)**

Occupation	Total Reported	25 <sup>th</sup> Percentile	Median	Mean	75 <sup>th</sup> Percentile
<b>Total</b>	<b>124,511</b>	<b>62,000</b>	<b>79,000</b>	<b>86,000</b>	<b>100,000</b>
<b>Known Occupations with annual compensation</b>	<b>124,502</b>	<b>62,000</b>	<b>79,000</b>	<b>86,000</b>	<b>100,000</b>
Occupations in System Analysis and Programming	60,690	65,000	80,000	85,000	98,000
Computer-related occupations N.E.C.*	8,319	73,000	90,000	93,000	110,000
Occupations in College and University Education	6,019	44,000	54,000	68,000	71,000
Electrical/Electronics Engineering occupations	4,790	78,000	90,000	95,000	106,000
Physicians and Surgeons	3,826	58,000	150,000	143,000	200,000
Accountants, Auditors, and related occupations	3,475	54,000	70,000	80,000	92,000
Mechanical Engineering occupations	2,394	70,000	79,000	82,000	91,000
Miscellaneous Professional, Technical, and Managerial	1,774	73,000	95,000	106,000	125,000
Occupations in Architecture, Engineering, and Surveying	1,711	68,000	88,000	90,000	107,000
Occupations in Administrative Specializations	1,703	51,000	73,000	83,000	104,000
Occupations in Biological Sciences	1,677	45,000	53,000	63,000	75,000
Miscellaneous Managers and Officials	1,655	76,000	105,000	111,000	129,000
Occupations in Economics	1,649	63,000	90,000	99,000	124,000
Budget and Management Systems Analysis occupations	1,622	60,000	81,000	88,000	106,000
Occupations in Medicine and Health	1,381	47,000	57,000	69,000	77,000
Therapists	1,232	60,000	70,000	68,000	81,000
Industrial Engineering occupations	1,186	68,000	79,000	82,000	95,000
<b>Occupation unknown</b>	<b>9</b>	<b>68,000</b>	<b>100,000</b>	<b>94,000</b>	<b>116,000</b>

Notes: Occupations ranked by the number of beneficiaries.

\* N.E.C. indicates *not elsewhere classified*.

Definitions: Median is the middle ranking value (50<sup>th</sup> percentile) of all values.

Mean is the average of all values.

25<sup>th</sup> percentile and 75<sup>th</sup> percentile are the lower quarter and upper quarter ranking values, respectively.

## Section 3.7 – Distribution of petitions by industry

Tables 13A and 13B show the industries that employed the most H-1B workers in FYs 2011 and 2012. The number of workers approved for all known industries decreased 18 percent from 247,557 in FY 2011 to 203,538 in FY 2012.

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.

**Table 13A. H-1B Petitions Approved by Detailed Industry and Type of Petition  
(Number) FYs 2011 and 2012**

Industry	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2011 Number	FY 2012 Number	FY 2011 Number	FY 2012 Number	FY 2011 Number	FY 2012 Number
<b>Total</b>	<b>269,653</b>	<b>262,569</b>	<b>106,445</b>	<b>136,890</b>	<b>163,208</b>	<b>125,679</b>
<b>Industry known</b>	<b>247,557</b>	<b>203,538</b>	<b>97,121</b>	<b>108,820</b>	<b>150,436</b>	<b>94,718</b>
Computer Systems Design & Related Services	97,713	110,414	40,077	61,870	57,636	48,544
Colleges, Universities, & Professional Schools	23,802	16,167	9,630	8,515	14,172	7,652
Software Publishers	6,961	5,367	2,436	2,582	4,525	2,785
Management, Scientific, & Technical Consulting Services	10,190	4,915	4,939	4,306	5,251	609
General Medical and Surgical Hospitals	6,954	4,533	2,267	1,989	4,687	2,544
Engineering Services	8,087	2,606	3,035	1,452	5,052	1,154
Research and Development in the Physical, Engineering, and Life Sciences	5,416	2,366	2,345	1,148	3,071	1,218
Offices of Physicians (except Mental Health Specialists)	3,300	2,173	1,057	838	2,243	1,335
Semiconductor and related device Manufacturing	5,496	2,132	2,629	1,115	2,867	1,017
Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	3,338	1,940	987	1,120	2,351	820
Elementary and Secondary Schools	5,388	1,874	1,136	596	4,252	1,278
Accountants and Accounting, Tax Preparation, Bookkeeping, and Payroll Services	4,258	2,588	1,701	1,344	2,559	1,244
Semiconductor & Other Electronic Component Manufacturing	5,946	1,528	2,629	746	3,317	782
Other Computer Peripheral Equipment Manufacturing	4,153	1,110	1,250	408	2,903	702
Other industries	52,744	40,777	19,475	19,429	33,269	21,348
<b>Industry unknown</b>	<b>22,096</b>	<b>59,031</b>	<b>9,324</b>	<b>28,070</b>	<b>12,772</b>	<b>30,961</b>

Notes: Industries ranked by total beneficiaries in FY 2012.

NAICS stands for North American Industry Classification System.



**Table 13B. H-1B Petitions Approved by Detailed Industry and Type of Petition  
(Percent) FYs 2011 and 2012**

Industry	All Beneficiaries		Initial Employment		Continuing Employment	
	FY2011 Percent	FY2012 Percent	FY2011 Percent	FY2012 Percent	FY2011 Percent	FY2012 Percent
<b>Total</b>	-----	-----	-----	-----	-----	-----
<b>Industry known</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Computer Systems Design and Related Services	39.5	54.2	41.3	56.9	38.3	51.3
Colleges, Universities & Professional Schools	9.6	7.9	9.9	7.8	9.4	8.1
Software Publishers	2.8	2.6	2.5	2.4	3.0	2.9
Management, Scientific & Technical Consulting Services	4.1	3.7	5.1	5.3	3.5	1.8
General Medical and Surgical Hospitals	2.8	2.2	2.3	1.8	3.1	2.7
Engineering Services	3.3	1.3	3.1	1.3	3.4	1.2
Research & Development in the Physical, Engineering, and Life Sciences	2.2	1.2	2.4	1.1	2.0	1.3
Offices of Physicians (except Mental Health Specialists)	1.3	1.1	1.1	0.8	1.5	1.4
Semiconductor and Related Device Manufacturing	2.4	1.0	2.7	1.0	2.2	1.1
Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	1.3	1.0	1.0	1.0	1.6	0.9
Elementary and Secondary Schools	2.2	0.9	1.2	0.5	2.8	1.3
Accountants and Accounting, Tax Preparation, Bookkeeping, and Payroll Services	1.7	1.3	1.8	1.2	1.7	1.3
Semiconductor and Other Electronic Component Manufacturing	2.4	0.8	2.7	1.3	2.2	2.0
Other Computer Peripheral Equipment Manufacturing	1.7	0.5	1.3	0.4	1.9	0.7
Other industries	21.3	20.0	20.1	17.9	22.1	22.5
<b>Industry unknown</b>	-----	-----	-----	-----	-----	-----

Notes: Industries ranked by total beneficiaries in FY 2012.  
Sum of the percent may not add to 100 due to rounding.  
Percentages shown are based on the total number of petitions approved with industry known.  
NAICS stands for North American Industry Classification System

## IV. Appendices

### A. H-1B petition processing

Petitions for obtaining H-1B nonimmigrant classification for alien workers are submitted by prospective employers on USCIS Form I-129, Petition for a Nonimmigrant Worker, the H Classification Supplement to Form I-129, and the H-1B Data Collection and Filing Fee Exemption Supplement. The petitions are generally 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 of a properly filed petition,<sup>14</sup> 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), as well as data on occupational and industry categories, are taken from the petition and entered by data entry clerks 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 subject and cap exempt cases, the file is assigned to an adjudicator.

The adjudicator evaluates whether there is adequate information in the file to approve or deny the petition, or whether a need for further information warrants a request for evidence or initiation of an administrative investigation. If sufficient evidence is available, the adjudicator makes a decision and enters the corresponding information into the tracking system. In the case of insufficient evidence, the adjudicator requests additional information from the sponsoring employer. The employer must respond to the request within a set period of time or the petition will be denied.

After petitions are adjudicated, the petition and supporting documentation are forwarded to either the USCIS records center in Harrisonburg, Virginia, for storage or the Kentucky Consular Center in Williamsburg, Kentucky, for consular processing.

### B. Data Limitations

The data for the tables in this report have been extracted from a USCIS Service Center electronic data file. As such, errors in data may have occurred as a result of erroneous data submitted by

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<sup>14</sup> Petitions that are improperly filed (e.g., submitted without the correct supplements, proper signatures, or required fees) may be rejected by the service center. Rejected petitions are returned to the petitioner with any submitted fees. See 8 CFR 103.2(a)(7).

the petitioner, initial data entry errors at service centers, or improper electronic transfer from the service centers to USCIS Headquarters. Accordingly, some data elements in the above tables are “unknown.”

Minimal editing has been done to the data in this file and impossible or highly improbable values (such as beneficiaries younger than 16, except for fashion models) or beneficiaries (such as those working without compensation) have been defined as “unknown.” Information in electronic format is not available regarding the cities or states where H-1B workers are employed.