
U.S. Department of Homeland Security



U.S. Citizenship
and Immigration
Services

Characteristics of Specialty Occupation Workers (H-1B): Fiscal Year 2005

Issued November 2006

Report Mandated by Public Law 105-277, Division C, American Competitiveness and Workforce
Improvement Act of 1998

Characteristics of Specialty Occupation Workers (H-1B): October 2004 to September 2005

This report is mandated under section 416(c)(2) of the American Competitive and Workforce Improvement Act of 1998 (ACWIA) which states: "... (T)he Attorney General shall submit on an annual basis, to the Committees on the Judiciary of the United States House of Representatives and the Senate, information on the countries of origin and occupations of, educational levels attained by, and compensation paid to, aliens who were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act during the previous fiscal year."

During the transition to the Department of Homeland Security, the legacy Immigration and Naturalization Service (INS) and the newly created United States Citizenship and Immigration Services (USCIS) failed to identify and assume the reporting responsibility for this report and therefore did not provide the report in a timely manner. USCIS is submitting the required information and will provide future reports in accordance with applicable statutes.

Highlights

- The number of petitions filed decreased 14 percent from 312,200 in fiscal year 2004 to 266,474 in fiscal year 2005.
- The number of petitions approved decreased seven percent from 287,418 in fiscal year 2004 to 267,131 in fiscal year 2005.
- Approximately forty-four percent of all petitions approved in fiscal year 2005 were for workers born in India.
- Sixty-five percent of petitions approved in fiscal year 2005 were for workers between the ages of 25 and 34.
- Forty-five percent of petitions approved in fiscal year 2005 were for workers with a bachelor's degree. Thirty-seven percent a master's degree, five percent had a doctorate, and twelve percent were for workers with a professional degree.
- Forty-three percent of petitions approved in fiscal year 2005 were for workers in computer-related occupations.
- The median salary rose slightly from \$53,000 in fiscal year 2004 to \$55,000 in fiscal year 2005.

Background

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

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

Prior to filing the H-1B petition with USCIS, the U.S. employer must first file a Labor Condition Application (LCA) with the Department of Labor (DOL) specifying the job, salary, length and geographic location of employment. In addition, the employer must agree to pay the alien the greater of the actual or prevailing wage for the position. Once DOL approves the LCA, the U.S. employer may file the H-1B petition with USCIS.

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

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

¹ Section 214(i)(1) of the Immigration and Nationality Act 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).

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

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

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

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

Petitions

During fiscal year 2005, USCIS approved 267,131 H-1B petitions submitted by employers on behalf of alien workers. The number of approved petitions exceeds the number of individual H-1B workers because more than one U.S. employer may file a petition on behalf of an individual H-1B worker (multiple petitions). The number of approved H-1B petitions for initial employment also exceeds the cap because of employer-based cap exemptions and multiple petitions for individuals. For example, approved petitions for initial employment are exempt from the cap if the sponsors are institutions of higher education or nonprofit organizations affiliated with institutions of higher education; the sponsors are nonprofit research organizations or governmental research organizations; or a beneficiary has a U.S. advanced degree.

Table 1 shows for fiscal year 2005 the number of petitions filed and/or approved for initial and continuing employment. Of the 267,131 petitions approved in 2005, a total of 116,927 petitions or 43 percent were for initial employment.³ The corresponding number of petitions for continuing employment was 150,204.⁴ These workers may have had a second (or subsequent) petition filed on their behalf in order to: 1) extend the period allowed to work with their current employer; 2) notify USCIS of changes in the conditions of employment including a change of employer; or 3) request concurrent H-1B status with another employer.

The number of H-1B petitions filed decreased 14 percent and petitions approved decreased seven percent between fiscal years 2004 and 2005. For initial employment, petitions filed decreased 28 percent and petitions approved fell 10 percent. In contrast, petitions filed for continuing employment remained constant and petitions approved decreased four percent. The number of petitions approved for continuing employment decreased from 156,921 in 2004 to 150,204 in 2005.

**Table 1. H-1B Petitions Filed and/or Approved by Type of Petition:
Fiscal Years 2002 to 2005**

	FY 2002	FY 2003	FY 2004	FY 2005
Petitions filed	215,190	231,030	312,200	266,474
Initial Employment	109,576	108,526	163,549	117,536
Continuing Employment	105,614	122,504	148,651	148,938
Petitions approved¹	197,537	217,340	287,418	267,131
Initial Employment	103,584	105,314	130,497	116,927
Continuing Employment	93,953	112,026	156,921	150,204

1 Regardless of when filed.

³ The terms “initial employment” and “continuing employment” are used throughout this report to identify two types of petitions. Petitions for initial employment are filed for first-time H-1B employment with employers, only some of which are applied to the annual cap. Continuing employment petitions refer to extensions, sequential employment, and concurrent employment, which are filed for aliens already in the United States. Extensions are filed for H-1B workers intending to work beyond the initial 3-year period up to 6 years, the maximum period permissible under law during fiscal year 2005. Sequential employment refers to petitions for workers transferring between H-1B employers within the 6-year period. Finally, petitions for concurrent employment are filed for H-1B workers intending to work simultaneously for a second or subsequent H-1B employer.

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

Table 2 shows the number of petitions filed by quarter in fiscal years 2002 to 2005. Petitions filed in 2005 increased from 41,020 in the first quarter to 84,776 in the fourth quarter peaking at 98,831 in the third quarter.

Table 2. H-1B Petitions Filed by Quarter: Fiscal Years 2002 to 2005

Quarter	FY 2002	FY 2003	FY 2004	FY 2005	Initial Employment	Percent of Total	Continuing Employment	Percent of Total
Total	215,190	231,030	312,200	266,474	117,536	100	148,938	100
October-December	53,888	50,633	69,835	41,020	7,307	6.2	33,713	22.6
January-March	51,905	52,722	64,022	41,847	5,786	4.9	36,061	24.2
April-June	53,429	61,302	74,823	98,831	60,238	51.3	38,593	25.9
July-September	55,968	66,373	103,520	84,776	44,205	37.6	40,571	27.2

Table 3 provides a breakdown of approved petitions in fiscal years 2002 to 2005 by type of petition. Approximately 117,000 H-1B beneficiaries were approved for initial employment and about 150,000 for continuing employment in fiscal year 2005.

The number of aliens outside the United States approved for initial employment decreased from 60,271 to 54,635 in fiscal year 2005. The corresponding numbers for aliens in the United States changing to H-1B status fell from 156,921 in 2004 to 150,204 in 2005.

Table 3. H-1B Petitions Approved by Type: Fiscal Years 2002 to 2005

Type of Petition	Petitions Approved							
	FY 2002	Percent	FY 2003	Percent	FY 2004	Percent	FY 2005	Percent
Total	197,537	100	217,340	100	217,340	100	267,131	100
Initial employment	103,584	52	105,314	48	130,497	45	116,927	44
Aliens outside U.S.	36,494	18	41,895	19	60,271	21	54,635	20
Aliens in U.S.	67,090	34	63,419	29	70,226	24	62,292	23
Continuing employment	93,953	48	112,026	52	156,921	55	150,204	56

Country of Birth

Tables 4A and 4B show the distribution of beneficiaries by country of birth.⁵ Forty-four percent of the H-1B petitions approved in fiscal year 2005 were granted to individuals born in India, a decrease of four percent from 2004. The number of beneficiaries from China, the second leading source of H-1B beneficiaries, decreased six percent in 2005. The number of beneficiaries from India approved for initial employment decreased four percent in 2005, while the number of beneficiaries approved for continuing employment decreased three percent. The number of beneficiaries approved in fiscal year 2005 decreased by seven percent from 2004.

Table 4A. H-1B Petitions Approved by Country of Birth of Beneficiary and Type of Petition (Number): Fiscal Years 2004 and 2005

Country of Birth	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2004 Number	FY 2005 Number	FY 2004 Number	FY 2005 Number	FY 2004 Number	FY 2005 Number
Total	287,418	267,131	130,497	116,927	156,921	150,204
Country of birth known	287,418	266,640	130,497	116,708	156,921	149,932
India	123,567	118,520	60,062	57,349	63,505	61,171
China, People's Republic	26,258	24,561	11,365	10,643	14,893	13,918
Canada	13,412	11,780	5,229	4,246	8,183	7,534
Philippines	11,300	9,965	4,783	3,316	6,517	6,649
Korea	8,159	8,072	3,924	3,831	4,235	4,241
United Kingdom	8,198	6,796	3,391	2,407	4,807	4,389
Japan	6,234	5,727	2,845	2,379	3,389	3,348
Taiwan	4,860	4,285	1,922	1,795	2,938	2,490
Pakistan	4,174	4,120	1,536	1,535	2,638	2,585
Mexico	3,884	3,605	1,601	1,206	2,283	2,399
Germany	3,981	3,449	1,769	1,475	2,212	1,974
Colombia	3,892	3,444	1,578	1,214	2,314	2,230
France	3,735	3,116	1,622	1,228	2,113	1,888
Venezuela	3,027	2,930	1,532	1,122	1,495	1,808
Russia	3,421	2,694	1,308	962	2,113	1,732
Turkey	2,796	2,665	1,328	1,188	1,468	1,477
Brazil	2,688	2,506	1,201	1,071	1,487	1,435
Argentina	2,384	2,299	1,118	793	1,266	1,506
Israel	2,173	1,804	1,053	594	1,120	1,210
Malaysia	1,975	1,791	656	775	1,319	1,016
Other countries	47,147	42,511	20,423	17,579	26,724	24,932
Country of birth unknown	0	491	0	219	0	272

Notes: Countries of birth are ranked based on 2005 data.

⁵ Data actually represent countries and territories of birth.

Table 4B. H-1B Petitions Approved by Country of Birth of Beneficiary and Type of Petition (Percent): Fiscal Years 2004 and 2005

Country of Birth	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2004 Percent	FY 2005 Percent	FY 2004 Percent	FY 2005 Percent	FY 2004 Percent	FY 2005 Percent
Total	-----	-----	-----	-----	-----	-----
Country of birth known	100	100	100	100	100	100
India	43.0	44.4	46.0	49.0	40.5	40.7
China, People's Republic	9.1	9.2	8.7	9.1	9.5	9.3
Canada	4.7	4.4	4.0	3.6	5.2	5.0
Philippines	3.9	3.7	3.7	2.8	4.2	4.4
Korea	2.8	3.0	3.0	3.3	2.7	2.8
United Kingdom	2.9	2.5	2.6	2.1	3.1	2.9
Japan	2.2	2.1	2.2	2.0	2.2	2.2
Taiwan	1.7	1.6	1.5	1.5	1.9	1.7
Pakistan	1.5	1.5	1.2	1.3	1.7	1.7
Mexico	1.4	1.3	1.2	1.0	1.5	1.6
Germany	1.4	1.3	1.4	1.3	1.4	1.3
Colombia	1.4	1.3	1.2	1.0	1.5	1.5
France	1.3	1.2	1.2	1.1	1.3	1.3
Venezuela	1.1	1.1	1.2	1.0	1.0	1.2
Russia	1.2	1.0	1.0	0.8	1.3	1.2
Turkey	1.0	1.0	1.0	1.0	0.9	1.0
Brazil	0.9	0.9	0.9	0.9	0.9	1.0
Australia	0.8	0.9	0.9	0.7	0.8	1.0
Malaysia	0.8	0.7	0.8	0.5	0.7	0.8
Israel	0.7	0.7	0.5	0.7	0.8	0.7
Other countries	16.4	15.9	15.7	15.0	17.0	16.6
Country of birth unknown	-----	-----	-----	-----	-----	-----

Notes: Countries of birth are ranked based on 2005 data.

Percents shown in the table are based on the total number of petitions approved with country of birth known.

Totals may not add due to rounding.

Age

Table 5 shows the age distribution of the H-1B beneficiaries in fiscal year 2005 by type of petition. Sixty-five percent of workers granted H-1B status during 2005 were between 25 and 34 years of age at the time their petitions were approved. Fifty-six percent of initial beneficiaries were under 30, compared with twenty-eight 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 2005

Age	Total	Percent	Initial Employment	Percent	Continuing Employment	Percent
Total	267,131		116,927		150,204	
Age known	266,946	100	116,844	100	150,102	100
Under 20	136	0.1%	122	0.1%	14	0.0%
20-24	19,018	7.1%	16,618	14.2%	2,400	1.6%
25-29	90,390	33.9%	49,544	42.4%	40,846	27.2%
30-34	84,664	31.7%	29,761	25.5%	54,903	36.6%
35-39	39,801	14.9%	11,749	10.1%	28,052	18.7%
40-44	18,821	7.1%	5,167	4.4%	13,654	9.1%
45-49	8,047	3.0%	2,157	1.8%	5,890	3.9%
50-54	3,548	1.3%	968	0.8%	2,580	1.7%
55-59	1,649	0.6%	497	0.4%	1152	0.8%
60-64	610	0.2%	172	0.1%	438	0.3%
65 and over	262	0.1%	89	0.1%	173	0.1%
Age unknown	185	-----	83	-----	102	-----

Notes: Age of beneficiary is calculated based on the date the petition was approved.

Sum of the percents may not add to 100.0 due to rounding.

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

Education

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

The breakdown of the highest level of education achieved by H-1B beneficiaries remained about the same between Fiscal years 2004 and 2005. As shown in Table 6, forty-five percent of all H-1B petitions approved for workers in 2005 reported that the beneficiary had earned the equivalent of a bachelor's degree; thirty-seven percent a master's degree; five percent a doctorate, and twelve percent a professional degree. Altogether, ninety-eight percent earned at least a bachelor's degree and fifty-four percent earned at least a master's degree.

**Table 6. H-1B Petitions Approved by Level of Education:
Fiscal Years 2002-2005**

Level of Education	Percent of beneficiaries			
	FY 2002	FY 2003	FY 2004	FY 2005
Education known	100	100	100	100
Less than a Bachelor's degree	2	2	1	1
Bachelor's degree	50	50	49	45
Master's degree	30	31	34	37
Doctorate degree	12	12	11	5
Professional degree	5	6	5	12

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

**Table 7. H-1B Petitions Approved by Level of Education of Beneficiary and Type of
Petition: Fiscal Year 2005**

Level of Education	Total	Percent	Initial Employment	Percent	Continuing Employment	Percent
Total	267,131		116,927		150,204	
Education known	266,911	100	116,819	100	150,092	100
No high school diploma	197	0.1	107	0.1	90	0.1
High school graduate	810	0.3	440	0.4	370	0.2
Less than 1 year of college credit	198	0.1	77	0.1	121	0.1
1 or more years of college credit, no diploma	1,013	0.4	358	0.3	655	0.4
Associate's degree	890	0.3	363	0.3	527	0.4
Bachelor's degree	119,462	44.8	49,604	42.5	69,858	46.5
Master's degree	98,139	36.8	45,890	39.3	52,249	34.8
Doctorate degree	14,222	5.3	5,883	5.0	8,339	5.6
Professional degree	31,980	12.0	14,097	12.1	17,883	11.9
Education unknown	220	-----	108	-----	112	-----

Notes: Sum of the percents may not add to 100.0 due to rounding.

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

Occupation

- Occupation Category

Tables 8A and 8B shows the distribution of beneficiaries by occupation category for fiscal year 2005. The petitioning employer supplies the occupation code on the Labor Condition Application (LCA).⁶ Computer-related occupations were the most numerous occupation category in 2005; their share of total petitions approved decreased from 45 percent in 2004 to 43 percent in fiscal year 2005. The corresponding percentages for initial employment and continuing employment in computer-related occupations were 45 and 41 percent, respectively. Fifteen of the seventeen occupation categories had more continuing than initial H-1B beneficiaries. One category – namely, occupations in architecture, engineering and surveying – had 53 percent more continuing than initial beneficiaries.

The number of H-1B petitions approved for workers in computer-related occupations decreased eleven percent from 127,279 in 2004 to 113,867 in 2005. The majority of occupation groups decreased between 2004 and 2005. The only exceptions were occupations in education (5 percent); occupations in museum, library, and archival sciences (3 percent); and occupations in religion and theology (14 percent).

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

Table 8A. H-1B Petitions Approved by Major Occupation Group of Beneficiary and Type of Petition (Number): Fiscal Years 2004 and 2005

Occupational Division	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2004 Number	FY 2005 Number	FY 2004 Number	FY 2005 Number	FY 2004 Number	FY 2005 Number
Total	287,418	267,131	130,497	116,927	156,921	150,204
Occupation known	285,778	264,892	129,703	115,662	156,075	149,230
Computer-Related Occupations	127,279	113,867	56,559	52,352	70,720	61,515
Occupations in Architecture, Engineering, and Surveying	34,595	32,030	13,625	12,831	20,970	19,199
Occupations in Education	27,583	29,061	13,185	12,978	14,398	16,083
Occupations in Administrative Specializations	27,537	25,928	13,792	11,041	13,745	14,887
Occupations in Medicine and Health	17,676	17,360	8,465	7,218	9,211	10,142
Managers and Officials n.e.c.	12,047	10,652	5,326	3,619	6,721	7,033
Occupations in Life Sciences	9,290	8,840	4,340	3,859	4,950	4,981
Occupations in Mathematics and Physical Sciences	7,129	6,600	3,105	2,695	4,024	3,905
Occupations in Social Sciences	6,557	6,072	3,261	2,700	3,296	3,372
Miscellaneous Professional, Technical, and Managerial	6,055	5,542	2,879	2,265	3,176	3,277
Occupations in Art	4,078	3,790	1,959	1,631	2,119	2,159
Occupations in Law and Jurisprudence	1,962	1,767	1022	810	940	957
Occupations in Writing	1,826	1,482	869	631	957	851
Occupations in Entertainment and Recreation	834	693	393	293	441	400
Fashion Models	811	655	645	467	166	188
Occupations in Museum, Library, and Archival Sciences	364	376	174	161	190	215
Occupations in Religion and Theology	155	177	104	111	51	66
Occupation unknown	1,640	2,239	794	1,265	846	974

Notes: Occupations ranked based on 2005 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 2004 and 2005**

Occupational Division	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2004	FY 2005	FY 2004	FY 2005	FY 2004	FY 2005
	Percent	Percent	Percent	Percent	Percent	Percent
Total	-----	-----	-----	-----	-----	-----
Occupation known	100	100	100	100	100	100
Computer-Related Occupations	44.5	43.0	43.6	45.3	45.3	41.2
Occupations in Architecture, Engineering, and Surveying	12.1	12.1	10.5	11.1	13.4	12.9
Occupations in Education	9.7	11.0	10.2	11.2	9.2	10.8
Occupations in Administrative Specializations	9.6	9.8	10.6	9.5	8.8	10.0
Occupations in Medicine and Health	6.2	6.6	6.5	6.2	5.9	6.8
Managers and Officials n.e.c.	4.2	4.0	4.1	3.1	4.3	4.7
Occupations in Life Sciences	3.3	3.3	3.3	3.3	3.2	3.3
Occupations in Mathematics and Physical Sciences	2.5	2.5	2.4	2.3	2.6	2.6
Occupations in Social Sciences	2.3	2.3	2.5	2.3	2.1	2.3
Miscellaneous Professional, Technical, and Managerial	2.1	2.1	2.2	2.0	2.0	2.2
Occupations in Art	1.4	1.4	1.5	1.4	1.4	1.4
Occupations in Law and Jurisprudence	0.7	0.7	0.8	0.7	0.6	0.6
Occupations in Writing	0.6	0.6	0.7	0.5	0.6	0.6
Occupations in Entertainment and Recreation	0.3	0.3	0.3	0.3	0.3	0.3
Fashion Models	0.3	0.2	0.5	0.4	0.1	0.1
Occupations in Museum, Library, and Archival Sciences	0.1	0.1	0.1	0.1	0.1	0.1
Occupations in Religion and Theology	0.1	0.1	0.1	0.1	0.0	0.0
Occupation unknown	-----	-----	-----	-----	-----	-----

Notes: Occupations ranked based on 2005 data.

Sum of the percents may not add to 100.0 due to rounding.

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

n.e.c. indicates *not elsewhere classified*.

- Detailed Occupation

Tables 9A and 9B indicates the distribution of beneficiaries by detailed major occupation group in descending order in fiscal year 2005. The relative distributions in 2004 and 2005 were similar. The list is limited to the top 20 categories. More than one-third of the approved petitions in 2005 were for aliens working as systems analysts or programmers. The second largest category was occupations in colleges and university education.

Table 9A. H-1B Petitions Approved by Detailed Occupation of Beneficiary and Type of Petition (Number): Fiscal Years 2004 and 2005

Occupational Group	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2004 Number	FY 2005 Number	FY 2004 Number	FY 2005 Number	FY 2004 Number	FY 2005 Number
Total	287,418	267,131	130,497	116,927	156,921	150,204
Occupation known	285,700	264,766	129,671	115,581	156,029	149,185
Occupations in Systems Analysis and Programming	112,168	99,976	50,960	47,282	61,208	52,694
Occupations in College and University Education	19,712	21,418	9,596	10,063	10,116	11,355
Accountants, Auditors and Related Occupations	12,778	12,104	6,384	5,230	6,394	6,874
Electrical/Electronics Engineering Occupations	11,607	10,067	3,913	3,872	7,694	6,195
Computer-Related Occupations, n.e.c	10,087	9,487	3,653	3,524	6,434	5,963
Physicians and Surgeons	7,022	7,218	3,213	2,963	3,809	4,255
Occupations in Biological Sciences	6,944	6,308	3,205	2,676	3,739	3,632
Occupations in Economics	6,000	5,529	2,950	2,393	3,050	3,136
Miscellaneous Managers and Officials, n.e.c.	5,843	5,255	2,423	1,762	3,420	3,493
Miscellaneous Professional, Technical and Managerial Occupations, n.e.c.	5,296	4,865	2,509	1,960	2,787	2,905
Occupations in Architecture, Engineering, and Surveying, n.e.c.	5,528	4,695	1,848	1,806	3,680	2,889
Mechanical Engineering Occupations	4,804	4,619	2,151	1,942	2,653	2,677
Occupations in Administrative Specializations, n.e.c.	4,287	4,212	2,191	1,857	2,096	2,355
Occupations in Medicine and Health, n.e.c.	4,102	4,075	2,192	1,901	1,910	2,174
Budget and Management Systems Analysis Occupations	4,300	4,071	2,334	1,884	1,966	2,187
Civil Engineering Occupations	3,494	3,704	1,635	1,450	1,859	2,254
Occupations in Preschool, Primary School, and Kindergarten Education	3,682	3,408	1,762	1,249	1,920	2,159
Architectural Occupations	3,333	3,261	1,403	1,230	1,930	2,031
Occupations in Chemistry	2,934	2,674	1,159	988	1,775	1,686
Commercial Artists: Designers and Illustrators, Graphic Arts	2,756	2,541	1,364	1,145	1,392	1,396
Other Occupations	49,023	45,279	22,826	18,404	26,197	26,875
Occupation Unknown	1,718	2,365	826	1,346	892	1,019

Notes: Occupations ranked on 2005 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 2004 and 2005

Occupational Group	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2004 Percent	FY 2005 Percent	FY 2004 Percent	FY 2005 Percent	FY 2004 Percent	FY 2005 Percent
Total	-----	-----	-----	-----	-----	-----
Occupation known	100	100	100	100	100	100
Occupations in Systems Analysis and Programming	39.3	37.8	39.3	40.9	39.2	35.3
Occupations in College and University Education	6.9	8.1	7.4	8.7	6.5	7.6
Accountants, Auditors and Related Occupations	4.5	4.6	4.9	4.5	4.1	4.6
Electrical/Electronics Engineering Occupations	4.1	3.8	3.0	3.4	4.9	4.2
Computer-Related Occupations, n.e.c.	3.5	3.6	2.8	3.0	4.1	4.0
Physicians and Surgeons	2.5	2.7	2.5	2.6	2.4	2.9
Occupations in Biological Sciences	2.4	2.4	2.5	2.3	2.4	2.4
Occupations in Economics	2.1	2.1	2.3	2.1	2.0	2.1
Miscellaneous Managers and Officials, n.e.c.	2.0	2.0	1.9	1.5	2.2	2.3
Miscellaneous Professional, Technical and Managerial Occupations, n.e.c.	1.9	1.8	1.9	1.7	1.8	1.9
Occupations in Architecture, Engineering, and Surveying, n.e.c.	1.9	1.8	1.4	1.6	2.4	1.9
Mechanical Engineering Occupations	1.7	1.7	1.7	1.7	1.7	1.8
Occupations in Administrative Specializations, n.e.c.	1.5	1.6	1.7	1.6	1.3	1.6
Occupations in Medicine and Health, n.e.c.	1.4	1.5	1.7	1.6	1.2	1.5
Budget and Management Systems Analysis Occupations	1.5	1.5	1.8	1.6	1.3	1.5
Civil Engineering Occupations	1.2	1.4	1.3	1.3	1.2	1.5
Occupations in Preschool, Primary School, and Kindergarten Education	1.3	1.3	1.4	1.1	1.2	1.4
Architectural Occupations	1.2	1.2	1.1	1.1	1.2	1.4
Occupations in Chemistry	1.0	1.0	0.9	0.9	1.1	1.1
Commercial Artists: Designers and Illustrators, Graphic Arts	1.0	1.0	1.1	1.0	0.9	0.9
Other Occupations	17.2	17.1	17.6	15.9	16.8	18.0
Occupation unknown	-----	-----	-----	-----	-----	-----

Notes: Occupations ranked on 2005 data.

Sum of the percents may not add to 100.0 due to rounding.

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

n.e.c. indicates *not elsewhere classified*.

Annual Compensation⁷

Tables 10, 11, and 12 show compensation by occupation for beneficiaries of all, initial, and continuing employment, respectively. Each table shows occupations arranged by the total number of beneficiaries approved in fiscal year 2005. As shown in Table 10, the median annual compensation reported by employers of H-1B workers approved for employment during fiscal year 2005 was \$55,000. This number compares with \$53,000 in 2004. One-half were expected to earn between \$43,000 and \$73,000. Median compensation ranged from a low of \$32,000 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 2005

Occupation	Total Reported	25 th Percentile	Median	75 th Percentile
Total	262,130			
Occupations with annual compensation known	259,990	43,000	55,000	73,000
Computer-related occupations	112,817	48,000	60,000	73,000
Occupations in architecture, engineering, and surveying	31,574	48,000	60,000	78,000
Occupations in education	28,475	35,000	40,000	52,000
Occupations in administrative specializations	25,270	37,000	48,000	66,000
Occupations in medicine and health	16,284	41,000	52,000	104,000
Managers and officials n.e.c.	10,455	42,000	65,000	100,000
Occupations in life sciences	8,749	36,000	42,000	55,000
Occupations in mathematics and physical sciences	6,545	44,000	59,000	77,000
Occupations in social sciences	5,903	38,000	53,000	77,000
Miscellaneous professional, technical, and managerial	5,450	40,000	60,000	90,000
Occupations in art	3,699	33,000	43,000	60,000
Occupations in law and jurisprudence	1,727	45,000	90,000	135,000
Occupations in writing	1,436	30,000	38,000	50,000
Occupations in entertainment and recreation	648	27,000	35,000	47,000
Fashion models	423	100,000	100,000	130,000
Occupations in museum, library, and archival sciences	368	35,000	42,000	60,000
Occupations in religion and theology	167	25,000	32,000	45,000
Occupation unknown	2,140	40,000	48,000	60,000

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

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

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

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 \$60,000 for the former and \$50,000 for the latter. In fiscal year 2004, workers approved for continuing employment and initial employment reported median annual compensation of \$60,000 and \$48,000 respectively.

Table 11. Annual Compensation of H-1B Beneficiaries for Initial Employment by Major Occupation Group: Fiscal Year 2005

Occupation	Total Reported	25th Percentile	Median	75th Percentile
Total	114,897	41,000	50,000	60,000
Occupations with annual compensation known	113,669	41,000	50,000	60,000
Computer-related occupations	51,890	45,000	50,000	60,000
Occupations in education	12,774	33,000	39,000	50,000
Occupations in architecture, engineering, and surveying	12,646	45,000	55,000	70,000
Occupations in administrative specializations	10,749	36,000	45,000	60,000
Occupations in medicine and health	6,911	40,000	46,000	83,000
Occupations in life sciences	3,816	34,000	38,000	47,000
Managers and officials n.e.c.	3,560	39,000	53,000	90,000
Occupations in mathematics and physical sciences	2,673	40,000	51,000	68,000
Occupations in social sciences	2,617	37,000	50,000	69,000
Miscellaneous professional, technical, and managerial	2,209	38,000	53,000	79,000
Occupations in art	1,580	30,000	38,000	50,000
Occupations in law and jurisprudence	797	40,000	76,000	125,000
Occupations in writing	606	27,000	33,000	42,000
Fashion models	303	100,000	100,000	135,000
Occupations in entertainment and recreation	276	25,000	33,000	42,500
Occupations in museum, library, and archival sciences	156	33,000	38,000	53,000
Occupations in religion and theology	106	26,000	32,000	42,000
Occupation unknown	1,228	42,000	48,000	56,000

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

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

**Table 12. Annual Compensation of H-1B Beneficiaries for Continuing Employment by
Major Occupation Group: Fiscal Year 2005**

Occupation	Total Reported	25th Percentile	Median	75th Percentile
Total	147,233	45,000	60,000	80,000
Occupations with annual compensation known	146,321	45,000	60,000	80,000
Computer-related occupations	60,927	54,000	68,000	83,000
Occupations in architecture, engineering, and surveying	18,928	50,000	65,000	81,000
Occupations in education	15,701	35,000	42,000	54,000
Occupations in administrative specializations	14,521	39,000	51,000	72,000
Occupations in medicine and health	9,373	43,000	60,000	116,000
Managers and officials n.e.c.	6,895	46,000	72,000	105,000
Occupations in life sciences	4,933	37,000	45,000	62,000
Occupations in mathematics and physical sciences	3,872	48,000	65,000	82,000
Occupations in social sciences	3,286	40,000	55,000	83,000
Miscellaneous professional, technical, and managerial	3,241	44,000	65,000	95,000
Occupations in art	2,119	36,000	48,000	69,000
Occupations in law and jurisprudence	930	50,000	102,000	155,000
Occupations in writing	830	33,000	41,000	55,000
Occupations in entertainment and recreation	372	29,000	37,000	50,000
Occupations in museum, library, and archival sciences	212	36,000	46,000	63,500
Fashion models	120	100,000	100,000	100,000
Occupations in religion and theology	61	24,000	35,000	49,000
Occupation unknown	912	38,000	49,000	65,000

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

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

Industry

Tables 13A and 13B shows the industries that employed the most H-1B workers in fiscal year 2005. The number of workers approved for all industries decreased seven percent from 287,418 in fiscal year 2004 to 267,131 in fiscal year 2005. The largest decrease for the top 10 industries was in computer systems design, and related services (-10 percent). Among the remaining top ten industries, scientific research and development services (-8 percent); semiconductor and other electronic component manufacturing (-7 percent); and securities and commodity contracts intermediation and brokerage (-7 percent) experienced the largest decreases.

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 because the sponsor does not provide supporting documentation.

**Table 13A. H-1B Petitions Approved by Detailed Industry and Type of Petition
(Number): Fiscal Years 2004 and 2005**

Industry	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2004 Number	FY 2005 Number	FY 2004 Number	FY 2005 Number	FY 2004 Number	FY 2005 Number
Total	287,418	267,131	130,497	116,927	156,921	150,204
Industry known	265,126	247,155	119,899	108,674	145,227	138,481
Computer Systems Design & Related Services	95,459	85,552	46,573	43,831	48,886	41,721
Colleges, Universities, & Professional Schools	25,784	27,683	12,674	12,995	13,110	14,688
Architectural, Engineering, & Related Services	11,452	11,413	4,992	4,738	6,460	6,675
Management, Scientific, & Technical Consulting Services	9,551	9,493	5,004	4,822	4,547	4,671
Scientific Research and Development Services	8,787	8,052	3,648	3,203	5,139	4,849
Elementary and Secondary Schools	5,553	5,582	2,458	2,078	3,095	3,504
Accounting, Tax Preparation, Bookkeeping, & Payroll Services	5,156	5,104	2,672	2,501	2,484	2,603
General Medical and Surgical Hospitals	4,683	5,055	2,259	2,243	2,424	2,812
Securities & Commodity Contracts Intermediation & Brokerage	5,114	4,756	2,057	1,750	3,057	3,006
Semiconductor & Other Electronic Component Manufacturing	4,891	4,510	1,307	1,639	3,584	2,871
Telecommunications	4,550	3,218	1,092	652	3,458	2,566
Offices of Physicians	3,340	3,206	1,543	1,202	1,797	2,004
Computer and Peripheral Equipment Manufacturing	2,618	2,453	593	601	2,025	1,852
Other Financial Investment Activities	2,202	2,088	909	794	1,293	1,294
Pharmaceutical and Medicine Manufacturing	1,903	1,861	649	563	1,254	1,298
Other Professional, Scientific, & Technical Services	2,208	1,846	1,025	713	1,183	1,133
Health and Personal Care Stores	1,541	1,823	772	639	769	1,184
Professional, Scientific, and Technical Services	2,129	1,752	750	841	1,379	911
Offices of Other Health Practitioners	1,880	1,707	899	847	981	860
Legal Services	1,854	1,703	937	760	917	943
Communications Equipment Manufacturing	2,252	1,665	512	490	1,740	1,175
Specialized Design Services	1,900	1,618	938	709	962	909
Employment Services	1,595	1,433	730	665	865	768
Software Publishers	1,584	1,356	343	356	1,241	1,000
Non-depository Credit Intermediation	1,353	1,313	523	384	830	929
Information Services	1,501	1,286	446	457	1,055	829
Advertising and Related Services	1,395	1,277	608	495	787	782
Traveler Accommodation	1,266	1,189	517	362	749	827
Depository Credit Intermediation	1,202	1,165	430	362	772	803
Computer and Electronic Product Manufacturing	1,678	1,067	331	309	1,347	758
Other industries	48,745	44,929	21,708	16,673	27,037	28,256
Industry unknown	22,292	19,976	10,598	8,253	11,694	11,723

Notes: Industries ranked by total beneficiaries in 2005.

NAICS stands for North American Industry Classification System.

**Table 13B. H-1B Petitions Approved by Detailed Industry and Type of Petition
(Percent): Fiscal Years 2004 and 2005**

Industry	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2004 Percent	FY 2005 Percent	FY 2004 Percent	FY 2005 Percent	FY 2004 Percent	FY 2005 Percent
Total	-----	-----	-----	-----	-----	-----
Industry known	100	100	100	100	100	100
Computer Systems Design & Related Services	36.0	34.6	38.8	40.3	33.7	30.1
Colleges, Universities, & Professional Schools	9.7	11.2	10.6	12.0	9.0	10.6
Architectural, Engineering, & Related Services	4.3	4.6	4.2	4.4	4.4	4.8
Management, Scientific, & Technical Consulting Services	3.6	3.8	4.2	4.4	3.1	3.4
Scientific Research and Development Services	3.3	3.3	3.0	2.9	3.5	3.5
Elementary and Secondary Schools	2.1	2.3	2.1	1.9	2.1	2.5
Accounting, Tax Preparation, Bookkeeping, & Payroll Services	1.9	2.1	2.2	2.3	1.7	1.9
General Medical and Surgical Hospitals	1.8	2.0	1.9	2.1	1.7	2.0
Securities & Commodity Contracts Intermediation & Brokerage	1.9	1.9	1.7	1.6	2.1	2.2
Semiconductor & Other Electronic Component Manufacturing	1.8	1.8	1.1	1.5	2.5	2.1
Telecommunications	1.7	1.3	0.9	0.6	2.4	1.9
Offices of Physicians	1.3	1.3	1.3	1.1	1.2	1.4
Computer and Peripheral Equipment Manufacturing	1.0	1.0	0.5	0.6	1.4	1.3
Other Financial Investment Activities	0.8	0.8	0.8	0.7	0.9	0.9
Pharmaceutical and Medicine Manufacturing	0.7	0.8	0.5	0.5	0.9	0.9
Other Professional, Scientific, & Technical Services	0.8	0.7	0.9	0.7	0.8	0.8
Health and Personal Care Stores	0.6	0.7	0.6	0.6	0.5	0.9
Professional, Scientific, and Technical Services	0.8	0.7	0.6	0.8	0.9	0.7
Offices of Other Health Practitioners	0.7	0.7	0.7	0.8	0.7	0.6
Legal Services	0.7	0.7	0.8	0.7	0.6	0.7
Communications Equipment Manufacturing	0.8	0.7	0.4	0.5	1.2	0.8
Specialized Design Services	0.7	0.7	0.8	0.7	0.7	0.7
Employment Services	0.6	0.6	0.6	0.6	0.6	0.6
Software Publishers	0.6	0.5	0.3	0.3	0.9	0.7
Non-depository Credit Intermediation	0.5	0.5	0.4	0.4	0.6	0.7
Information Services	0.6	0.5	0.4	0.4	0.7	0.6
Advertising and Related Services	0.5	0.5	0.5	0.5	0.5	0.6
Traveler Accommodation	0.5	0.5	0.4	0.3	0.5	0.6
Depository Credit Intermediation	0.5	0.5	0.4	0.3	0.5	0.6
Computer and Electronic Product Manufacturing	0.6	0.4	0.3	0.3	0.9	0.5
Other industries	18.4	18.2	18.1	15.3	18.6	20.4
Industry unknown	-----	-----	-----	-----	-----	-----

Notes: Industries ranked by total beneficiaries in 2005.

Sum of the percents may not add to 100.0 due to rounding.

Percents shown are based on the total number of petitions approved with industry known.

NAICS stands for North American Industry Classification System

Appendix: H-1B Petition Processing and Data Limitations

Petition Processing

Petitions for obtaining H-1B nonimmigrant status for alien workers are submitted by their prospective employers on USCIS Form I-129, Petition for a Nonimmigrant Worker, and the addendum Data Collection and Filing Fee Exemption Supplement. The petitions are mailed to one of four USCIS Service Centers for processing depending on the location of the sponsoring employer: St. Albans, Vermont; Lincoln, Nebraska; Dallas Texas; and Laguna Niguel, California.

Upon receipt, each petition is stamped with its date of arrival at the Service Center. File assembly clerks create 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.

Bio-data such as name, date of birth, and country of birth are entered from the petition by data entry clerks into the case tracking system Computer-Linked Application Information Management System (CLAIMS3). The computer system generates a unique number for the file, known as a receipt number. The files are distributed to adjudicators after being sorted into potential cap and non-cap cases.

After being received, the files are reviewed by adjudicators, who determine whether they have adequate information in the file to approve or deny the petition. If sufficient evidence is available, a decision is made by the adjudicator and then corresponding information is entered into the tracking system. Otherwise, additional information is sought from the sponsoring employer by the adjudicator. A response from the employer must be made within a set period of time or else the petition will be denied.

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

Data Limitations

The tables in this report have been tabulated from an electronic data file created at headquarters from USCIS service center electronic data files. Errors in this extract file may have occurred in several ways. For example, petition data might have been inaccurate on petitions; keying errors may have occurred during data entry at the service centers or as a result of being improperly transferred electronically between the service centers and headquarters. Minimum editing has been done to the data in this file. Impossible or highly improbable values have been defined as unknown; for example, beneficiaries younger than 16 (except for fashion models) or those beneficiaries working without compensation.

Lastly, information in electronic format is not available regarding the city or state where H-1B workers are employed.