**U.S. Department of Homeland Security** Office of Immigration Statistics



# Characteristics of Specialty Occupation Workers (H-1B): Fiscal Year 2002

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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 2001 to September 2002

This annual report covering fiscal year 2002 is the second to be submitted to Congress under the American Competitive and Workforce Improvement Act of 1998 (ACWIA). Information is presented on the characteristics of specialty occupation workers who were approved for H-1B nonimmigrant status during fiscal year 2002. While this report covers a variety of characteristics, information is not available on the city or state where the H-1B workers are employed.

This report on the characteristics of H-1B workers follows the structure of the corresponding report of the Immigration and Naturalization Service (INS) published in May 2002 for fiscal year 2001.<sup>2</sup> It continues the distinction adopted in the 2001 report between H-1B workers approved for initial employment and those workers approved for continuing employment.

Included are thirteen tables presenting statistics on:

- 1) H-1B petitions filed and/or approved by type of petition,
- 2) H-1B petitions filed by quarter,
- 3) H-1B petitions approved by type,
- 4) H-1B petitions approved by country of birth of beneficiary and type,
- 5) H-1B petitions approved by age of beneficiary at time of approval and type,
- 6) H-1B petitions approved by level of education
- 7) H-1B petitions approved by level of education of beneficiary and type,
- 8) H-1B petitions approved by major occupation group of beneficiary and type,
- 9) H-1B petitions approved by detailed occupation of beneficiary and type,
- 10) Annual compensation of all H-1B beneficiaries by major occupation group,
- Annual compensation of H-1B beneficiaries for initial employment by major occupation group,
- 12) Annual compensation of H-1B beneficiaries for continuing employment by major occupation group, and
- 13) H-1B petitions approved by detailed industry and type.

<sup>&</sup>lt;sup>1</sup> Public Law 105-277, Division C, American Competitiveness and Workforce Improvement Act of 1998 (ACWIA), Section 416(c) requires the INS to submit a report with "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."

<sup>&</sup>lt;sup>2</sup> U.S. Immigration and Naturalization Service, Characteristics of Specialty Workers (H-1B), October 2000 to September 2001, July 2002.

# **Types of Petitions**

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.<sup>3</sup> 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 2002.<sup>4</sup> 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.

During fiscal year 2002, INS approved 197,537 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 sometimes more than one U.S. employer submits a petition on behalf of individual H-1B workers (multiple petitions). The number of approved petitions for initial employment 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.

Table 1 shows for fiscal year 2002 the number of petitions filed and/or approved for initial and continuing employment. Of the 197,537 petitions approved in 2002, a total of 103,584 petitions representing 52 percent were for initial employment.<sup>5</sup> The corresponding number of petitions for continuing employment were 93,953.<sup>6</sup> 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 INS 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 by 37 percent and petitions approved decreased by 40 percent between fiscal years 2001 and 2002. The biggest drop occurred with respect to petitions approved for initial employment. These petitions declined sharply from 201,079 in 2001 to 103,584 in 2002, or 48 percent. Petitions approved for continuing employment decreased 28 percent over the same period.

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<sup>&</sup>lt;sup>3</sup> H-1B petitions approved for initial employment with non-exempt employers, adjusted for multiple petitions for individuals and revocations, count against the annual cap.

<sup>&</sup>lt;sup>4</sup> Enactment of the American Competitiveness in the Twenty-first Century Act (AC21) in October 2000 amended the 6-year limitation for certain aliens (Public Law 106.313 §104(c) and 106).

<sup>&</sup>lt;sup>5</sup> AC21 raised the cap on initial employment from 107,500 to 195,000 in fiscal year 2001 and from 65,000 to 195,000 in fiscal years 2002 and 2003. In addition under AC21, petitions filed for initial employment after March 22, 2000 (when the INS had enough petitions to reach the 115,000 cap in fiscal year 2000) and before September 1, 2000, regardless of when approved, do not count towards the fiscal year 2000 cap. Initial employment applications filed in September 2000 count against the fiscal year 2001 cap. About 79,100 petitions counted against the cap in 2002.

<sup>&</sup>lt;sup>6</sup> Neither AC21 nor prior legislation established a cap on H-1B petitions for continuing employment.

Table 1. H-1B Petitions Filed and/or Approved by Type of Petition: Fiscal Year 2000-Fiscal Year 2002

	FY 2000	FY 2001	FY 2002
Petitions filed	299,046	342,035	215,190
Initial Employment	164,814	201,543	109,576
Continuing Employment	134,232	140,492	105,614
Petitions approved <sup>1</sup>	257,640	331,206	197,537
Initial Employment	136,787	201,079	103,584
Continuing Employment	120,853	130,127	93,953

Regardless of when filed.

Table 2 and Chart A show the trend of petitions filed by quarter in fiscal year 2002. Following 2001, which had large fluctuations early in the year in the number of petitions, quarterly petitions filed in 2002 were relatively stable, averaging 54,000 per quarter. As Chart A indicates, receipts peaked in the October-December quarter of calendar year 2000, dropped precipitously in the next quarter, and remained stable during fiscal year 2002 matching the lowest level of the three-year period (April-June 2000).

Table 2. H-1B Petitions Filed by Quarter: Fiscal Year 2000-Fiscal Year 2002

Quarter	FY00	FY01	FY02	Initial Employment FY02	Percent of Total	Continuing Employment FY02	Percent of Total
Total	299,046	342,035	215,190	109,576	100.0	105,614	100.0
October-December	73,875	128,758	53,888	26,262	24.0	27,626	26.2
January-March	90,762	75,395	51,905	26,586	24.3	25,319	24.0
April-June	55,692	65,942	53,429	29,194	26.6	24,235	22.9
July-September	78,717	71,940	55,968	27,534	25.1	28,434	26.9

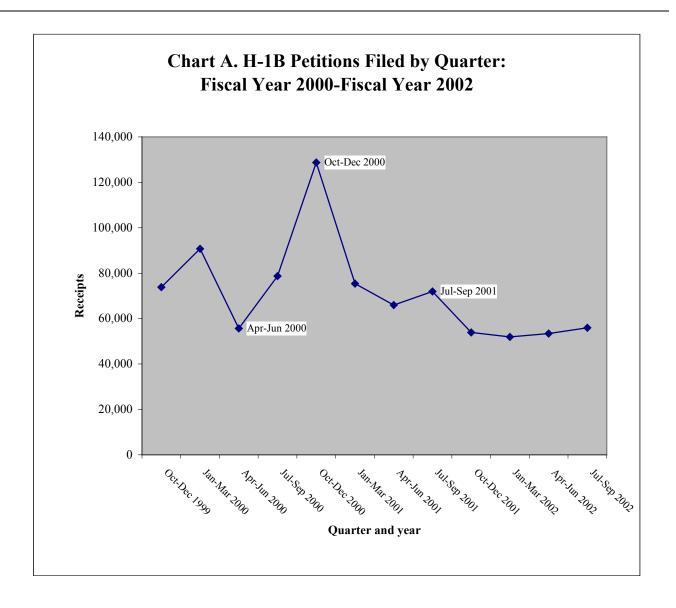


Table 3 provides a breakdown of approved petitions in fiscal year 2002 by type of petition. More than 103,000 H-1B beneficiaries were approved for initial employment and nearly 94,000 for continuing employment. Approximately 65 percent of the beneficiaries of initial employment were in the United States in another nonimmigrant status.<sup>7</sup> In 2001, this number was 40 percent.

The number of aliens outside the United States approved for initial employment dropped from 115,800 to 36,500 in fiscal year 2002 or 68 percent below fiscal year 2001. The corresponding numbers for aliens in the United States changing to H-1B status declined to 67,100 in 2002 from 85,300 or 21 percent under 2001. In like manner, the number of H-1B workers approved to continue employment fell by 28 percent in 2002.

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<sup>&</sup>lt;sup>7</sup> In a report covering May 1998 to July 1999 an estimated 58 percent of aliens already in the United States in a nonimmigrant status were here as academic students. The report, Characteristics of Specialty Occupation Workers (H-1B) ---May 1998 to July 1999, is available at the H-1B and statistical reports section of the Bureau of Citizenship and Immigration Services and Office of Immigration Statistics websites.

Table 3. H-1B Petitions Approved by Type: Fiscal Year 2000-Fiscal Year 2002

Type of Petition	Petitions Approved								
	FY 2000	Percent	FY 2001	Percent	FY 2002	Percent			
Total	257,640	100	331,206	100	197,537	100			
Initial employment	136,787	53	201,079	61	103,584	52			
Aliens outside U.S.	75,785	29	115,759	35	36,494	18			
Aliens in U.S.	61,002	24	85,320	26	67,090	34			
Continuing employment	120,820	47	130,127	39	93,953	48			
Type of petition unknown	33		0		0				

Notes:

Shaded cells represent the petitions approved in either fiscal year 2000, 2001, or 2002 that qualified as counting towards the numerical limit of 195,000 based on rules existing prior to the enactment of AC21 and before adjustments for multiple petitions and revocations.

## **Country of Birth**

Table 4 shows the distribution of beneficiaries by country of birth. <sup>8</sup> One-third of the H-1B petitions approved were granted to individuals born in India, a big drop from 2001 when Indian nationals accounted for one-half of approvals. China, the second leading source of H-1B beneficiaries, increased its share from 8 to nearly 10 percent in 2002, although the total number of approvals decreased from 27,300 in 2001 to 18,800 in 2002. H-1B beneficiaries from Argentina were the only group among the top 20 nationals to show an increase in approvals between 2001 and 2002. The share of H-1B workers born in India is much higher for continuing beneficiaries (47 percent) than for initial beneficiaries (20 percent). The situation for China-born workers is the opposite: initial beneficiaries (11 percent) outnumber continuing beneficiaries (7 percent). In fact, the number of China-born initial beneficiaries in 2002 is slightly more than half of the India-born initial beneficiaries. In contrast for continuing beneficiaries, Indians outnumber Chinese by more than six to one. The number of India-born H-1B workers declined by nearly 97,000 in 2002 or 60 percent.

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<sup>&</sup>lt;sup>8</sup> Data actually represent countries and territories of birth.

Table 4. H-1B Petitions Approved by Country of Birth of Beneficiary and Type of Petition: Fiscal Year 2002

	All Bene	ficiaries	Initial Emp	oloyment	Continuing	Employment
<b>Country of Birth</b>	FY 2001	FY 2002	FY 2001	FY 2002	FY 2001	FY 2002
	Number	Number	Number	Number	Number	Number
Total	331,206	197,537	201,079	103,584	130,127	93,953
Country of birth known	330,521	197,092	200,627	103,350	129,894	93,742
India	161,561	64,980	90,668	21,066	70,893	43,914
China, People's Republic	27,330	18,841	16,847	11,832	10,483	7,009
Canada	12,726	11,760	9,184	7,893	3,542	3,867
Philippines	10,389	9,295	7,294	6,648	3,095	2,647
United Kingdom	9,682	7,171	6,053	4,192	3,629	2,979
Korea	6,468	5,941	4,484	3,886	1,984	2,055
Japan	5,902	4,937	3,676	2,970	2,226	1,967
Taiwan	5,808	4,025	3,406	2,366	2,402	1,659
Pakistan	6,313	3,810	3,904	1,955	2,409	1,855
Colombia	3,703	3,320	2,909	2,362	794	958
Germany	4,205	3,291	2,598	1,955	1,607	1,336
France	4,151	3,145	2,748	1,925	1,403	1,220
Mexico	3,987	3,082	2,561	1,905	1,426	1,177
Russia	4,589	2,864	2,900	1,523	1,689	1,341
Venezuela	2,422	2,398	1,720	1,610	702	788
Brazil	2,900	2,287	1,947	1,414	953	873
Argentina	1,725	2,148	1,236	1,611	489	537
Turkey	2,292	2,004	1,517	1,319	775	685
Australia	2,273	1,846	1,487	1,107	786	739
Malaysia	2,532	1,771	1,464	900	1,068	871
Other countries	49,563	38,176	32,024	22,911	17,539	15,265
Country of birth unknown	685	445	452	234	233	211

Notes: Countries of birth are ranked based on 2002 data.

0.2 of 1 percent of total petitions approved have an unknown country of birth in 2001 and 2002.

Table 4. (Continued) H-1B Petitions Approved by Country of Birth of Beneficiary and Type of Petition: Fiscal Year 2002

	All Bene	ficiaries	Initial Em	ployment	Continuing Employment		
Country of Birth	FY 2001	FY 2002	FY 2001	FY 2002	FY 2001	FY 2002	
	Percent	Percent	Percent	Percent	Percent	Percent	
Total							
Country of birth known	100.0	100.0	100.0	100.0	100.0	100.0	
India	48.9	33.0	45.2	20.4	54.6	46.8	
China, People's Republic	8.3	9.6	8.4	11.4	8.1	7.5	
Canada	3.9	6.0	4.6	7.6	2.7	4.1	
Philippines	3.1	4.7	3.6	6.4	2.4	2.8	
United Kingdom	2.9	3.6	3.0	4.1	2.8	3.2	
Korea	2.0	3.0	2.2	3.8	1.5	2.2	
Japan	1.8	2.5	1.8	2.9	1.7	2.1	
Taiwan	1.8	2.0	1.7	2.3	1.8	1.8	
Pakistan	1.9	1.9	1.9	1.9	1.9	2.0	
Colombia	1.1	1.7	1.4	2.3	0.6	1.0	
Germany	1.3	1.7	1.3	1.9	1.2	1.4	
France	1.3	1.6	1.4	1.9	1.1	1.3	
Mexico	1.2	1.6	1.3	1.8	1.1	1.3	
Russia	1.4	1.5	1.4	1.5	1.3	1.4	
Venezuela	0.7	1.2	0.9	1.6	0.5	0.8	
Brazil	0.9	1.2	1.0	1.4	0.7	0.9	
Argentina	0.5	1.1	0.6	1.6	0.4	0.6	
Turkey	0.7	1.0	0.8	1.3	0.6	0.7	
Australia	0.7	0.9	0.7	1.1	0.6	0.8	
Malaysia	0.8	0.9	0.7	0.9	0.8	0.9	
Other countries	15.0	19.4	16.0	22.2	13.5	16.3	
Country of birth unknown	·						

Notes: Countries of birth are ranked based on 2002 data.

0.2 of 1 percent of total petitions approved have an unknown country of birth in 2001 and 2002. Percents shown in the table are based on the total number of petitions approved with country of birth known.

#### <u>Age</u>

Table 5 shows the age structure of the H-1B beneficiaries in fiscal year 2002 by type of petition. Sixty-four (64) percent of workers granted H-1B status during 2002 were between 25 and 34 years of age at the time their petitions were approved. The age structures of the initial employment and continuing employment beneficiaries differ markedly. At the low end of the age spectrum, nearly 13 percent of first-time beneficiaries were under age 25; in contrast to under 3 percent of those beneficiaries continuing employment. Just under 50 percent of the beneficiaries continuing employment were between the ages of 30 and 39. On the other hand, 40 percent of first-time H-1B workers were in their 30s. The most beneficiaries in any single 5-year age group, initial or continuing, were in the 25-29 age group. Less than 3 percent were 50 or older.

Table 5. H-1B Petitions Approved by Age of Beneficiary at Time of Approval and by Type of Petition: Fiscal Year 2002

Age	Total	Percent	Initial	Percent	8	
			Employment		Employment	
Total	197,537		103,584		93,953	
Age known	197,103	100.0	103,340	100.0	93,763	100.0
Under 20	147	0.1	133	0.1	14	0.0
20-24	15,535	7.9	13,065	12.6	2,470	2.6
25-29	69,104	35.1	34,798	33.7	34,306	36.6
30-34	56,928	28.9	26,101	25.3	30,827	32.9
35-39	29,911	15.2	14,797	14.3	15,114	16.1
40-44	13,788	7.0	7,348	7.1	6,440	6.9
45-49	6,537	3.3	3,907	3.8	2,630	2.8
50-54	3,070	1.6	1,891	1.8	1,179	1.3
55-59	1,384	0.7	864	0.8	520	0.6
60-64	481	0.2	309	0.3	172	0.2
65 and over	218	0.1	127	0.1	91	0.1
Age unknown	434		244		190	

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

0.2 of 1 percent of total beneficiaries have an unknown age.

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 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 INS or Department of Labor forms. However, the petitioning employer almost always 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. INS does not maintain separate data regarding whether the degree was earned in the United States or abroad.

The highest level of education achieved of H-1B beneficiaries increased to a small extent between fiscal years 2001 and 2002. As shown in Table 6, 50 percent of all H-1B petitions approved for workers in 2002 reported that the beneficiary had earned the equivalent of a bachelor's degree; 30 percent a master's degree; 12 percent a doctorate, and 5 percent a professional degree. The corresponding numbers for 2001 were 57, 31, 7, and 3. The large increase in the proportion of beneficiaries with doctorates reflects a growth in H-1B employment at universities and colleges as well as a decline in the total number of other beneficiaries. (See Table 13.) Altogether, 98 percent earned at least a bachelor's degree and more than 47 percent earned at least a master's degree. Of the 234 beneficiaries without a high school diploma, 104 were fashion models. Note that experience equal to a degree can serve to qualify an alien for H-1B status. Regarding differences in education between workers approved for initial and continuing employment in 2002, the former were more likely to have a doctorate or professional degree (20 versus 14 percent).

Table 6. H-1B Petitions Approved by Level of Education: Fiscal Year 2000-Fiscal Year 2002

	Percent of beneficiaries						
Level of Education	FY 2000	FY 2001	FY 2002				
<b>Education known</b>	100	100	100				
Less than a Bachelor's degree	2	2	2				
Bachelor's degree	57	57	50				
Master's degree	31	31	30				
Doctorate degree	7	7	12				
Professional degree	3	3	5				

Note: Sum of the percents 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 2002

Level of Education	Total	Percent	Initial	Percent	Continuing	Percent	
			Employmen t		Employmen t		
Total	197,537		103,584		93,953		
<b>Education known</b>	197,249	100.0	103,438	100.0	93,811	100.0	
No high school diploma	234	0.1	169	0.2	65	0.1	
High school graduate	1,039	0.5	806	0.8	233	0.2	
Less than 1 year of college credit	289	0.1	189	0.2	100	0.1	
1 or more years of college credit,							
no diploma	1,381	0.7	849	0.8	532	0.6	
Associate's degree	1,032	0.5	642	0.6	390	0.4	
Bachelor's degree	99,436	50.4	50,332	48.7	49,104	52.3	
Master's degree	60,022	30.4	30,119	29.1	29,903	31.9	
Doctorate degree	23,323	11.8	14,220	13.7	9,103	9.7	
Professional degree	10,493	5.3	6,112	5.9	4,381	4.7	
Education unknown	288		146		142		

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

0.1 of 1 percent of total petitions approved have an unknown level of education.

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

# **Occupation**

# - Major Occupation Group

Table 8 shows the distribution of beneficiaries by major occupation group in descending order for fiscal year 2002. The petitioning employer supplies the occupation code on the Labor Condition Application (LCA). The relative distributions in 2001 and 2002 are very different. While remaining the most numerous occupation group in 2002, computer-related occupations group saw its share of total petitions approved drop sharply from 58 percent to 38 percent. The corresponding percents for initial employment and continuing employment were 25 and 53, respectively. Only computer-related occupations had more continuing than initial H-1B beneficiaries. The second and third most numerous occupation groups in order were architecture, engineering, and surveying and administrative specializations. The former group includes computer and systems engineers while the latter contains accountants and management systems analysts.

The number of H-1B petitions approved for workers in computer-related occupations fell precipitously by 61 percent from 191,400 in 2001 to 75,100 in 2002. The drop off was particularly concentrated among H-1B workers approved for initial and continuing employment in computer-related jobs at 77 and 39 percent, respectively. Nearly every occupation group declined between 2001 and 2002. Notable exceptions were education, medicine and health, and life sciences. These occupation groups increased by 19, 14, and 7 percent, respectively.

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<sup>&</sup>lt;sup>9</sup> 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 8. H-1B Petitions Approved by Major Occupation Group of Beneficiary and Type of Petition: Fiscal Year 2001 and Fiscal Year 2002

	All Benef	ficiaries	Initial Emp	loyment	Continuing	Employment
Occupation LCA Code (2-digits)	FY 2001 Number	FY 2002 Number	FY 2001 Number	FY 2002 Number	FY 2001 Number	FY 2002 Number
Total	331,206	197,537	201,079	103,584	130,127	93,953
Occupation known	329,866	196,160	200,116	102,667	129,750	93,493
Computer-related occupations (03)	191,397	75,114	110,713	25,637	80,684	49,477
Occupations in architecture,						
Engineering, and surveying (00/01)	40,388	25,197	25,365	14,467	15,023	10,730
Occupations in administrative						
specializations (16)	23,794	21,103	15,573	13,853	8,221	7,250
Occupations in education (09)	17,431	20,613	11,733	13,996	5,698	6,617
Occupations in medicine and						
health (07)	11,334	12,920	6,646	7,861	4,688	5,059
Managers and officials n.e.c. (18)	12,423	10,610	8,050	6,661	4,373	3,949
Occupations in life sciences (04)	6,492	6,910	4,143	4,665	2,349	2,245
Occupations in social sciences (05)	6,145	5,547	4,212	3,705	1,933	1,842
Occupations in mathematics and						
physical sciences (02)	5,772	5,443	3,627	3,428	2,145	2,015
Miscellaneous professional,						
technical, and managerial (19)	5,662	4,940	3,692	3,185	1,970	1,755
Occupations in art (14)	3,425	2,898	2,283	1,833	1,142	1,065
Occupations in writing (13)	1,888	1,471	1,309	985	579	486
Occupations in law and						
jurisprudence (11)	1,614	1,436	1,180	985	434	451
Occupations in entertainment						
and recreation (15)	772	776	509	503	263	273
Fashion models (29)	910	749	790	626	120	123
Occupations in museum, library,						
and archival sciences (10)	336	315	230	203	106	112
Occupations in religion and						
theology (12)	83	118	61	74	22	44
Occupation unknown	1,340	1,377	963	917	377	460

Notes: Occupations ranked based on 2002 data.

0.4 and 0.7 of 1 percent of total petitions approved have an unknown occupation in 2001 and 2002 respectively. n.e.c. indicates *not elsewhere classified*.

Table 8. (Continued) H-1B Petitions Approved by Major Occupation Group of Beneficiary and Type of Petition: Fiscal Year 2001 and Fiscal Year 2002

	All Bene	eficiaries	Initial Em	ployment	Continuing Emp	tinuing Employment	
Occupation	FY 2001	FY 2002	FY 2001	FY 2002	FY 2001	FY 2002	
LCA Code (2-digits)	Percent	Percent	Percent	Percent	Percent	Percent	
Total							
Occupation known	100.0	100.0	100.0	100.0	100.0	100.0	
Computer-related occupations (03)	58.0	38.3	55.3	25.0	62.2	52.9	
Occupations in architecture,							
engineering, and surveying (00/01)	12.2	12.8	12.7	14.1	11.6	11.5	
Occupations in administrative							
specializations (16)	7.2	10.8	7.8	13.5	6.3	7.8	
Occupations in education (09)	5.3	10.5	5.9	13.6	4.4	7.1	
Occupations in medicine and							
health (07)	3.4	6.6	3.3	7.7	3.6	5.4	
Managers and officials n.e.c. (18)	3.8	5.4	4.0	6.5	3.4	4.2	
Occupations in life sciences (04)	2.0	3.5	2.1	4.5	1.8	2.4	
Occupations in social sciences (05)	1.9	2.8	2.1	3.6	1.5	2.0	
Occupations in mathematics and							
physical sciences (02)	1.7	2.8	1.8	3.3	1.7	2.2	
Miscellaneous professional,							
technical, and managerial (19)	1.7	2.5	1.8	3.1	1.5	1.9	
Occupations in art (14)	1.0	1.5	1.1	1.8	0.9	1.1	
Occupations in writing (13)	0.6	0.7	0.7	1.0	0.4	0.5	
Occupations in law and							
jurisprudence (11)	0.5	0.7	0.6	1.0	0.3	0.5	
Occupations in entertainment							
and recreation (15)	0.2	0.4	0.3	0.5	0.2	0.3	
Fashion models (29)	0.3	0.4	0.4	0.6	0.1	0.1	
Occupations in museum, library,							
and archival sciences (10)	0.1	0.2	0.1	0.2	0.1	0.1	
Occupations in religion and							
theology (12)	0.0	0.1	0.0	0.1	0.0	0.0	
Occupation unknown							

Notes: Occupations ranked based on 2002 data.

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

0.4 and 0.7 of 1 percent of total petitions approved have an unknown occupation in 2001 and 2002 respectively.

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

Table 9 indicates the distribution of beneficiaries by detailed major occupation group in descending order in fiscal year 2002. The relative distribution in 2001 was very different. The list is limited to the top 23 categories. One-third of the approved petitions in 2002 were for aliens working as systems analysts or programmers, down from half in 2001. The second largest category was occupations in colleges and university education with 7 percent, replacing electrical/electronics engineering occupations in 2001.

Most detailed major occupations shown in Table 9 suffered declines in total, initial, and continuing employment in 2002. Total employment of systems analysts and programmers fell by 79 percent. However, among initial beneficiaries, increases occurred in the following groups: colleges and universities; biological sciences; physicians and surgeons; medicine and health, n.e.c.; primary education; secondary education; and therapists.

Table 9. H-1B Petitions Approved by Detailed Occupation of Beneficiary and Type of Petition: Fiscal Year 2001 and Fiscal Year 2002

	All Benefi		Initial Emp	•	<b>Continuing Employment</b>	
Occupation	FY 2001	FY 2002	FY 2001	FY 2002	FY 2001	FY 2002
LCA Code (3-digits)	Number	Number	Number	Number	Number	Number
Total	331,206	197,537	201,079	103,584	130,127	93,953
Occupation known	329,652	196,035	199,971	102,595	129,681	93,440
Occupations in systems analysis and						
programming					_, _,	
(030)	171,784	64,687	100,513	21,300	71,271	43,387
Occupations in colleges and university education (090)	12,183	14,502	7,833	9,386	4,350	5,116
Accountants, auditors, and related occupations						
(160)	11,076	9,629	6,774	6,331	4,302	3,298
Electrical/Electronics engineering occupations						
(003)	15,356	8,023	9,538	4,197	5,818	3,826
Computer-related occupations, n.e.c. (039)	13,661	6,649	6,907	2,511	6,754	4,138
Miscellaneous managers and officials, n.e.c. (189)	6,864	5,313	4,353	3,245	2,511	2,068
Occupations in biological sciences (041)	4,813	5,172	3,039	3,471	1,774	1,701
Occupations in economics (050)	5,733	5,099	3,920	3,398	1,813	1,701
Physicians and surgeons (070)	4,541	5,045	2,193	2,495	2,348	2,550
Misc. professional, technical, and managerial	5.107	4.201	2.200	2.702	1.010	1.500
occupations n.e.c. (199)	5,106	4,291	3,288	2,702	1,818	1,589
Occupations in architecture, engineering, and	0.404	2 0 7 0			• • • • •	1.00
surveying, n.e.c. (019)	8,404	3,850	4,585	1,954	*	1,896
Mechanical engineering occupations (007)	4,815	3,775	3,019	2,208	1,796	1,567
Occupations in administrative specializations,					1 000	
n.e.c. (169)	3,279	3,239	2,271	2,129		1,110
Occupations in medicine and health, n.e.c. (079)	2,827	3,172	2,003	2,185	824	987
Budget and management systems occupations	2 2 4 2	• 0.51			201	2.4.5
(161)	3,245	2,851	2,264	1,906	981	945
Occupations in preschool, primary school, and						
kindergarten education (092)	2,472	2,769	1,799	2,115		654
Civil engineering occupations (005)	2,534	2,548	1,825	1,679		869
Architectural occupations (001)	2,937	2,471	2,091	1,593		878
Occupations in chemistry (022)	2,360	2,295	1,471	1,427	889	868
Sales and distribution management	0.415	2 1 40	1 (20	1 222		026
occupations (163)	2,415	2,149	1,638	1,323		826
Occupations in secondary school education (091)	1,624	1,932	1,298	1,434		498
Therapists (076)	1,567	1,859	770	1,139	797	720
Commercial artists: designers and illustrators,	2 1 4 4	1.001	1 460	1 1 7 0	<b>60.4</b>	
graphic arts (141)	2,144	1,801	1,460	1,150		651
Other occupations	37,912	32,914	25,119	21,317	12,793	11,597
Occupation unknown	1,554	1,502	1,108	989	446	513

Notes: Occupa

Occupations ranked on 2002 data.

<sup>0.5</sup> and 0.8 of 1 percent of total petitions approved have an unknown occupation for fiscal years 2001 and 2002 respectively.

n.e.c. indicates not elsewhere classified.

Table 9. (Continued) H-1B Petitions Approved by Detailed Occupation of Beneficiary and Type of Petition: Fiscal Year 2001 and Fiscal Year 2002

	All Benef		Initial Em		Continuing Employment	
Occupation	FY01	FY02	FY01	FY02	FY01	FY02
LCA Code (3-digits)	Percent	Percent	Percent	Percent	Percent	Percent
Total						
Occupation known	100.0	100.0	100.0	100.0	100.0	100.0
Occupations in systems analysis and programming						
(030)	52.2	33.0	50.3	20.8	55.0	46.4
Occupations in colleges and university education						
(090)	3.7	7.4	3.9	9.1	3.4	5.5
Accountants, auditors, and related occupations						
(160)	3.4	4.3	3.4	6.2	3.3	3.5
Electrical/Electronics engineering occupations						
(003)	4.7	4.1	4.8	4.1		4.1
Computer-related occupations, n.e.c. (039)	4.1	3.4	3.5	2.4		4.4
Miscellaneous managers and officials, n.e.c. (189)	2.1	2.7	2.2	3.2	1.9	2.2
Occupations in biological sciences (041)	1.5	2.6	1.5	3.4	1.4	1.8
Occupations in economics (050)	1.7	2.6	2.0	3.3	1.4	1.8
Physicians and surgeons (070)	1.4	2.6	1.1	2.4	1.8	2.7
Misc. professional, technical, and managerial						
occupations n.e.c. (199)	1.5	2.2	1.6	2.6	1.4	1.7
Occupations in architecture, engineering, and						
surveying, n.e.c. (019)	2.5	2.0	2.3	1.9	2.9	2.0
Mechanical engineering occupations (007)	1.5	1.9	1.5	2.2	1.4	1.7
Occupations in administrative specializations,						
n.e.c. (169)	1.0	1.7	1.1	2.1	0.8	1.2
Occupations in medicine and health, n.e.c. (079)	0.9	1.6	1.0	2.1	0.6	1.1
Budget and management systems occupations						
(161)	1.0	1.5	1.1	1.9	0.8	1.0
Occupations in preschool, primary school, and						
kindergarten education (092)	0.7	1.4	0.9	2.1	0.5	0.7
Civil engineering occupations (005)	0.8	1.3	0.9	1.6	0.5	0.9
Architectural occupations (001)	0.9	1.3	1.0	1.6	0.7	0.9
Occupations in chemistry (022)	0.7	1.2	0.7	1.4	0.7	0.9
Sales and distribution management						
occupations (163)	0.7	1.1	0.8	1.3	0.6	0.9
Occupations in secondary school education (091)	0.5	1.0	0.6	1.4	0.3	0.5
Therapists (076)	0.5	0.9	0.4	1.1	0.6	0.8
Commercial artists: designers and illustrators,						
graphic arts (141)	0.6	0.9	0.7	1.1	0.5	0.7
Other occupations	11.5	16.8	12.6	20.8	9.9	12.4
Occurred on andreasure						
Occupation unknown						

Notes:

Occupations ranked on 2002 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 Compensation** 10

Tables 10, 11, and 12 bring together occupations and compensation for beneficiaries of all, initial, and continuing employment respectively. Occupations in each table are arranged by the number of all beneficiaries in fiscal year 2002. As shown in Table 10, the median annual compensation reported by employers of H-1B workers was \$53,200 in fiscal year 2002 compared with \$55,000 in 2001 and \$52,000 in 2000; half were expected to earn between \$38,800 and \$71,800. Median compensation ranges from a low of \$30,000 for occupations in religion and theology to a high of \$100,000 for fashion models, identical to 2001.

<sup>&</sup>lt;sup>10</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 beneficiary actually worked fewer than 12 months.

Table 10. Annual Compensation of All H-1B Beneficiaries by Major Occupation Group: Fiscal Year 2002

Occupation	Total	25 <sup>th</sup>	Median	75 <sup>th</sup>	
LCA Code (2-digits)	-	Percentile		Percentile	
Total	195,196	38,772	53,174	71,760	
Occupations with annual compensation known	193,907	38,979	53,500	72,000	
Computer-related occupations (03)	74,641	50,000	60,000	75,000	
Occupations in architecture,					
engineering, and surveying (00/01)	24,942	43,790	57,247	74,000	
Occupations in administrative					
specializations (16)	20,810	32,500	41,500	60,000	
Occupations in education (09)	20,265	30,000	36,000	47,000	
Occupations in medicine and health (07)	12,649	35,984	45,760	93,072	
Managers and officials n.e.c. (18)	10,495	37,500	58,801	91,512	
Occupations in life sciences (04)	6,865	31,241	38,000	52,000	
Occupations in social sciences (05)	5,448	34,000	44,000	62,978	
Occupations in mathematics and					
physical sciences (02)	5,399	40,500	55,000	72,000	
Miscellaneous professional, technical,					
and managerial (19)	4,882	35,000	52,510	80,600	
Occupations in art (14)	2,829	30,004	38,400	51,000	
Occupations in writing (13)	1,448	28,700	35,000	46,633	
Occupations in law and jurisprudence (11)	1,410	42,465	85,000	125,000	
Occupations in entertainment					
and recreation (15)	750	25,000	33,280	45,000	
Fashion models (29)	658	100,000	100,000	100,000	
Occupations in museum, library,					
and archival sciences (10)	311	30,000	37,150	50,000	
Occupations in religion and theology (12)	105	23,160	30,000	42,000	
Occupation unknown	1,289	31,200	40,000	58,000	

Notes: Occupations ranked by number of beneficiaries.

Of the 197,537 petitions approved, 1.2 percent (2,341) did not have compensation reported.

Of the 195,196 petitions approved with compensation reported, 0.7 of 1 percent (1,289) did not have an occupation reported.

n.e.c. indicates not elsewhere classified.

Definitions:

Median is the middle ranking value (50<sup>th</sup> percentile) of all values. 25<sup>th</sup> percentile and 75<sup>th</sup> percentile are the lower quarter and upper quarter ranking values,

respectively.

As revealed in Tables 11 and 12, beneficiaries for continuing employment reported higher annual compensation than did beneficiaries for initial employment. Median annual compensation for the former was \$60,000 and \$45,000 for the latter. In fiscal year 2001, workers approved for continuing employment and initial employment reported median annual compensation of \$65,000 and \$50,000, respectively.

Table 11. Annual Compensation of H-1B Beneficiaries for Initial Employment by Major Occupation Group: Fiscal Year 2002

ccupation Tota		25 <sup>th</sup>	Median	75 <sup>th</sup>	
LCA Code (2-digits)	Reported	Reported Percentile		Percentile	
Total	102,252	34,947	45,000	63,280	
Occupations with annual compensation known	101,386	35,000	45,000	63,586	
Computer-related occupations (03)	25,469	45,000	55,000	65,582	
Occupations in architecture,					
engineering, and surveying (00/01)	14,307	40,706	52,000	68,203	
Occupations in education (09)	13,793	30,000	35,000	45,000	
Occupations in administrative					
specializations (16)	13,647	31,221	38,688	53,500	
Occupations in medicine and health (07)	7,720	33,800	42,000	72,679	
Managers and officials n.e.c. (18)	6,582	35,000	50,000	85,000	
Occupations in life sciences (04)	4,630	30,000	36,000	48,000	
Occupations in social sciences (05)	3,637	32,200	40,000	58,000	
Occupations in mathematics and					
physical sciences (02)	3,406	38,500	51,547	68,000	
Miscellaneous professional, technical,					
and managerial (19)	3,154	32,500	46,842	73,000	
Occupations in art (14)	1,783	30,000	35,000	46,000	
Occupations in writing (13)	972	27,000	33,000	45,000	
Occupations in law and jurisprudence (11)	966	39,000	79,520	125,000	
Fashion models (29)	561	100,000	100,000	100,000	
Occupations in entertainment					
and recreation (15)	491	25,000	31,490	41,600	
Occupations in museum, library,					
and archival sciences (10)	199	29,000	36,000	47,972	
Occupations in religion and theology (12)	69	22,700	30,000	42,000	
Occupation unknown	866	30,000	37,475	51,500	

Notes: Occupations ranked by the number of beneficiaries.

Of the 103,584 petitions approved for initial employment, 1.3 percent (1,332) did not have compensation reported.

Of the 102,252 petitions approved for initial employment with compensation reported, 0.8 of 1 percent (866) did not have an occupation reported.

n.e.c. indicates not elsewhere classified.

Definitions: Median is the middle ranking value (50<sup>th</sup> percentile) 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 2002

Occupation	Total	_	Median	75 <sup>th</sup>
LCA Code (2-digits)	Reported	Percentile		Percentile
Total	92,944	45,358	60,000	77,142
Occupations with annual compensation known	92,521	45,500	60,000	77,215
Computer-related occupations (03)	49,172	53,280	64,739	77,500
Occupations in architecture,				
engineering, and surveying (00/01)	10,635	49,517	63,600	80,000
Occupations in administrative				
specializations (16)	7,163	37,000	50,000	70,000
Occupations in education (09)	6,472	31,991	39,000	50,935
Occupations in medicine and health (07)	4,929	40,000	55,989	114,400
Managers and officials n.e.c. (18)	3,913	45,000	70,000	100,000
Occupations in life sciences (04)	2,235	35,000	43,000	60,800
Occupations in mathematics and				
physical sciences (02)	1,993	45,000	60,000	75,000
Occupations in social sciences (05)	1,811	37,740	50,000	74,880
Miscellaneous professional, technical,				
and managerial (19)	1,728	40,413	62,030	90,736
Occupations in art (14)	1,046	35,000	45,000	60,000
Occupations in writing (13)	476	31,200	38,880	52,000
Occupations in law and jurisprudence (11)	444	50,000	101,850	150,000
Occupations in entertainment				
and recreation (15)	259	28,000	37,162	52,200
Occupations in museum, library,				
and archival sciences (10)	112	32,695	40,895	54,920
Fashion models (29)	97	95,000	100,000	127,000
Occupations in religion and theology (12)	36	24,960	30,000	42,450
Occupation unknown	423	37,821	49,000	70,000

Notes: Occupations ranked by the number of beneficiaries.

Of the 93,953 petitions approved for continuing employment, 1.1 percent (1,009) did not have compensation reported.

Of the 92,944 petitions approved for continuing employment with compensation reported, 0.5 of 1 percent (423) did not have an occupation reported.

n.e.c. indicates not elsewhere classified.

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

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

#### **Industry**

Table 13 shows the industries that employed the most H-1B workers in fiscal year 2002. By far the leading employer was computer systems design and related services with nearly 50,800 workers compared to 141,300 in 2001, a decline of 64 percent. Only three industries in the top ten increased between 2001 and 2002: colleges, universities, and professional schools (20 percent); elementary and secondary schools (20); and general medical and surgical hospitals (22).

The industry distribution was different for those workers approved for initial employment and continuing employment. In 2001, 60 percent of workers in computer systems design and related services were initial beneficiaries. The corresponding percent in 2002 was 33. The drop in these initial beneficiaries was 80 percent between 2001 and 2002, reflecting both the drastic decline in the number and relative share of computer systems design employers. About 34,100 H-1B workers in 2002 were continuing employment in computer systems design compared to nearly 16,700 who were initial beneficiaries. On the other hand, nearly 12,000 workers employed in colleges, universities, and professional schools were initial and 6,400 were continuing beneficiaries.

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

Table 13. H-1B Petitions Approved by Detailed Industry and Type of Petition: Fiscal Year 2001 and Fiscal Year 2002

	All Bene	Beneficiaries Ir		Initial Employment		<b>Continuing Employment</b>	
Industry	FY 2001		FY 2001	FY 2002	FY 2001	FY 2002	
NAICS Code (4-digits)	Number	Number	Number	Number	Number	Number	
Total	331,206	197,537	201,079	103,584	130,127	93,953	
Industry known	301,264	179,757	181,722	93,227	119,542	86,530	
Computer systems design & related services (5415)	141,267	50,776	84,853	16,714	· ·	34,062	
Colleges, universities, & professional schools (6113)	15,372	18,401	9,817	11,989	5,555	6,412	
Architectural, engineering, & related services (5413)	12,148	8,963	8,087	5,407	4,061	3,556	
Management, scientific, & technical consulting	10.701	7 450	7 900	4.001	4.021	2 277	
services (5416)	12,721	7,458	7,800	4,081	· ·	3,377	
Scientific research and development services (5417)	6,929	6,695	4,173	4,187	· ·	2,508	
Telecommunications (5133)	9,638	4,357	4,928	1,798		2,559	
Elementary and secondary schools (6111)	3,318	3,983	2,502	3,034	816	949	
Accounting, tax preparation, bookkeeping,	4 212	2 507	2 670	2 161	1 525	1 246	
& payroll services (5412) General medical and surgical hospitals (6221)	4,213	3,507	2,678	2,161 2,009		1,346	
General medical and surgical hospitals (6221)	2,811	3,442	1,542	2,009	1,269	1,433	
Securities & commodity contracts intermediation							
& brokerage (5231)	3,676	2,917	2,074	1,589	1,602	1,328	
Semiconductor & other electronic component							
manufacturing (3344)	6,171	2,891	3,330	1,396	· ·	1,495	
Offices of physicians (6211)	2,084	2,475	1,093	1,271	991	1,204	
Other professional, scientific, & technical							
services (5419)	2,287	1,929	1,491	1,226		703	
Professional, scientific, and technical services (5410)	2,868	1,799	1,745	956		843	
Other financial investment activities (5239)	1,927	1,785	1,121	1,099		686	
Communications equipment manufacturing (3342)	4,383	1,688		721	ŕ	967	
Information services (5141)	3,027	1,676		613	· ·	1,063	
Pharmaceutical and medicine manufacturing (3254)	1,616	1,633	942	934	674	699	
Computer and peripheral equipment							
manufacturing (3341)	3,000	1,612	1,494	814	· ·	798	
Offices of other health practitioners (6213)	1,349	1,430	792	933		497	
Legal services (5411)	1,498	1,429	1,056	976		453	
Specialized design services (5414)	1,776			874		543	
Employment services (5613)	1,682	1,245	1,106	747	576	498	
Computer and electronic product							
manufacturing (3340)	3,123	1,207	1,628	480	ŕ	727	
Software publishers (5112)	2,748	1,165	1,267	476		689	
Advertising and related services (5418)	1,446	1,104	1,002	668		436	
Other industries	48,186	42,773	30,040	26,074	18,146	16,699	
Industry unknown	29,942	17,780	19,537	10,357	10,585	7,423	

Notes: Industries ranked by total beneficiaries in 2002.

<sup>9.0</sup> percent of total petitions approved have an unknown industry in 2001 and 2002. NAICS stands for North American Industrial Classification System.

Table 13. (Continued) H-1B Petitions Approved by Detailed Industry and Type of Petition: Fiscal Year 2001 and Fiscal Year 2002

	All Beneficiaries		Initial Employment		Continuing Employment	
Industry	FY01	FY02	FY01	FY02	FY01	FY02
NAICS Code (4-digits)	Percent	Percent	Percent	Percent	Percent	Percent
Total						
Industry known	100.0	100.0	100.0	100.0	100.0	100.0
Computer systems design & related services (5415)	46.9	28.2	46.7	17.9	47.2	39.4
Colleges, universities, & professional schools (6113)	5.1	10.2	5.4	12.9	4.6	7.4
Architectural, engineering, & related services (5413)	4.0	5.0	4.5	5.8	3.4	4.1
Management, scientific, & technical consulting	4.2	4 1	4.2	4.4	4.1	2.0
services (5416)	4.2	4.1	4.3	4.4		3.9
Scientific research and development services (5417)	2.3	3.7		4.5		2.9
Telecommunications (5133)	3.2	2.4		1.9		3.0
Elementary and secondary schools (6111)	1.1	2.2	1.4	3.3	0.7	1.1
Accounting, tax preparation, bookkeeping,		•				
& payroll services (5412)	1.4	2.0		2.3	1.3	1.6
General medical and surgical hospitals (6221)	0.9	1.9	0.8	2.2	1.1	1.7
Securities & commodity contracts intermediation						
& brokerage (5231)	1.2	1.6	1.1	1.7	1.3	1.5
Semiconductor & other electronic component						
manufacturing (3344)	2.0	1.6		1.5		1.7
Offices of physicians (6211)	0.7	1.4	0.6	1.4	0.8	1.4
Other professional, scientific, & technical						
services (5419)	0.8	1.1		1.3	0.7	0.8
Professional, scientific, and technical services (5410)	1.0	1.0		1.0		1.0
Other financial investment activities (5239)	0.6	1.0		1.2		0.8
Communications equipment manufacturing (3342)	1.5	0.9		0.8		1.1
Information services (5141)	1.0	0.9	0.8	0.7	1.3	1.2
Pharmaceutical and medicine manufacturing (3254)	0.5	0.9	0.5	1.0	0.6	0.8
Computer and peripheral equipment						
manufacturing (3341)	1.0	0.9	0.8	0.9	1.3	0.9
Offices of other health practitioners (6213)	0.4	0.8	0.4	1.0	0.5	0.6
Legal services (5411)	0.5	0.8	0.6	1.0	0.4	0.5
Specialized design services (5414)	0.6	0.8	0.6	0.9	0.5	0.6
Employment services (5613)	0.6	0.7	0.6	0.8	0.5	0.6
Computer and electronic product						
manufacturing (3340)	1.0	0.7	0.9	0.5	1.3	0.8
Software publishers (5112)	0.9	0.6	0.7	0.5	1.2	0.8
Advertising and related services (5418)	0.5	0.6	0.6	0.7	0.4	0.5
Other industries	16.0	23.8		28.0		19.3
Industry unknown						

Notes:

Industries ranked by total beneficiaries in 2002.

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 Industrial 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 INS form I-129 (Petition for a Nonimmigrant Worker) and the addendum I-129W (H-1B Data Collection and Filing Fee Exemption). The petitions are mailed to one of four INS Service Centers for processing depending on the location of the sponsoring employer: St. Albans, Vermont; Lincoln, Nebraska; Dallas Texas; and Laguna Nigel, 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 on which to base a decision to approve or deny the petition. If sufficient evidence is available, a decision is made by the adjudicator and then corresponding information 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 have been adjudicated, the associated paper files are forwarded for storage to the INS records center in Harrisonburg, Virginia.

## **Data Limitations**

The tables in this report have been tabulated from an electronic data file created at headquarters from INS service center electronic data files. Errors in this extract file could have occurred in several ways. For example, petition data might have been inaccurate on petitions, miskeyed into computers at the service centers or improperly transferred electronically between the service centers and headquarters. Very little editing has been done to the data in this file. Impossible or very improbable values have been defined as unknown. Examples are beneficiaries younger than 16 (except for fashion models) or those beneficiaries working without compensation.

In fiscal year 2002 the percentage of petitions with unknown information improved notably, especially with respect to education and annual compensation. The percentage of petitions approved with missing data was 0.1 of 1 percent for education and 1.2 percent for compensation. For the other characteristics, the percentages of approved petitions with missing data were: age (0.2 of 1 percent), country of birth (0.2 of 1 percent), major occupation (0.7 of 1 percent), and detailed occupation (0.8 of 1 percent). In contrast, the percent of missing data for industry in its second year of availability remained 9.0 percent.