



# Characteristics of H-1B Specialty Occupation Workers

Fiscal Year 2011 Annual Report to Congress  
October 1, 2010 – September 30, 2011

March 12, 2012



Homeland  
Security

*U.S. Citizenship and  
Immigration Services*



**Homeland  
Security**

March 12, 2012

## 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 2011, 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 Lamar Smith  
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.

Respectfully,

A handwritten signature in black ink, appearing to read "Nelson Peacock".

Nelson Peacock  
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.

To fulfill this requirement, USCIS submits the following report for Fiscal Year (FY) 2011, October 1, 2010 – September 30, 2011.

## **Highlights**

- The number of H-1B petitions filed increased eight percent from 247,617 in FY 2010 to 267,654 in FY 2011.
- The number of H-1B petitions approved increased almost 40 percent from 192,990 in FY 2010 to 269,653 in FY 2011.<sup>1</sup>
- Approximately 58 percent of all H-1B petitions approved in FY 2011 were for workers born in India.
- Over two-thirds of H-1B petitions approved in FY 2011 were for workers between the ages of 25 and 34.
- Forty-one percent of H-1B petitions approved in FY 2011 were for workers with a bachelor's degree, forty-two percent had a master's degree, eleven percent had a doctorate, and 5 percent were for workers with a professional degree.
- About 51 percent of H-1B petitions approved in FY 2011 were for workers in computer-related occupations.
- The median salary of beneficiaries of approved petitions increased to \$70,000 in FY 2011, \$2,000 more than in FY 2010.

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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. 61,738 petitions were received *prior* to Fiscal Year 2011, but were approved in Fiscal Year 2011 (see footnote 12).



# Characteristics of H-1B 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> Section 416(c)(3) of ACWIA, Pub. L. No. 105-277, div. C, tit. IV, 112 Stat. 2681 requires 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 H-1B Petitions” for Fiscal Year 2011.

<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 H-1B 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 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)(1).

<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 can obtain 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.<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 H-1B visas that 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 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 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).

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 of 2000 (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

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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 *American Competitiveness in the Twenty-first Century Act of 2000* (AC21), Pub. L. No. 106-313, 114 Stat. 1251.

and providing 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 (FY) 1999 and 2000 and to 107,500 in FY 2001. AC21 raised the limit on petitions 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 master's or higher degrees will be exempt from any fiscal year cap on available H-1B visas. See INA 214(g)(5)(C), 8 USC 1184(g)(5)(C).

### III. Data Report

#### Section 3.1 – General distribution of petitions

During FY 2011, USCIS approved 269,653 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, etc.).

Table 1 shows for FYs 2008 to 2011 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 2011, a total of 106,445 petitions, or 40 percent, were for initial employment.<sup>9</sup> The corresponding number of petitions for continuing employment was 163,208.<sup>10</sup> A worker may have had a second (or subsequent) petition filed in 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.

The number of H-1B petitions filed increased 8 percent and petitions approved increased by

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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 a second or subsequent H-1B employer.

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



40 percent between FYs 2010 and 2011. For initial employment, petitions filed increased 16 percent and petitions approved increased by 39 percent. Petitions filed for continuing employment increased 3 percent and petitions approved increased by 40 percent.

**Table 1. H-1B Petitions Filed and Approved by Type of Petition:  
Fiscal Years 2008 to 2011**

	FY 2008 <sup>11</sup>	FY 2009	FY 2010	FY 2011
<b>Petitions filed</b>	<b>288,764</b>	<b>246,647</b>	<b>247,617</b>	<b>267,654</b>
Initial Employment	122,634	105,775	99,146	114,529
Continuing Employment	166,130	140,872	148,471	153,125
<b>Petitions approved<sup>12</sup></b>	<b>276,252</b>	<b>214,271</b>	<b>192,990</b>	<b>269,653</b>
Initial Employment	109,335	86,300	76,627	106,445
Continuing Employment	166,917	127,971	116,363	163,208

Table 2 shows the number of H-1B petitions filed by quarter in FYs 2008 to 2011. More than 33 percent of filings for initial employment occurred in the third quarter of FY 2011, when the cap-subject petition filing season opened. Sixty percent of filings for continuing employment were received in the third and fourth quarters of FY 2011.

**Table 2. H-1B Petitions Filed by Quarter:  
Fiscal Years 2008 to 2011**

Quarter	FY 2008	FY 2009	FY 2010	FY 2011	FY 2011 Initial Employment	Percent of Total	FY 2011 Continuing Employment	Percent of Total
<b>Total</b>	<b>288,764</b>	<b>246,647</b>	<b>247,617</b>	<b>267,654</b>	<b>114,529</b>	<b>100</b>	<b>153,125</b>	<b>100</b>
October-December	41,852	36,669	50,790	55,781	28,427	24.8	27,354	17.9
January-March	44,486	37,291	34,313	44,995	13,722	12.0	31,273	20.4
April-June	150,942	121,782	88,501	86,716	38,000	33.2	48,716	31.8
July-September	51,484	50,905	74,013	80,162	34,380	30.0	45,782	29.9

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

<sup>11</sup> The “petitions filed” figure excludes approximately 63,000 petitions submitted but not selected in the computer-generated random lottery in April 2008.

<sup>12</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, 207,915 petitions were both received and approved in Fiscal Year 2011, whereas 61,738 petitions were received prior to Fiscal Year 2011, but were approved in Fiscal Year 2011.

Table 3 provides a breakdown of approved petitions in FYs 2008 to 2011 by type of petition. More than 106,000 H-1B beneficiaries were approved for initial employment and 163,000 for continuing employment in FY 2011.

The number of aliens outside the United States approved for initial employment increased nearly 40 percent from 34,848 in FY 2010 to 48,665 in FY 2011. The corresponding numbers for aliens in the United States changing to H-1B status increased by 38 percent to 57,780 in 2011.

**Table 3. H-1B Petitions Approved by Type:  
Fiscal Years 2008 to 2011**

Type of Petition	Petitions Approved							
	FY2008	Percent	FY2009	Percent	FY2010	Percent	FY2011	Percent
<b>Total</b>	<b>276,252</b>	<b>100</b>	<b>214,271</b>	<b>100</b>	<b>192,990</b>	<b>100</b>	<b>269,653</b>	<b>100</b>
<b>Initial employment</b>	<b>109,335</b>	<b>40</b>	<b>86,300</b>	<b>40</b>	<b>76,627</b>	<b>40</b>	<b>106,445</b>	<b>39</b>
Aliens outside U.S.	55,893	20	33,283	16	34,848	18	48,665	18
Aliens in U.S.	53,442	19	53,017	25	41,779	22	57,780	21
<b>Continuing employment</b>	<b>166,917</b>	<b>60</b>	<b>127,971</b>	<b>60</b>	<b>116,363</b>	<b>60</b>	<b>163,208</b>	<b>61</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>13</sup> Of the H-1B petitions approved in FY 2011, 58 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 8.8 percent of all beneficiaries. The number of beneficiaries from India approved for initial employment increased 62 percent in 2011, while the number of beneficiaries approved for continuing employment increased 47 percent in FY 2011.

<sup>13</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): Fiscal Years 2010 and 2011**

Country of Birth	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2010 Number	FY 2011 Number	FY 2010 Number	FY 2011 Number	FY 2010 Number	FY 2011 Number
<b>Total</b>	<b>192,990</b>	<b>269,653</b>	<b>76,627</b>	<b>106,445</b>	<b>116,363</b>	<b>163,208</b>
India	102,911	156,317	34,617	55,972	68,294	100,345
China, People's Republic	17,101	23,787	7,480	10,165	9,621	13,622
Canada	7,260	9,362	2,979	3,584	4,281	5,778
Philippines	6,172	7,582	2,104	2,020	4,068	5,562
South Korea	5,623	6,689	3,150	3,407	2,473	3,282
United Kingdom	3,848	4,629	2,125	2,573	1,723	2,056
Mexico	2,632	3,473	1,124	1,367	1,508	2,106
Japan	2,781	3,274	1,189	1,276	1,592	1,998
Taiwan	2,360	2,937	1,267	1,455	1,093	1,482
France	2,160	2,653	1,264	1,517	896	1,136
Pakistan	2,227	2,552	806	891	1,421	1,661
Germany	1,864	2,193	1,059	1,210	805	983
Turkey	1,934	2,161	948	967	986	1,194
Brazil	1,624	2,010	884	1,105	740	905
Colombia	1,527	1,786	652	705	875	1,081
Venezuela	1,507	1,734	752	846	755	888
Nepal	1,072	1,566	500	719	572	847
Russia	1,162	1,514	647	873	515	641
Italy	1,107	1,351	657	816	450	535
Spain	839	1,198	475	684	364	514
Other countries	25,279	30,885	11,948	14,293	13,331	16,592

Note: Countries of birth are ranked based on 2011 data.

**Table 4B. H-1B Petitions Approved by Country of Birth of Beneficiary and Type of Petition (Percent): Fiscal Years 2010 and 2011**

Country of Birth	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2010 Percent	FY 2011 Percent	FY 2010 Percent	FY 2011 Percent	FY 2010 Percent	FY 2011 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	53.3	58.0	45.2	52.6	58.7	61.5
China, People's Republic	8.9	8.8	9.8	9.5	8.3	8.3
Canada	3.8	3.5	3.9	3.4	3.7	3.5
Philippines	3.2	2.8	2.7	1.9	3.5	3.4
South Korea	2.9	2.5	4.1	3.2	2.1	2.0
United Kingdom	2.0	1.7	2.8	2.4	1.5	1.3
Mexico	1.4	1.3	1.5	1.3	1.3	1.3
Japan	1.4	1.2	1.6	1.2	1.4	1.2
Taiwan	1.2	1.1	1.7	1.4	0.9	0.9
France	1.1	1.0	1.6	1.4	0.8	0.7
Pakistan	1.2	0.9	1.1	0.8	1.2	1.0
Germany	1.0	0.8	1.4	1.1	0.7	0.6
Turkey	1.0	0.8	1.2	0.9	0.8	0.7
Brazil	0.8	0.7	1.2	1.0	0.6	0.6
Colombia	0.8	0.7	0.9	0.7	0.8	0.7
Venezuela	0.8	0.6	1.0	0.8	0.6	0.5
Nepal	0.6	0.6	0.7	0.7	0.5	0.5
Russia	0.6	0.6	0.8	0.8	0.4	0.4
Italy	0.6	0.5	0.9	0.8	0.4	0.3
Spain	0.4	0.4	0.6	0.6	0.3	0.3
Other countries	13.1	11.5	15.6	13.4	11.5	10.2

Notes: Countries of birth are ranked based on 2011 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 2011 by type of petition. Nearly 70 percent of workers granted H-1B status during FY 2011 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 28 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 2011**

Age	All Beneficiaries	Percent	Initial Employment	Percent	Continuing Employment	Percent
<b>Total</b>	<b>269,653</b>		<b>106,445</b>		<b>163,208</b>	
<b>Age known</b>	<b>269,607</b>	<b>100</b>	<b>106,431</b>	<b>100</b>	<b>163,176</b>	<b>100</b>
Under 20	172	0.1	166	0.2	6	0.0
20-24	12,671	4.7	11,636	10.9	1,035	0.6
25-29	94,229	35.0	49,035	46.1	45,194	27.7
30-34	93,538	34.7	27,034	25.4	66,504	40.8
35-39	42,958	15.9	10,777	10.1	32,181	19.7
40-44	15,165	5.6	4,240	4.0	10,925	6.7
45-49	6,339	2.4	1,972	1.9	4,367	2.7
50-54	2,595	1.0	873	0.8	1,722	1.1
55-59	1,224	0.5	443	0.4	781	0.5
60-64	486	0.2	162	0.2	324	0.2
65 and over	230	0.1	93	0.1	137	0.1
<b>Age unknown</b>	<b>46</b>	<b>-----</b>	<b>14</b>	<b>-----</b>	<b>32</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 constant between FYs 2010 and 2011. As shown in Table 6, 41 percent of all H-1B petitions approved for workers in FY 2011 reported that the beneficiary had earned the equivalent of a bachelor’s degree; 42 percent a master’s degree; 11 percent a doctorate, and five percent a professional degree. Altogether, 99 percent had earned at least a bachelor’s degree, and 58 percent had earned at least a master’s degree.

**Table 6. H-1B Petitions Approved by Level of Education:  
Fiscal Years 2008-2011**

<b>Level of Education</b>	<b>FY 2008</b>	<b>FY 2009</b>	<b>FY 2010</b>	<b>FY 2011</b>
<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	43	41	42	41
Master's degree	41	40	39	42
Doctorate degree	11	13	12	11
Professional degree	5	6	6	5

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 2011**

<b>Level of Education</b>	<b>All Beneficiaries</b>	<b>Percent</b>	<b>Initial Employment</b>	<b>Percent</b>	<b>Continuing Employment</b>	<b>Percent</b>
<b>Total</b>	<b>269,653</b>		<b>106,445</b>		<b>163,208</b>	
<b>Education known</b>	<b>269,597</b>	<b>100</b>	<b>106,416</b>	<b>100</b>	<b>163,181</b>	<b>100</b>
No high school diploma	467	0.2	373	0.4	94	0.1
High school graduate	662	0.2	500	0.5	162	0.1
Less than 1 year of college credit	83	0.0	44	0.0	39	0.0
1 or more years of college credit, no diploma	508	0.2	255	0.2	253	0.2
Associate's degree	414	0.2	170	0.2	244	0.1
Bachelor's degree	111,637	41.4	46,549	43.7	65,088	39.9
Master's degree	112,536	41.7	41,310	38.8	71,226	43.6
Doctorate degree	14,129	5.2	4,892	4.6	9,237	5.7
Professional degree	29,161	10.8	12,323	11.6	16,838	10.3
<b>Education unknown</b>	<b>56</b>	<b>-----</b>	<b>29</b>	<b>-----</b>	<b>27</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 2010 and 2011. The category of computer-related occupations was the largest occupational category in 2011; its share of total petitions approved increased to nearly 51 percent in FY 2011 from over 47 percent in FY 2010. The corresponding shares for initial employment and continuing employment in computer-related occupations were almost 49 and over 52 percent, respectively. The top ten occupational categories representing 96 percent of all beneficiaries had more continuing employment than initial employment beneficiaries.

The number of H-1B petitions approved for workers in computer-related occupations increased 48 percent from 90,802 in 2010 to 134,873 in 2011. The number of H-1B petitions for all other occupation groups combined increased 30 percent between 2010 and 2011.

**Table 8A. H-1B Petitions Approved by Major Occupation Group of Beneficiary and Type of Petition (Number): Fiscal Years 2010 and 2011**

Occupational Category	All Beneficiaries		Initial Employment		Continuing Employment	
	FY2010 Number	FY2011 Number	FY2010 Number	FY2011 Number	FY2010 Number	FY2011 Number
<b>Total</b>	<b>192,990</b>	<b>269,653</b>	<b>76,627</b>	<b>106,445</b>	<b>116,363</b>	<b>163,208</b>
<b>Occupation known</b>	<b>191,165</b>	<b>265,365</b>	<b>75,825</b>	<b>105,395</b>	<b>115,340</b>	<b>159,970</b>
Computer-related occupations	90,802	134,873	31,661	51,570	59,141	83,303
Occupations in Architecture, Engineering and Surveying	19,781	29,695	7,869	11,950	11,912	17,745
Occupations in Education	19,713	24,321	8,626	9,081	11,087	15,240
Occupations in Administrative Specializations	16,516	21,240	7,637	9,553	8,879	11,687
Occupations in Medicine and Health	14,997	18,704	6,224	6,037	8,773	12,667
Managers and Officials N.E.C.*	6,744	7,341	2,999	3,187	3,745	4,154
Occupations in Life Sciences	5,102	6,375	2,466	2,992	2,636	3,383
Occupations in Mathematics and Physical Sciences	4,480	5,968	1,945	2,450	2,535	3,518
Miscellaneous Professional, Technical, and Managerial	4,013	4,944	1,819	2,315	2,194	2,629
Occupations in Social Sciences	4,011	4,928	1,911	2,346	2,100	2,582
Occupations in Art	2,116	3,013	1,084	1,577	1,032	1,436
Occupations in Law and Jurisprudence	1,136	1,325	562	692	574	633
Occupations in Writing	745	943	385	486	360	457
Fashion Models	250	761	194	676	56	85
Occupations in Entertainment and Recreation	452	556	249	270	203	286
Occupations in Museum, Library & Archival Sciences	147	202	71	93	76	109
Occupations in Religion and Theology	160	176	123	120	37	56
<b>Occupation unknown</b>	<b>1,825</b>	<b>4,288</b>	<b>802</b>	<b>1,050</b>	<b>1,023</b>	<b>3,238</b>

Notes: Occupations ranked based on 2011 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): Fiscal Years 2010 and 2011**

Occupational Category	All Beneficiaries		Initial Employment		Continuing Employment	
	FY2010 Number	FY2011 Number	FY2010 Number	FY2011 Number	FY2010 Number	FY2011 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	47.5	50.8	41.8	48.9	51.3	52.1
Occupations in Architecture, Engineering, and Surveying	10.3	11.2	10.4	11.3	10.3	11.1
Occupations in Education	10.3	9.2	11.4	8.6	9.6	9.5
Occupations in Administrative Specializations	8.6	8.0	10.1	9.1	7.7	7.3
Occupations in Medicine and Health	7.8	7.0	8.2	5.7	7.6	7.9
Managers and Officials N.E.C.*	3.5	2.8	4.0	3.0	3.2	2.6
Occupations in Life Sciences	2.7	2.4	3.3	2.8	2.3	2.1
Occupations in Mathematics and Physical Sciences	2.3	2.2	2.6	2.3	2.2	2.2
Miscellaneous Professional, Technical, and Managerial	2.1	1.9	2.4	2.2	1.9	1.6
Occupations in Social Sciences	2.1	1.9	2.5	2.2	1.8	1.6
Occupations in Art	1.1	1.1	1.4	1.5	0.9	0.9
Occupations in Law and Jurisprudence	0.6	0.5	0.7	0.7	0.5	0.4
Occupations in Writing	0.4	0.4	0.5	0.5	0.3	0.3
Fashion Models	0.1	0.3	0.3	0.6	0.0	0.1
Occupations in Entertainment and Recreation	0.2	0.2	0.3	0.3	0.2	0.2
Occupations in Museum, Library, & Archival Sciences	0.1	0.1	0.1	0.1	0.1	0.1
Occupations in Religion and Theology	0.1	0.1	0.2	0.1	0.0	0.0
<b>Occupation unknown</b>	-----	-----	-----	-----	-----	-----

Notes: Occupations ranked based on 2011 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 2010 and 2011. Each table shows occupations arranged in descending order by the total number of beneficiaries approved in FY 2011. The percentage of petitions filed in each occupational category in 2011 were similar to the percentage of petitions filed in each occupational category in 2010. The list is limited to the top 20 categories. Almost 44 percent of approved petitions in 2011 were for aliens working as systems analysts or programmers. The second largest category was occupations in college and university education.

**Table 9A. H-1B Petitions Approved by Detailed Occupation of Beneficiary and Type of Petition (Number): Fiscal Years 2010 and 2011**

Occupational Category	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2010	FY 2011	FY 2010	FY 2011	FY 2010	FY 2011
	Number	Number	Number	Number	Number	Number
<b>Total</b>	<b>192,900</b>	<b>269,653</b>	<b>76,627</b>	<b>106,445</b>	<b>116,363</b>	<b>163,208</b>
<b>Occupation known</b>	191,151	265,346	75,818	105,384	115,333	159,962
Occupations in Systems Analysis and Programming	78,440	116,236	27,560	44,912	50,880	71,324
Occupations in College and University Education	14,209	17,859	6,695	7,397	7,514	10,462
Computer-Related Occupations, N.E.C.*	9,331	13,901	3,031	4,696	6,300	9,205
Electrical/Electronics Engineering Occupations	7,084	11,400	3,002	4,831	4,082	6,569
Accountants, Auditors, and Related Occupations	6,712	8,750	2,890	3,658	3,822	5,092
Physicians and Surgeons	6,815	8,649	2,631	2,655	4,184	5,994
Mechanical Engineering Occupations	3,321	5,070	1,281	1,940	2,040	3,130
Occupations in Biological Sciences	3,729	4,683	1,816	2,218	1,913	2,465
Misc Professional, Technical, and Managerial Occupations, N.E.C.*	3,651	4,467	1,629	2,098	2,022	2,369
Occupations in Economics	3,606	4,352	1,672	1,991	1,934	2,361
Occupations in Administrative Specializations, N.E.C.*	3,415	4,295	1,734	2,021	1,681	2,274
Budget and management Systems Analysis Occupations	3,075	4,028	1,382	1,874	1,693	2,154
Occupations in Architecture, Engineering, and Surveying, N.E.C.*	2,737	3,937	1,103	1,662	1,634	2,275
Miscellaneous Managers and Officials, N.E.C.*	3,612	3,762	1,655	1,613	1,957	2,149
Occupations in Medicine and Health, N.E.C.*	3,206	3,654	1,718	1,603	1,448	2,051
Therapists	2,105	2,783	925	869	1,180	1,914
Industrial Engineering Occupations	1,769	2,630	651	1,102	1,118	1,528
Occupations in Data Communications and Networks	1,799	2,555	650	1,066	1,149	1,489
Occupations in Secondary School Education	2,243	2,523	795	632	1,448	1,891
Occupations in Preschool, Primary School, and Kindergarten Education	1,984	2,520	644	537	1,340	1,983
Other Occupations	28,308	37,292	12,354	16,009	15,954	21,283
<b>Occupation Unknown</b>	1,839	4,307	809	1,061	1,030	3,246

Notes: Occupations ranked on 2011 data.

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

**Table 9B. H-1B Petitions Approved by Detailed Occupation of Beneficiary  
and Type of Petition (Percent): Fiscal Years 2010 and 2011**

Occupational Category	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2010 Percent	FY 2011 Percent	FY 2010 Percent	FY 2011 Percent	FY 2010 Percent	FY 2011 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	41.0	43.8	36.4	42.6	44.1	44.6
Occupations in College and University Education	7.4	6.7	8.8	7.0	6.5	6.5
Computer-Related Occupations, N.E.C.*	4.9	5.2	4.0	4.5	5.5	5.8
Electrical/Electronics Engineering Occupations	3.7	4.3	4.0	4.6	3.5	4.1
Accountants, Auditors, and Related Occupations	3.5	3.3	3.8	3.5	3.3	3.2
Physicians and Surgeons	3.6	3.3	3.5	2.5	3.6	3.7
Mechanical Engineering Occupations	1.7	1.9	1.7	1.8	1.8	2.0
Occupations in Biological Sciences	2.0	1.8	2.4	2.1	1.7	1.5
Misc Professional, Technical, and Managerial Occupations, N.E.C.*	1.9	1.7	2.1	2.0	1.8	1.5
Occupations in Economics	1.9	1.6	2.2	1.9	1.7	1.5
Occupations in Administrative Specializations, N.E.C.*	1.8	1.6	2.3	1.9	1.5	1.4
Budget and Management Systems Analysis Occupations	1.6	1.5	1.8	1.8	1.5	1.3
Occupations in Architecture, Engineering, and Surveying, N.E.C.*	1.4	1.5	1.5	1.6	1.4	1.4
Miscellaneous Managers and Officials, N.E.C.*	1.9	1.4	2.2	1.5	1.7	1.3
Occupations in Medicine And Health, N.E.C.*	1.7	1.4	2.3	1.5	1.3	1.3
Therapists	1.1	1.0	1.2	0.8	1.0	1.2
Industrial Engineering Occupations	0.9	1.0	0.9	1.0	1.0	1.0
Occupations in Data Communication and Networks	0.9	1.0	0.9	1.0	1.0	0.9
Occupations in Secondary School Education	1.2	1.0	1.0	0.6	1.3	1.2
Occupations in Preschool, Primary School, and Kindergarten Education	1.0	0.9	0.8	0.5	1.2	1.2
Other Occupations	14.8	14.1	16.3	15.2	13.8	13.3
<b>Occupation Unknown</b>	-----	-----	-----	-----	-----	-----

Notes: Occupations ranked on 2011 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>14</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 2011. As shown in Table 10, the median annual compensation reported by employers of H-1B workers approved for employment during FY 2011 was \$70,000. This number compares with \$68,000 in 2010. Half were expected to earn between \$57,000 and \$90,000. Median compensation ranged from a low of \$36,000 for occupations in religion and theology to a high of \$100,000 for fashion models.

**Table 10. Annual Compensation (\$) of All H-1B Beneficiaries by Major Occupation Group: Fiscal Year 2011 (Approvals)**

Occupation	Total Reported	25 <sup>th</sup> Percentile	Median	Mean	75 <sup>th</sup> Percentile
<b>Total</b>	<b>267,487</b>	<b>57,000</b>	<b>70,000</b>	<b>78,000</b>	<b>90,000</b>
<b>Known Occupations with annual compensation</b>	<b>263,300</b>	<b>57,000</b>	<b>70,000</b>	<b>78,000</b>	<b>90,000</b>
Computer-related occupations	134,415	60,000	72,000	78,000	90,000
Occupations in Architecture, Engineering, and Surveying	29,510	64,000	78,000	82,000	95,000
Occupations in Education	24,100	41,000	49,000	58,000	64,000
Occupations in Administrative Specializations	20,970	48,000	62,000	73,000	89,000
Occupations in Medicine and Health	18,109	51,000	65,000	98,000	130,000
Managers and Officials N.E.C.*	7,298	60,000	90,000	101,000	120,000
Occupations in Life Sciences	6,338	41,000	49,000	58,000	66,000
Occupations in Mathematics and Physical Sciences	5,935	55,000	75,000	79,000	95,000
Miscellaneous Professional, Technical, and Managerial	4,914	55,000	80,000	89,000	115,000
Occupations in Social Sciences	4,874	51,000	75,000	87,000	105,000
Occupations in Art	2,974	40,000	50,000	59,000	70,000
Occupations in Law and Jurisprudence	1,312	51,000	97,000	117,000	165,000
Occupations in Writing	926	35,000	47,000	53,000	65,000
Fashion Models	703	70,000	104,000	157,000	208,000
Occupations in Entertainment and Recreation	548	29,000	39,000	49,000	61,000
Occupations in Museum, Library, and Archival Sciences	200	41,000	52,000	58,000	62,000
Occupations in Religion and Theology	174	27,000	36,000	42,000	53,000
<b>Occupation unknown</b>	<b>4,187</b>	<b>60,000</b>	<b>64,000</b>	<b>73,000</b>	<b>78,000</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>14</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 \$75,000 for the former and \$62,000 for the latter. In FY 2011 workers approved for continuing employment and initial employment reported mean annual compensation of \$82,000 and \$72,000 respectively.

**Table 11. Annual Compensation (\$) of H-1B Beneficiaries for Initial Employment by Major Occupation Group: Fiscal Year 2011 (Approvals)**

Occupation	Total Reported	25 <sup>th</sup> Percentile	Median	Mean	75 <sup>th</sup> Percentile
<b>Total</b>	<b>105,630</b>	<b>53,000</b>	<b>62,000</b>	<b>72,000</b>	<b>80,000</b>
<b>Known Occupations with annual compensation</b>	<b>104,617</b>	<b>53,000</b>	<b>62,000</b>	<b>72,000</b>	<b>80,000</b>
Computer-related occupations	51,421	60,000	64,000	70,000	76,000
Occupations in Architecture, Engineering, and Surveying	11,860	60,000	72,000	79,000	90,000
Occupations in Administrative Specializations	9,395	44,000	55,000	67,000	75,000
Occupations in Education	9,012	39,000	46,000	56,000	60,000
Occupations in Medicine and Health	5,913	47,000	57,000	93,000	116,000
Managers and Officials N.E.C.*	3,164	53,000	81,000	103,000	123,000
Occupations in Life Sciences	2,977	40,000	47,000	56,000	62,000
Occupations in Mathematics and Physical Sciences	2,436	52,000	70,000	74,000	90,000
Occupations in Social Sciences	2,320	45,000	65,000	78,000	95,000
Miscellaneous Professional, Technical, and Managerial	2,297	50,000	70,000	82,000	100,000
Occupations in Art	1,556	37,000	45,000	54,000	60,000
Occupations in Law and Jurisprudence	682	45,000	85,000	106,000	160,000
Fashion Models	628	73,000	104,000	155,000	208,000
Occupations in Writing	477	32,000	43,000	51,000	60,000
Occupations in Entertainment and Recreation	268	25,000	35,000	43,000	51,000
Occupations in Religion and Theology	118	27,000	36,000	41,000	50,000
Occupations in Museum, Library, and Archival Sciences	93	38,000	48,000	58,000	61,000
<b>Occupation unknown</b>	<b>1,013</b>	<b>45,000</b>	<b>60,000</b>	<b>77,000</b>	<b>76,000</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: Fiscal Year 2011 (Approvals)**

Occupation	Total Reported	25 <sup>th</sup> Percentile	Median	Mean	75 <sup>th</sup> Percentile
<b>Total</b>	<b>161,857</b>	<b>60,000</b>	<b>75,000</b>	<b>82,000</b>	<b>95,000</b>
<b>Known Occupations with annual compensation</b>	<b>158,683</b>	<b>60,000</b>	<b>75,000</b>	<b>82,000</b>	<b>95,000</b>
Computer-related occupations	82,994	64,000	79,000	83,000	95,000
Occupations in Architecture, Engineering, and Surveying	17,650	68,000	80,000	84,000	96,000
Occupations in Education	15,088	43,000	50,000	59,000	66,000
Occupations in Medicine and Health	12,196	53,000	70,000	100,000	133,000
Occupations in Administrative Specializations	11,575	52,000	70,000	78,000	95,000
Managers and Officials N.E.C.*	4,134	65,000	94,000	100,000	120,000
Occupations in Mathematics and Physical Sciences	3,499	60,000	78,000	82,000	98,000
Occupations in Life Sciences	3,361	43,000	51,000	59,000	70,000
Miscellaneous Professional, Technical, and Managerial	2,617	61,000	89,000	95,000	121,000
Occupations in Social Sciences	2,554	60,000	86,000	96,000	120,000
Occupations in Art	1,418	42,000	56,000	64,000	80,000
Occupations in Law and Jurisprudence	630	62,000	117,000	129,000	185,000
Occupations in Writing	449	39,000	50,000	55,000	68,000
Occupations in Entertainment and Recreation	280	33,000	45,000	55,000	71,000
Occupations in Museum, Library, and Archival Sciences	107	43,000	54,000	57,000	64,000
Fashion Models	75	70,000	104,000	166,000	250,000
Occupations in Religion and Theology	56	27,000	38,000	43,000	54,000
<b>Occupation unknown</b>	<b>3,174</b>	<b>61,000</b>	<b>65,000</b>	<b>71,000</b>	<b>78,000</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 2010 and 2011. The number of workers approved for all known industries increased 38 percent from 179,195 in FY 2010 to 247,557 in FY 2011. Of the 20 leading industries, only securities and commodity contracts intermediation and brokerage showed a decline in FY 2011.

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) Fiscal Years 2010 and 2011**

Industry	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2010 Number	FY 2011 Number	FY 2010 Number	FY 2011 Number	FY 2010 Number	FY 2011 Number
<b>Total</b>	<b>192,990</b>	<b>269,653</b>	<b>76,627</b>	<b>106,445</b>	<b>116,363</b>	<b>163,208</b>
<b>Industry known</b>	<b>179,195</b>	<b>247,557</b>	<b>70,674</b>	<b>97,121</b>	<b>108,521</b>	<b>150,436</b>
Computer Systems Design & Related Services	64,624	97,713	23,821	40,077	40,803	57,636
Colleges, Universities, & Professional Schools	19,162	23,802	8,852	9,630	10,310	14,172
Management, Scientific, & Technical Consulting Services	6,735	10,190	2,886	4,939	3,849	5,251
Architectural, Engineering, & Related Services	5,719	8,087	2,087	3,035	3,632	5,052
Software Publishers	4,605	6,961	2,097	2,436	2,508	4,525
General Medical and Surgical Hospitals	5,607	6,954	2,303	2,267	3,304	4,687
Semiconductor & Other Electronic Component Manufacturing	3,867	5,946	1,742	2,629	2,125	3,317
Scientific Research and Development Services	4,644	5,416	2,104	2,345	2,540	3,071
Elementary and Secondary Schools	4,709	5,388	1,533	1,136	3,176	4,252
Securities & Commodity Contracts Intermediation & Brokerage	5,094	4,942	1,880	1,770	3,214	3,172
Accounting, Tax Preparation, Bookkeeping, & Payroll Services	2,707	4,258	1,205	1,701	1,502	2,557
Computer and Peripheral Equipment Manufacturing	2,992	4,153	935	1,250	2,057	2,903
Communications Equipment Manufacturing	2,092	3,338	786	987	1,306	2,351
Offices of Physicians	2,514	3,300	947	1,057	1,567	2,243
Other Financial Investment Activities	2,191	2,726	848	1,013	1,343	1,713
Offices of Other Health Practitioners	1,694	1,948	781	640	913	1,308
Other Professional, Scientific, & Technical Services	1,451	1,939	689	847	762	1,092
Depository Credit Intermediation	1,312	1,790	302	517	1,010	1,273
Pharmaceutical and Medicine Manufacturing	1,222	1,692	406	540	816	1,152
Advertising and Related Services	1,041	1,550	477	752	564	798
Other industries	35,213	45,464	13,993	17,553	21,220	27,911
<b>Industry unknown</b>	<b>13,795</b>	<b>22,096</b>	<b>5,953</b>	<b>9,324</b>	<b>7,842</b>	<b>12,772</b>

Notes: Industries ranked by total beneficiaries in 2011.

NAICS stands for North American Industry Classification System.



**Table 13B. H-1B Petitions Approved by Detailed Industry and Type of Petition  
(Percent) Fiscal Years 2010 and 2011**

Industry	All Beneficiaries		Initial Employment		Continuing Employment	
	FY2010 Percent	FY2011 Percent	FY2010 Percent	FY2011 Percent	FY2010 Percent	FY2011 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 & Related Services	36.1	39.5	33.7	41.3	37.6	38.3
Colleges, Universities & Professional Schools	10.7	9.6	12.5	9.9	9.5	9.4
Management, Scientific & Technical Consulting Services	3.8	4.1	4.1	5.1	3.5	3.5
Architectural, Engineering & Related Services	3.2	3.3	3.0	3.1	3.3	3.4
Software Publishers	2.6	2.8	3.0	2.5	2.3	3.0
General Medical and Surgical Hospitals	3.1	2.8	3.3	2.3	3.0	3.1
Semiconductor & Other Electronic Component Manufacturing	2.2	2.4	2.5	2.7	2.0	2.2
Scientific Research and Development Services	2.6	2.2	3.0	2.4	2.3	2.0
Elementary and Secondary Schools	2.6	2.2	2.2	1.2	2.9	2.8
Securities & Commodity Contracts Intermediation & Brokerage	2.8	2.0	2.7	1.8	3.0	2.1
Accounting, Tax Preparation, Bookkeeping, & Payroll Services	1.5	1.7	1.7	1.8	1.4	1.7
Computer and Peripheral Equipment Manufacturing	1.7	1.7	1.3	1.3	1.9	1.9
Communications Equipment Manufacturing	1.2	1.3	1.1	1.0	1.2	1.6
Offices of Physicians	1.4	1.3	1.3	1.1	1.4	1.5
Other Financial Investment Activities	1.2	1.1	1.2	1.0	1.2	1.1
Offices of Other Health Practitioners	0.9	0.8	1.1	0.7	0.8	0.9
Other Professional, Scientific & Technical Services	0.8	0.8	1.0	0.9	0.7	0.7
Depository Credit Intermediation	0.7	0.7	0.4	0.5	0.9	0.8
Pharmaceutical and Medicine Manufacturing	0.7	0.7	0.6	0.6	0.8	0.8
Advertising and Related Services	0.6	0.6	0.7	0.8	0.5	0.5
Other industries	19.7	18.4	19.8	18.1	19.6	18.6
<b>Industry unknown</b>	-----	-----	-----	-----	-----	-----

Notes: Industries ranked by total beneficiaries in 2011.

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 status for alien workers are submitted by their 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>15</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, is 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 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 the petitioner, initial data entry errors at service centers, or improper electronic transfer from the

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<sup>15</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).

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.