The Honorable John J. Conyers, Jr.
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This report was prepared in accordance with Section 416(d)(2) of the American Competitiveness and Workforce Improvement Act of 1998, as amended by Section 406 of the REAL ID Act of 2005, which requires that:

Beginning in fiscal year 2007, the Secretary of Homeland Security and the Secretary of State shall submit, on an annual basis, to the Committees on the Judiciary of the House of Representatives and the Senate—

(A) information on the countries of origin of, occupations of, and compensation paid to aliens who were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) during the previous fiscal year;

(B) the number of aliens who had such a visa or such status expires or be revoked or otherwise terminated during each month of such fiscal year; and

(C) the number of aliens who were provided nonimmigrant status under such section during both such fiscal year and the preceding fiscal year.

This report on H-2B nonimmigrants has been compiled from information provided by the Department of State (DOS), the Department of Labor (DOL) and three components within the Department of Homeland Security (DHS); U.S. Citizenship and Immigration Services (USCIS), U.S. Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE). Identical copies of the report will be provided to the Chairpersons and Ranking Members of the House and Senate Committees on the Judiciary and of the relevant Subcommittees.

Regarding the number of aliens who were issued H-2B visas or otherwise provided H-2B status, it should be noted that, upon approval by USCIS of an H-2B petition, an alien may be accorded H-2B status through:
The Honorable John J. Conyers, Jr.

Admission by CBP at a port of entry as an H-2B nonimmigrant after issuance of an H-2B nonimmigrant visa by DOS;
Admission by CBP at a port of entry as an H-2B nonimmigrant without a visa, in the case of certain Canadian, Bermudan and Bahamian residents; or
Change of status to H-2B nonimmigrant granted by USCIS.

### Countries of Origin of Aliens Who Were Issued H-2B Visas by the Department of State

Countries of origin of aliens who were issued H-2B visas are as follows. This information is available in the FY 2006 Non Immigrant Visa Detail Table on the Department of State website (http://www.travel.state.gov/pdf/FY06NIVDetailTable.pdf).

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#### Totals for Europe: 7,789

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Totals for North America: 54,040

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Totals for Oceania: 1,138

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Totals for South America: 3,358

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Totals for Unknown (No nationality): 3
Occupational Information On, and Compensation Paid To, Aliens Who Were Issued H-2B Visas or Provided H-2B Status

This information is available on the DOL website Public Disclosure page at http://www.flerealcenter.com/CaseH2B.aspx, which is extracted from the enclosed spreadsheet. Please note that the DOL database provides information on the total number of labor certification applications issued, denied, and partially issued. As an approved labor certification is a prerequisite to approval of an H-2B petition, DHS has not included occupational information and compensation figures from the DOL database for persons other than those on whose behalf a labor certification was actually or partially issued.¹

H-2B Visas or Status Revoked or Otherwise Terminated

During the period from October 1, 2005 through September 30, 2006, USCIS revoked or otherwise terminated a total of 63 approved petitions, which would have authorized a total of 1,070 H-2B positions.

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<th>Number of Beneficiaries</th>
<th>Month</th>
<th>Number of Petitions</th>
<th>Number of Beneficiaries</th>
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<td>Sep 2006</td>
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</table>

During the period from October 1, 2005 through September 30, 2006, DOS revoked 13 H-2B, and 3 H-2R visas.

CBP or ICE cancelled the visas and terminated the status of 76 aliens who were either found inadmissible at a port of entry or found deportable after admission to the United States. The revocation or termination information from CBP and ICE is not available on a month-to-month basis.

H-2B Visas Issued and Status Provided in FY 2006 and FY 2005

During the period from October 1, 2005 to September 30, 2006, 127,184 aliens, including 50,854 returning workers, were issued H-2B visas or otherwise acquired H-2B status. This figure includes:

- A total of 122,541 H-2B visas issued by DOS (50,854 returning workers);
- A total of 1,944 requests for change of status to H-2B approved by USCIS; and

¹ It should be noted that, currently, unlike DOL, DHS does not specifically capture this type of information in its databases. Such information is nevertheless included, together with the underlying H-2B nonimmigrant visa petition, as part of each individual alien’s immigration file.
The Honorable John J. Conyers, Jr.

A total of 2,699 aliens admitted without visas by CBP (2,687 Canadians, 1 Bermudan and 11 Bahamians).

During the period from October 1, 2004 to September 30, 2005, 92,001 aliens, including 1,643 returning workers, were issued H-2B visas or otherwise acquired H-2B status. This figure includes:

- A total of 87,816 H-2B visas issued by DOS (1,643 returning workers);
- A total of 1,667 requests for change of status to H-2B approved by USCIS; and
- A total of 2,518 aliens admitted without visas by CBP (2,512 Canadians, 3 Bermudan and 3 Bahamians).

I appreciate your interest in the Department of Homeland Security, and I look forward to working with you on future homeland security issues. If I may be of further assistance, please contact the Office of Legislative Affairs at (202) 447-5890.

Sincerely,

Donald H. Kent, Jr.
Assistant Secretary
Office of Legislative Affairs

Enclosure
The Honorable Lamar Smith  
Ranking Member  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

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The Honorable Lamar Smith  
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<td>1</td>
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Totals for Oceania: 1,138

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Totals for South America: 3,358

Totals for Unknown (No nationality): 3
The Honorable Lamar Smith  
Page 4

Occupational Information On, and Compensation Paid To, Aliens Who Were Issued H-2B Visas or Provided H-2B Status

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The Honorable Lamar Smith
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I appreciate your interest in the Department of Homeland Security, and I look forward to working with you on future homeland security issues. If I may be of further assistance, please contact the Office of Legislative Affairs at (202) 447-5890.

Sincerely,

Donald H. Kent, Jr.
Assistant Secretary
Office of Legislative Affairs

Enclosure
The Honorable Zoe Lofgren  
Chairman  
Subcommittee on Immigration, Citizenship,  
Refugees, Border Security, and  
International Law  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Lofgren:

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(C) the number of aliens who were provided nonimmigrant status under such section during both such fiscal year and the preceding fiscal year.

This report on H-2B nonimmigrants has been compiled from information provided by the Department of State (DOS), the Department of Labor (DOL) and three components within the Department of Homeland Security (DHS): U.S. Citizenship and Immigration Services (USCIS), U.S. Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE). Identical copies of the report will be provided to the Chairpersons and Ranking Members of the House and Senate Committees on the Judiciary and of the relevant Subcommittees.

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The Honorable Zoe Lofgren  
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Committee on the Judiciary  
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Countries of Origin of Aliens Who Were Issued H-2B Visas by the Department of State

Countries of origin of aliens who were issued H-2B visas are as follows. This information is available in the FY 2006 Non Immigrant Visa Detail Table on the Department of State website (http://www.travel.state.gov/pdf/FY06NIVDetailTable.pdf).

Totals for Africa: 1,973

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<th>Country</th>
<th>Number</th>
</tr>
</thead>
<tbody>
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<tr>
<td>Egypt</td>
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<td>Morocco</td>
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<td>South Africa</td>
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Totals for Asia: 3,386

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Totals for Europe: 7,789

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<td>Belgium</td>
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Totals for North America: 54,040

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The Honorable Zoe Lofgren
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Office of Legislative Affairs

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Committee on the Judiciary  
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Countries of Origin of Aliens Who Were Issued H-2B Visas by the Department of State

Countries of origin of aliens who were issued H-2B visas are as follows. This information is available in the FY 2006 Non Immigrant Visa Detail Table on the Department of State website (http://www.travel.state.gov/pdf/FY06NIVDetailTable.pdf).

Totals for Africa: 1,973

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<tr>
<th>Country</th>
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Totals for Asia: 3,386

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Totals for Europe: 7,789

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Totals for North America: 54,040

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Totals for Oceania: 1,138

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<td>Uruguay</td>
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Totals for Unknown (No nationality): 3
The Honorable Steve King

Occupational Information On, and Compensation Paid To, Aliens Who Were Issued H-2B Visas or Provided H-2B Status

This information is available on the DOL website Public Disclosure page at http://www.flecdatacenter.com/CaseH2B.aspx, which is extracted from the enclosed spreadsheet. Please note that the DOL database provides information on the total number of labor certification applications issued, denied, and partially issued. As an approved labor certification is a prerequisite to approval of an H-2B petition, DHS has not included occupational information and compensation figures from the DOL database for persons other than those on whose behalf a labor certification was actually or partially issued.

H-2B Visas or Status Revoked or Otherwise Terminated

During the period from October 1, 2005 through September 30, 2006, USCIS revoked or otherwise terminated a total of 63 approved petitions, which would have authorized a total of 1,070 H-2B positions.

USCIS Monthly Breakdown

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<th>Month</th>
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<td>Sep 2006</td>
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</table>

During the period from October 1, 2005 through September 30, 2006, DOS revoked 13 H-2B, and 3 H-2R visas.

CBP or ICE cancelled the visas and terminated the status of 76 aliens who were either found inadmissible at a port of entry or found deportable after admission to the United States. The revocation or termination information from CBP and ICE is not available on a month-to-month basis.

H-2B Visas Issued and Status Provided in FY 2006 and FY 2005

During the period from October 1, 2005 to September 30, 2006, 127,184 aliens, including 50,854 returning workers, were issued H-2B visas or otherwise acquired H-2B status. This figure includes:

- A total of 122,541 H-2B visas issued by DOS (50,854 returning workers);
- A total of 1,944 requests for change of status to H-2B approved by USCIS; and

---

It should be noted that, currently, unlike DOL, DHS does not specifically capture this type of information in its databases. Such information is nevertheless included, together with the underlying H-2B nonimmigrant visa petition, as part of each individual alien’s immigration file.
The Honorable Steve King
Page 5

- A total of 2,699 aliens admitted without visas by CBP (2,687 Canadians, 1 Bermudan and 11 Bahamians).

During the period from October 1, 2004 to September 30, 2005, 92,001 aliens, including 1,643 returning workers, were issued H-2B visas or otherwise acquired H-2B status. This figure includes:
- A total of 87,816 H-2B visas issued by DOS (1,643 returning workers);
- A total of 1,667 requests for change of status to H-2B approved by USCIS; and
- A total of 2,518 aliens admitted without visas by CBP (2,512 Canadians, 3 Bermudan and 3 Bahamians).

I appreciate your interest in the Department of Homeland Security, and I look forward to working with you on future homeland security issues. If I may be of further assistance, please contact the Office of Legislative Affairs at (202) 447-5890.

Sincerely,

Donald H. Kent, Jr.
Assistant Secretary
Office of Legislative Affairs

Enclosure
Dear Mr. Chairman:

This report was prepared in accordance with Section 416(d)(2) of the American Competitiveness and Workforce Improvement Act of 1998, as amended by Section 406 of the REAL ID Act of 2005, which requires that:

Beginning in fiscal year 2007, the Secretary of Homeland Security and the Secretary of State shall submit, on an annual basis, to the Committees on the Judiciary of the House of Representatives and the Senate--

(A) information on the countries of origin of, occupations of, and compensation paid to aliens who were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) during the previous fiscal year;

(B) the number of aliens who had such a visa or such status expires or be revoked or otherwise terminated during each month of such fiscal year; and

(C) the number of aliens who were provided nonimmigrant status under such section during both such fiscal year and the preceding fiscal year.

This report on H-2B nonimmigrants has been compiled from information provided by the Department of State (DOS), the Department of Labor (DOL) and three components within the Department of Homeland Security (DHS): U.S. Citizenship and Immigration Services (USCIS), U.S. Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE). Identical copies of the report will be provided to the Chairpersons and Ranking Members of the House and Senate Committees on the Judiciary and of the relevant Subcommittees.

Regarding the number of aliens who were issued H-2B visas or otherwise provided H-2B status, it should be noted that, upon approval by USCIS of an H-2B petition, an alien may be accorded H-2B status through:
The Honorable Patrick J. Leahy  
Page 2

- Admission by CBP at a port of entry as an H-2B nonimmigrant after issuance of an H-2B nonimmigrant visa by DOS;
- Admission by CBP at a port of entry as an H-2B nonimmigrant without a visa, in the case of certain Canadian, Bermudan and Bahamian residents; or
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Countries of Origin of Aliens Who Were Issued H-2B Visas by the Department of State

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<tbody>
<tr>
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<td>New Zealand</td>
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Totals for South America: 3,358

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During the period from October 1, 2005 through September 30, 2006, USCIS revoked or otherwise terminated a total of 63 approved petitions, which would have authorized a total of 1,070 H-2B positions.

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¹ It should be noted that, currently, unlike DOL, DHS does not specifically capture this type of information in its databases. Such information is nevertheless included, together with the underlying H-2B nonimmigrant visa petition, as part of each individual alien’s immigration file.
The Honorable Patrick J. Leahy

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During the period from October 1, 2004 to September 30, 2005, 92,001 aliens, including 1,643 returning workers, were issued H-2B visas or otherwise acquired H-2B status. This figure includes:

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- A total of 2,518 aliens admitted without visas by CBP (2,512 Canadians, 3 Bermudan and 3 Bahamians).

I appreciate your interest in the Department of Homeland Security, and I look forward to working with you on future homeland security issues. If I may be of further assistance, please contact the Office of Legislative Affairs at (202) 447-5890.

Sincerely,

Donald H. Kent, Jr.
Assistant Secretary
Office of Legislative Affairs

Enclosure
The Honorable Arlen Specter  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Senator Specter:

This report was prepared in accordance with Section 416(d)(2) of the American Competitiveness and Workforce Improvement Act of 1998, as amended by Section 406 of the REAL ID Act of 2005, which requires that:

(A) information on the countries of origin of, occupations of, and compensation paid to aliens who were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) during the previous fiscal year;

(B) the number of aliens who had such a visa or such status expires or be revoked or otherwise terminated during each month of such fiscal year; and

(C) the number of aliens who were provided nonimmigrant status under such section during both such fiscal year and the preceding fiscal year.

This report on H-2B nonimmigrants has been compiled from information provided by the Department of State (DOS), the Department of Labor (DOL) and three components within the Department of Homeland Security (DHS): U.S. Citizenship and Immigration Services (USCIS), U.S. Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE). Identical copies of the report will be provided to the Chairpersons and Ranking Members of the House and Senate Committees on the Judiciary and of the relevant Subcommittees.

Regarding the number of aliens who were issued H-2B visas or otherwise provided H-2B status, it should be noted that, upon approval by USCIS of an H-2B petition, an alien may be accorded H-2B status through:

www.dhs.gov
- Admission by CBP at a port of entry as an H-2B nonimmigrant after issuance of an H-2B nonimmigrant visa by DOS;
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Countries of origin of aliens who were issued H-2B visas are as follows. This information is available in the FY 2006 Non Immigrant Visa Detail Table on the Department of State website (http://www.travel.state.gov/pdf/FY06NIVDetailTable.pdf).

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<td>Cameroon</td>
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<td>Ethiopia</td>
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<td>Morocco</td>
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<tr>
<td>South Africa</td>
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Totals for Asia: 3,386

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<td>Indonesia</td>
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<tr>
<td>Japan</td>
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Totals for Europe: 7,789

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Totals for North America: 54,040

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<td>Trinidad and Tobago</td>
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<table>
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<td>Panama</td>
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Totals for Oceania: 1,138

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The Honorable Arlen Specter
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Sincerely,

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Chairman
Subcommittee on Immigration, Border
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Committee on the Judiciary
United States Senate
Washington, DC 20510

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The Honorable Edward M. Kennedy

Page 2

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Totals for Europe: 7,789

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Totals for North America: 54,040

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Totals for Oceania: 1,138

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Totals for South America: 3,358

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Totals for Unknown (No nationality): 3
The Honorable Edward M. Kennedy
Page 4

Occupational Information On, and Compensation Paid To, Aliens Who Were Issued H-2B Visas or Provided H-2B Status

This information is available on the DOL website Public Disclosure page at http://www.flcdatalof.com/CaseH2B.aspx, which is extracted from the enclosed spreadsheet. Please note that the DOL database provides information on the total number of labor certification applications issued, denied, and partially issued. As an approved labor certification is a prerequisite to approval of an H-2B petition, DHS has not included occupational information and compensation figures from the DOL database for persons other than those on whose behalf a labor certification was actually or partially issued.\(^1\)

H-2B Visas or Status Revoked or Otherwise Terminated

During the period from October 1, 2005 through September 30, 2006, USCIS revoked or otherwise terminated a total of 63 approved petitions, which would have authorized a total of 1,070 H-2B positions.

\begin{table}[h]
\begin{tabular}{|c|c|c|c|c|c|}
\hline
Month & Number of Petitions & Number of Beneficiaries & Month & Number of Petitions & Number of Beneficiaries \\
\hline
Oct 2005 & 5 & 104 & Nov 2005 & 5 & 48 \\
Dec 2005 & 3 & 109 & Jan 2006 & 2 & 15 \\
Feb 2006 & 2 & 50 & Mar 2006 & 12 & 289 \\
Apr 2006 & 4 & 217 & May 2006 & 10 & 42 \\
Jun 2006 & 7 & 8 & Jul 2006 & 4 & 18 \\
Aug 2006 & 6 & 164 & Sep 2006 & 3 & 6 \\
\hline
\end{tabular}
\end{table}

During the period from October 1, 2005 through September 30, 2006, DOS revoked 13 H-2B, and 3 H-2R visas.

CBP or ICE cancelled the visas and terminated the status of 76 aliens who were either found inadmissible at a port of entry or found deportable after admission to the United States. The revocation or termination information from CBP and ICE is not available on a month-to-month basis.

H-2B Visas Issued and Status Provided in FY 2006 and FY 2005

During the period from October 1, 2005 to September 30, 2006, 127,184 aliens, including 50,854 returning workers, were issued H-2B visas or otherwise acquired H-2B status. This figure includes:
\begin{itemize}
\item A total of 122,541 H-2B visas issued by DOS (50,854 returning workers);
\item A total of 1,944 requests for change of status to H-2B approved by USCIS; and
\end{itemize}

\(^1\) It should be noted that, currently, unlike DOL, DHS does not specifically capture this type of information in its databases. Such information is nevertheless included, together with the underlying H-2B nonimmigrant visa petition, as part of each individual alien’s immigration file.
The Honorable Edward M. Kennedy

A total of 2,699 aliens admitted without visas by CBP (2,687 Canadians, 1 Bermudan and 11 Bahamians).

During the period from October 1, 2004 to September 30, 2005, 92,001 aliens, including 1,643 returning workers, were issued H-2B visas or otherwise acquired H-2B status. This figure includes:

- A total of 87,816 H-2B visas issued by DOS (1,643 returning workers);
- A total of 1,667 requests for change of status to H-2B approved by USCIS; and
- A total of 2,518 aliens admitted without visas by CBP (2,512 Canadians, 3 Bermudan and 3 Bahamians).

I appreciate your interest in the Department of Homeland Security, and I look forward to working with you on future homeland security issues. If I may be of further assistance, please contact the Office of Legislative Affairs at (202) 447-5890.

Sincerely,

Donald H. Kent, Jr.
Assistant Secretary
Office of Legislative Affairs

Enclosure
The Honorable John Cornyn  
Ranking Member  
Subcommittee on Immigration, Border Security and Citizenship  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510  

Dear Senator Cornyn:

This report was prepared in accordance with Section 416(d)(2) of the American Competitiveness and Workforce Improvement Act of 1998, as amended by Section 406 of the REAL ID Act of 2005, which requires that:

Beginning in fiscal year 2007, the Secretary of Homeland Security and the Secretary of State shall submit, on an annual basis, to the Committees on the Judiciary of the House of Representatives and the Senate--

(A) information on the countries of origin of, occupations of, and compensation paid to aliens who were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) during the previous fiscal year;

(B) the number of aliens who had such a visa or such status expires or be revoked or otherwise terminated during each month of such fiscal year; and

(C) the number of aliens who were provided nonimmigrant status under such section during both such fiscal year and the preceding fiscal year.

This report on H-2B nonimmigrants has been compiled from information provided by the Department of State (DOS), the Department of Labor (DOL) and three components within the Department of Homeland Security (DHS): U.S. Citizenship and Immigration Services (USCIS), U.S. Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE). Identical copies of the report will be provided to the Chairpersons and Ranking Members of the House and Senate Committees on the Judiciary and of the relevant Subcommittees.

Regarding the number of aliens who were issued H-2B visas or otherwise provided H-2B status, it should be noted that, upon approval by USCIS of an H-2B petition, an alien may be accorded H-2B status through:
- Admission by CBP at a port of entry as an H-2B nonimmigrant after issuance of an H-2B nonimmigrant visa by DOS;
- Admission by CBP at a port of entry as an H-2B nonimmigrant without a visa, in the case of certain Canadian, Bermudan and Bahamian residents; or
- Change of status to H-2B nonimmigrant granted by USCIS.

**Countries of Origin of Aliens Who Were Issued H-2B Visas by the Department of State**

Countries of origin of aliens who were issued H-2B visas are as follows. This information is available in the FY 2006 Non Immigrant Visa Detail Table on the Department of State website (http://www.travel.state.gov/pdf/FY06NIVDetailTable.pdf).

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### Totals for Asia: 3,386

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### Totals for Europe: 7,789

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Totals for North America: 54,040

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Totals for Unknown (No nationality): 3
The Honorable John Cornyn
Page 4

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H-2B Visas or Status Revoked or Otherwise Terminated

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**USCIS Monthly Breakdown**

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<tr>
<td>Jun 2006</td>
<td>7</td>
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<td>Jul 2006</td>
<td>4</td>
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<td>6</td>
<td>164</td>
<td>Sep 2006</td>
<td>3</td>
<td>6</td>
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</tbody>
</table>

During the period from October 1, 2005 through September 30, 2006, DOS revoked 13 H-2B, and 3 H-2R visas.

CBP or ICE cancelled the visas and terminated the status of 76 aliens who were either found inadmissible at a port of entry or found deportable after admission to the United States. The revocation or termination information from CBP and ICE is not available on a month-to-month basis.

H-2B Visas Issued and Status Provided in FY 2006 and FY 2005

During the period from October 1, 2005 to September 30, 2006, 127,184 aliens, including 50,854 returning workers, were issued H-2B visas or otherwise acquired H-2B status. This figure includes:

- A total of 122,541 H-2B visas issued by DOS (50,854 returning workers);
- A total of 1,944 requests for change of status to H-2B approved by USCIS; and

¹ It should be noted that, currently, unlike DOL, DHS does not specifically capture this type of information in its databases. Such information is nevertheless included, together with the underlying H-2B nonimmigrant visa petition, as part of each individual alien's immigration file.
• A total of 2,699 aliens admitted without visas by CBP (2,687 Canadians, 1 Bermudan and 11 Bahamians).

During the period from October 1, 2004 to September 30, 2005, 92,001 aliens, including 1,643 returning workers, were issued H-2B visas or otherwise acquired H-2B status. This figure includes:

• A total of 87,816 H-2B visas issued by DOS (1,643 returning workers);
• A total of 1,667 requests for change of status to H-2B approved by USCIS; and
• A total of 2,518 aliens admitted without visas by CBP (2,512 Canadians, 3 Bermudan and 3 Bahamians).

I appreciate your interest in the Department of Homeland Security, and I look forward to working with you on future homeland security issues. If I may be of further assistance, please contact the Office of Legislative Affairs at (202) 447-5890.

Sincerely,

Donald H. Kent, Jr.
Assistant Secretary
Office of Legislative Affairs

Enclosure