

## 6. TEMPORARY ADMISSIONS

This section presents information on the number and characteristics of persons who come to the United States on a temporary basis (nonimmigrants), with subsections on parolees—persons allowed temporary entrance under special circumstances, and H-1B workers—persons allowed temporary entrance to perform services in “specialty occupations.”

### Nonimmigrants

**A** nonimmigrant is an alien admitted to the United States for a specified purpose and temporary period but not for permanent residence. (See Glossary)

Although the typical nonimmigrant is a tourist who visits the United States for a few days to several months, there are numerous classes of nonimmigrant admission, ranging from students to ambassadors. More than 27.9 million

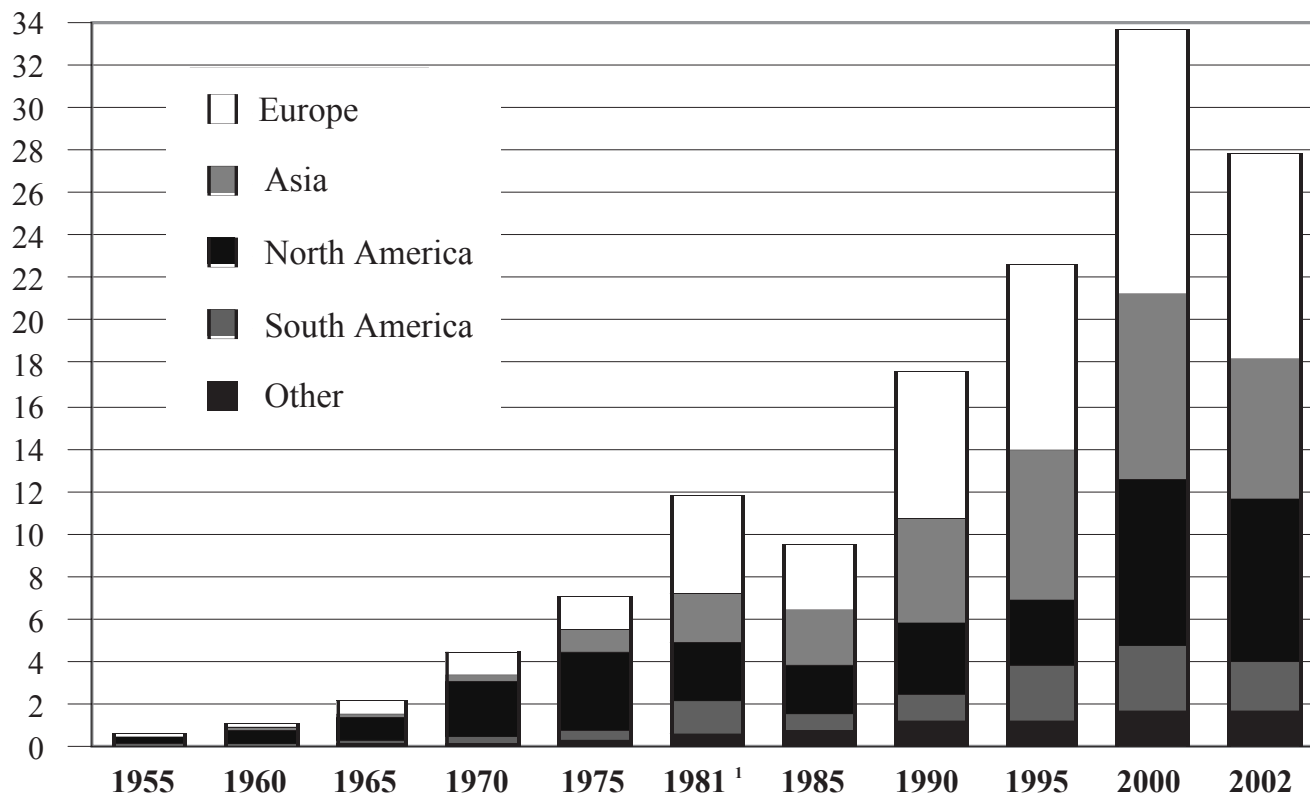
nonimmigrant admissions were counted in the Immigration and Naturalization Service’s Nonimmigrant Information System during fiscal year 2002. This represents a decrease of more than 4.9 million since 2001, or 15.0 percent. This is the second consecutive annual decrease, and the largest percent decrease since 1982-83.

Collection of an INS Form I-94 is the basis of nonimmigrant admission counts. Such counts are for all temporary visitors arriving by air except most Canadian and

Chart E

### Nonimmigrants Admitted by Region of Last Residence: Selected Fiscal Years 1955-2002

Millions



<sup>1</sup> No data available for 1980. NOTE: See Glossary for fiscal year definitions.

Source: 2002, 1995, 1990, 1985, and 1981, Table 24; 1955-75, previous *Yearbooks*.

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Mexican citizens who arrive as visitors for business or pleasure (B1 and B2 classes). These travellers may be required to submit an I-94 at the discretion of the immigration inspector. Most citizens of Canada and Mexico who cross land borders for brief periods of time are not required to submit an I-94 (use of the I-94 has been increased in recent years for Mexican admissions; see Table 24). Therefore, millions of Canadian and Mexican visitors are not represented in the admission counts presented in this section (see Data Collection section). It is estimated that there were more than 192 million nonimmigrant admissions during fiscal year 2002. The vast majority are Canadian and Mexican commuters crossing the border for business or pleasure, typically to shop or to visit family and friends.

Since nonimmigrant admissions data are collected for each arrival and an individual might enter more than once in a fiscal year (e.g., students), the count of admissions exceeds the number of individuals arriving (see Data Collection section).

### **The September 11 terrorist attacks**

Due mainly to the continuing global economic downturn, nonimmigrant arrivals during fiscal year 2001 were approximately the same as for 2000 until the September 11 terrorist attacks. The impact of the attacks on foreign travel to the United States was immediate and substantial. This was reflected in the severe reduction of arrivals during September, resulting in a small decrease between 2000 and 2001 (-2.6 percent). The full impact of the attacks can be seen on arrivals for fiscal year 2002—during the first several months admissions were measurably below levels for the previous year, recovering slowly as time passed, but never equaling the total for the previous year.

### **U.S. Nonimmigrant Program**

Nonimmigrants were first defined in the Immigration Act of 1819, but the Act of 1855 was the first to require the reporting of “temporary arrivals” separately. The Act of 1924 defined several classes of admission that have been expanded in subsequent legislation. Though “tourists” (temporary visitors for pleasure) have consistently been by far the most numerous nonimmigrant class of admission to the United States, a wide variety of temporary visitors now fall within the nonimmigrant classification. Second in volume to tourists are business people coming to the United States to engage in commercial transactions (though not for employment in this country). (See Table 26.)

#### **Nonimmigrant categories** (Tables 24-27, 30, 32)

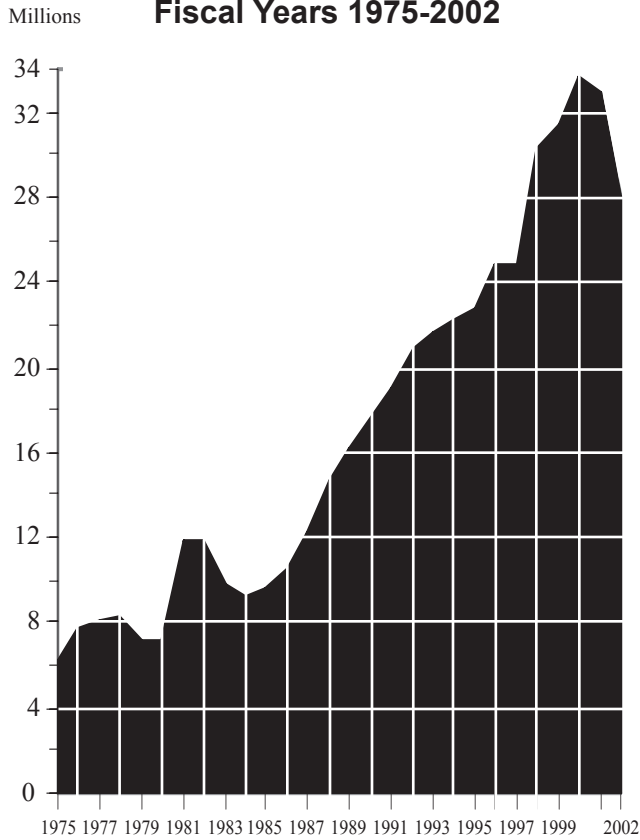
Other categories of admission make up a much smaller

share of the nonimmigrant total, such as foreign students and temporary workers. Temporary workers are admitted to the United States with “specialty occupations” (such as computer systems analysts and programmers) or to perform temporary services or labor when persons capable of performing such services or labor cannot be found in this country (such as agricultural laborers). Others who are granted authorization to work temporarily in the United States include: exchange visitors who enter to study, teach, or conduct research; intracompany transferees, to render managerial or executive services in the United States to international firms or corporations; entertainers and athletes; and industrial trainees. Though not strictly considered as employed in the United States, treaty traders and treaty investors enter temporarily to conduct trade or to invest substantially in enterprises under the provisions of treaties of commerce and navigation between the United States and foreign states.

Nonimmigrants also include several types of temporary visitors who are connected in some way with a foreign government or who represent an international organization. Ambassadors, public ministers, diplomats, and consular officers serve temporarily in this country, bringing with them members of their immediate families as well as personal employees, attendants, and servants. Officers and employees of international organizations such as the United Nations add to the list of nonimmigrant visitors entering the United States each year.

Recently designated classes of nonimmigrant admission were established in prior years that resulted in entries starting in 2001 and reflect a complete year of admissions in 2002 (Table 26). The Nursing Relief for Disadvantaged Areas Act of 1999 (see Glossary) established nonimmigrant entry for a limited number of nurses to fill short-term needs in medically underserved areas in the United States. The Legal Immigration Family Equity (LIFE) Act of 2000 and its amendments (see Glossary) authorized nonimmigrant admission to allow the spouse or child of a U.S. citizen to complete processing for permanent resident status while in the United States. Similar nonimmigrant admission was granted to a spouse or child (or dependent of a spouse or child) of a legal permanent resident who has had a petition for an immigrant visa pending for more than 3 years. The Victims of Trafficking and Violence Protection Act of 2000 (see Glossary) authorized nonimmigrant admission to an individual (and spouse, child, or parent) who is or has been the victim of a severe

**Chart F**  
**Nonimmigrants Admitted:**  
**Fiscal Years 1975-2002**



NOTE: Data estimated for last quarter of 1979 and no data available for 1980 and 1997. See Glossary for fiscal year definitions.  
 Source: Table 24 and previous *Yearbooks*.

form of trafficking. Also, this enactment authorized admission to an individual (and spouse, child, or parent) who has suffered substantial physical or mental abuse as a victim of a criminal activity.

The Glossary contains a detailed definition of nonimmigrants, a listing of each of the nonimmigrant classes of admission, and a detailed definition of each class.

**Admission policy**

The U.S. government has an “open door” policy for most nonimmigrant classes of admission. There is no set limit on the total number of admissions each year; indeed, tourists (the majority of nonimmigrants) are encouraged to visit as a boon to the U.S. economy. There are exceptions for the number of petitions approved for initial employment for certain categories of temporary workers as well as numerical limitations on a few other categories. Annual ceilings have been set by U.S. law on the number

of petitions approved each year for admission categories H-1B (specialty occupations—see the H-1B Temporary Workers section) and H-2B (occupations in which persons providing services or labor cannot be found in this country). Aliens suffering physical or mental abuse as a result of being a victim of criminal activity are limited to 10,000 persons per year who may be issued visas or otherwise provided nonimmigrant status; victims of severe forms of trafficking (and dependent family members), 5,000 per year; Mexican workers (and spouses and children) qualifying under the North American Free-Trade Agreement, 5,500 per year (limit will be removed in 2004); participants in the Irish Peace Process Program, 4,000 admissions per year; registered nurses in the Nursing Relief for Disadvantaged Areas Program, 500 visas issued per year; and visitors (and immediate family members) under a special program to provide certain critical information to federal or state courts, 250 per year.

Regulations govern additional areas such as the grounds for nonimmigrant admission, length and extension of stay, employment in the United States, accompaniment by family members, travel restrictions within the United States, and change of admission status. For example, ambassadors are allowed to remain in the United States for the duration of their service, students to complete their studies, visitors for business for a maximum of 6 months (plus 6-month extensions), and aliens in transit through the United States for not more than 29 days (with no extensions).

In response to the terrorist attacks in September 2001 the INS initiated the policy of inspecting transit aliens who previously had not been inspected, but rather had waited in secure U.S. airport “transit lounges” for their connecting flights through the United States from one foreign country to another. This policy has greatly increased the count of aliens in transit without visas because this admission classification is most often used for inspection of transit lounge aliens. While this policy change had a minimal effect on the count of aliens in transit without visas during fiscal year 2001, the impact on the count for 2002 was substantial—an increase of 66 percent over 2001 (Table 26).

**Employment, family members**

(Tables 25-27, 30, 32)

Most types of nonimmigrants are not allowed employment while in the United States, though exceptions may be granted, for example, to students and to family members of international representatives. On the other hand, temporary workers come to the United States expressly for purposes of

employment. Most nonimmigrant aliens may bring immediate family members with them; the exception is transit aliens other than foreign government officials. Some nonimmigrant aliens are prohibited from changing to another nonimmigrant category while in this country: transit aliens (except certain diplomats); crewmen; Visa Waiver Program visitors; fiance(e)s coming to the United States to marry U.S. citizens; visitors under a special program to provide certain critical information to federal or state courts; and certain exchange visitors, non-agricultural workers, industrial trainees, vocational students, NATO personnel, and Irish Peace Process aliens.

### Visa Waiver Program (Tables 26, F)

The Visa Waiver Program was established by the Immigration Reform and Control Act (IRCA) of 1986 and made permanent by the Visa Waiver Permanent Program Act of 2000. This program permits entry to the United States on a temporary basis without nonimmigrant visas for certain nonimmigrants from qualified countries. The program (see Glossary) extends only to approved countries that offer a reciprocal waiver of visas to U.S. citizens and adhere to other statutory and regulatory requirements. These include development of machine-readable passports and the condition that designation in the program will not compromise U.S. law enforcement or national security. Entry is limited to the visitor for pleasure and for business classes, with admission not to exceed 90 days. At the beginning of fiscal year 2002, 29 countries were members of the Visa Waiver Program. Argentina was removed in February 2002. Entries for current participant countries during fiscal year 2001 and 2002 are shown in Table F. Data for business and pleasure are not available separately for 2001 due to the expiration of the Visa Waiver Pilot Program before it was made permanent. From May 1 through October 30, 2000 all visa waiver entries were inspected using parole provisions and were not differentiated as to visitors for business or pleasure.

### Guam Visa Waiver Program

Under the Visa Waiver Program, certain visitors from designated countries may visit Guam for up to 15 days without first having to obtain nonimmigrant visitor visas. The table below shows the countries participating in this program and entries for fiscal year 2002.

### North American Free-Trade Agreement

(Tables 25-27, 30, 32)

In December 1992, the Presidents of the United States and Mexico and the Prime Minister of Canada signed an

Country of citizenship	Visa Waiver visitors to Guam, fiscal year 2002	
	For pleasure	For business
Total .....	115,609	1,451
Korea .....	94,919	1,291
Taiwan <sup>1</sup> .....	15,929	51
Hong Kong .....	2,234	27
United Kingdom .....	832	5
Japan .....	185	2
Australia .....	140	7
Indonesia .....	123	8
Malaysia .....	68	12
Singapore .....	56	23
New Zealand .....	43	3
Papua New Guinea ...	23	2
Solomon Islands .....	25	-
Nauru .....	12	1
Vanuatu .....	6	-
Brunei .....	-	-
Samoa .....	-	2
Unknown .....	1,014	17

<sup>1</sup> Includes 4,572 pleasure and 21 business admissions miscoded as the People's Republic of China, which is not in the Guam Visa Waiver program. - Represents zero.

agreement, enacted in December 1993, known as the North American Free-Trade Agreement (NAFTA) (see Glossary). This law superseded the United States-Canada Free-Trade Agreement, and established a special, reciprocal trading relationship among the United States, Canada, and Mexico. This agreement extended to the citizens of Mexico (with certain stipulations) and Canada the nonimmigrant class of admission exclusively for business people entering the United States to engage in activities at a "professional" level. Additionally, the agreement facilitates entry for Mexican as well as Canadian citizens seeking temporary entry as visitors for business, treaty traders and treaty investors, and intracompany transferees. Entries under NAFTA began in February 1994. Data for fiscal year 2002 are shown for NAFTA in Table 26.

## Data Overview

### Recent trends in admission (Tables 24, 26)

As noted, the fiscal year 2002 total of more than 27.9

**Table F**  
**Nonimmigrants Admitted Under the Visa Waiver Program by Country of Citizenship**  
**Fiscal Years 2001-02**

Country of citizenship	2002			2001, total <sup>1</sup>	Change (total)	
	Pleasure	Business	Total		Number	Percent
<b>All Visa Waiver admissions</b>	<b>11,182,774</b>	<b>2,047,227</b>	<b>13,230,001</b>	<b>16,582,603</b>	<b>-3,352,602</b>	<b>-20.2</b>
United Kingdom .....	3,405,697	533,982	3,939,679	4,487,264	-547,585	-12.2
Japan .....	2,986,224	361,863	3,348,087	4,752,952	-1,404,865	-29.6
Germany .....	946,029	262,098	1,208,127	1,525,268	-317,141	-20.8
France .....	756,731	176,122	932,853	1,075,677	-142,824	-13.3
Italy .....	413,565	101,570	515,135	670,751	-155,616	-23.2
Netherlands .....	386,663	100,011	486,674	538,968	-52,294	-9.7
Australia.....	355,499	89,890	445,389	478,689	-33,300	-7.0
Spain .....	299,118	50,927	350,045	369,544	-19,499	-5.3
Ireland .....	260,141	37,356	297,497	345,681	-48,184	-13.9
Switzerland .....	188,627	39,673	228,300	291,765	-63,465	-21.8
Sweden .....	142,142	56,390	198,532	273,100	-74,568	-27.3
New Zealand .....	161,372	25,909	187,281	168,417	18,864	11.2
Belgium .....	123,410	42,876	166,286	197,660	-31,374	-15.9
Denmark .....	90,353	34,466	124,819	143,559	-18,740	-13.1
Norway .....	84,593	26,120	110,713	134,515	-23,802	-17.7
Austria .....	83,769	23,867	107,636	153,008	-45,372	-29.7
Argentina <sup>2</sup> .....	79,446	10,249	89,695	443,047	-353,352	-79.8
Finland .....	48,615	22,727	71,342	86,796	-15,454	-17.8
Portugal .....	49,480	7,771	57,251	72,402	-15,151	-20.9
Singapore .....	31,969	17,823	49,792	68,434	-18,642	-27.2
Uruguay .....	33,032	2,673	35,705	40,933	-5,228	-12.8
Iceland .....	14,342	3,391	17,733	21,648	-3,915	-18.1
Slovenia .....	5,166	1,785	6,951	13,155	-6,204	-47.2
Luxembourg .....	4,840	1,161	6,001	8,243	-2,242	-27.2
Liechtenstein .....	825	171	996	1,365	-369	-27.0
Andorra .....	330	56	386	573	-187	-32.6
Monaco .....	344	33	377	586	-209	-35.7
Brunei .....	233	70	303	568	-265	-46.7
San Marino .....	252	27	279	398	-119	-29.9
Unknown <sup>3</sup> .....	229,967	16,170	246,137	217,637	28,500	13.1

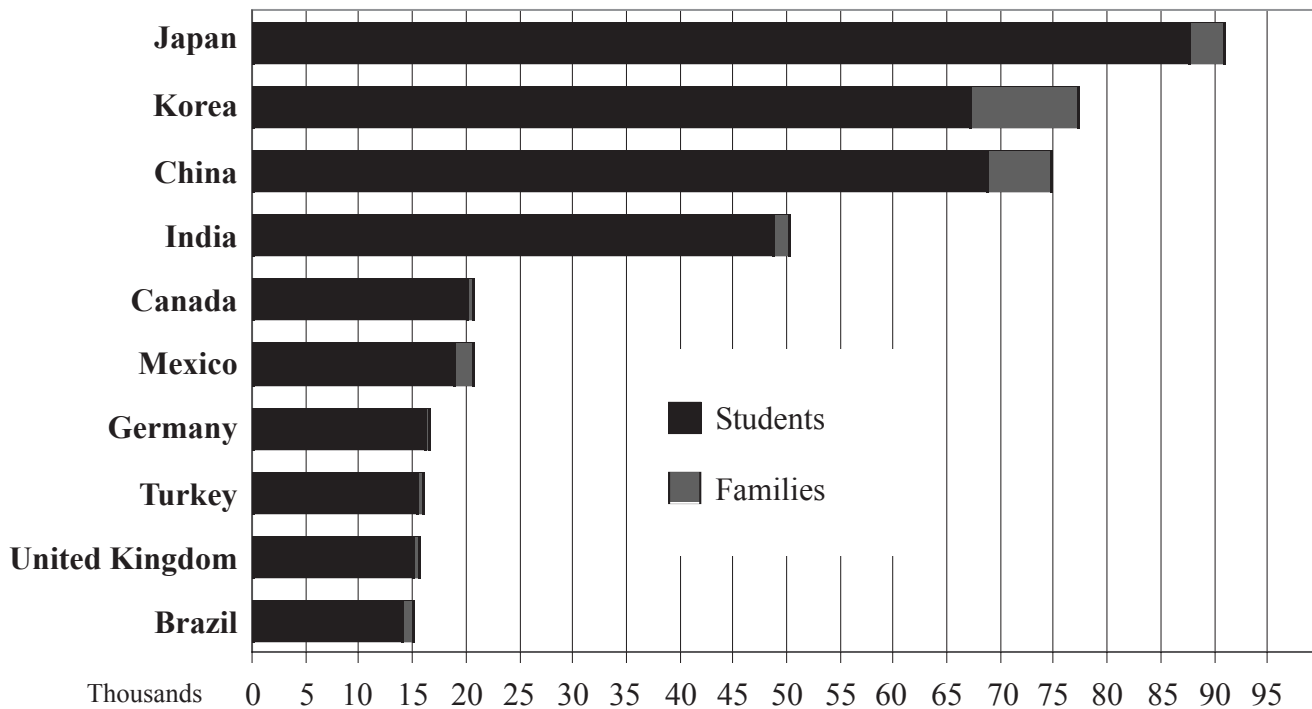
<sup>1</sup> Data for business and pleasure are not available separately due to temporary expiration of the Visa Waiver Program from May through October 2000.

<sup>2</sup> Removed from the Visa Waiver Program in February 2002.

<sup>3</sup> Includes Guam Visa Waiver Program admissions for countries not shown.

NOTE: Data include entries under the Guam Visa Waiver Program.

**Chart G**  
**Nonimmigrants Admitted as Students and Their Families from Top 10 Countries of Citizenship: Fiscal Year 2002**



NOTE: China includes the People's Republic of China and Taiwan. Source: Table 25.

million I-94 documented nonimmigrant admissions represents a decrease of more than 4.9 million (15.0 percent) from fiscal year 2001. Total nonimmigrant admissions numbered about 6.3 million during 1975 and steadily increased to about 11.8 million in both 1981 and 1982. The number stabilized at about 9.5 million from 1983 to 1985 (recording a low in 1984), then began a steady increase that continued from 1985 to 2000. The decrease from 2000 to 2001 was the first since 1983-84, with the decrease from 2001 to 2002 continuing that trend (Chart F).

**More than 27.9 million I-94 documented nonimmigrants were admitted to the United States in 2002.**

**Class of admission** (Tables 24-27, 30, 32)

Of the 27.9 million nonimmigrant admissions in fiscal year 2002, a large majority (87.2 percent) entered as visitors for pleasure (tourists) or visitors for business. There were more than 646,000 foreign student admissions recorded,

entering to pursue a full course of study (predominantly in academic institutions) in addition to more than 41,000 associated spouse and children admissions (Chart G and Table 25). Nearly 326,000 persons entered as exchange visitors to study, teach, or conduct research in the United States, bringing with them nearly 45,000 spouses and children (Chart H and Table 27).

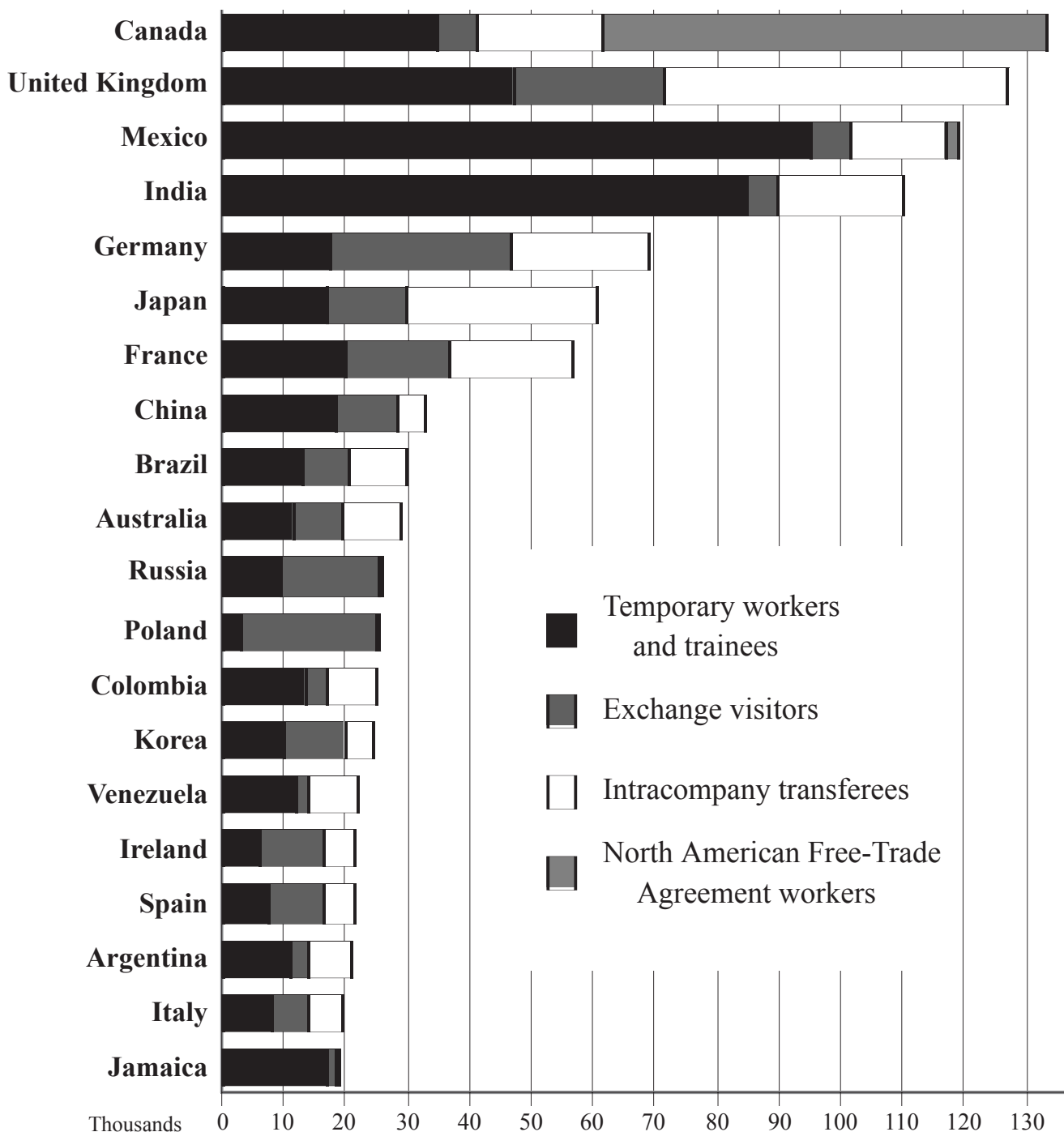
Nearly 253,000 representatives of foreign governments (less than 1 percent of total entries) entered the United States as nonimmigrants in 2002. This figure consists of: nearly 141,000 foreign government officials (including ambassadors, public ministers, career diplomats, and consular officers), family members, and attendants; more than 99,000 foreign representatives to international organizations (including families and attendants); and nearly 13,000 officials serving the North Atlantic Treaty Organization (NATO) (including family members).

**Country of citizenship** (Tables 25, 27-29, 31)

Nearly half of all nonimmigrants arriving in fiscal year 2002 were citizens of one of four countries: the United Kingdom (15.4 percent), Mexico (15.0), Japan (13.1), and

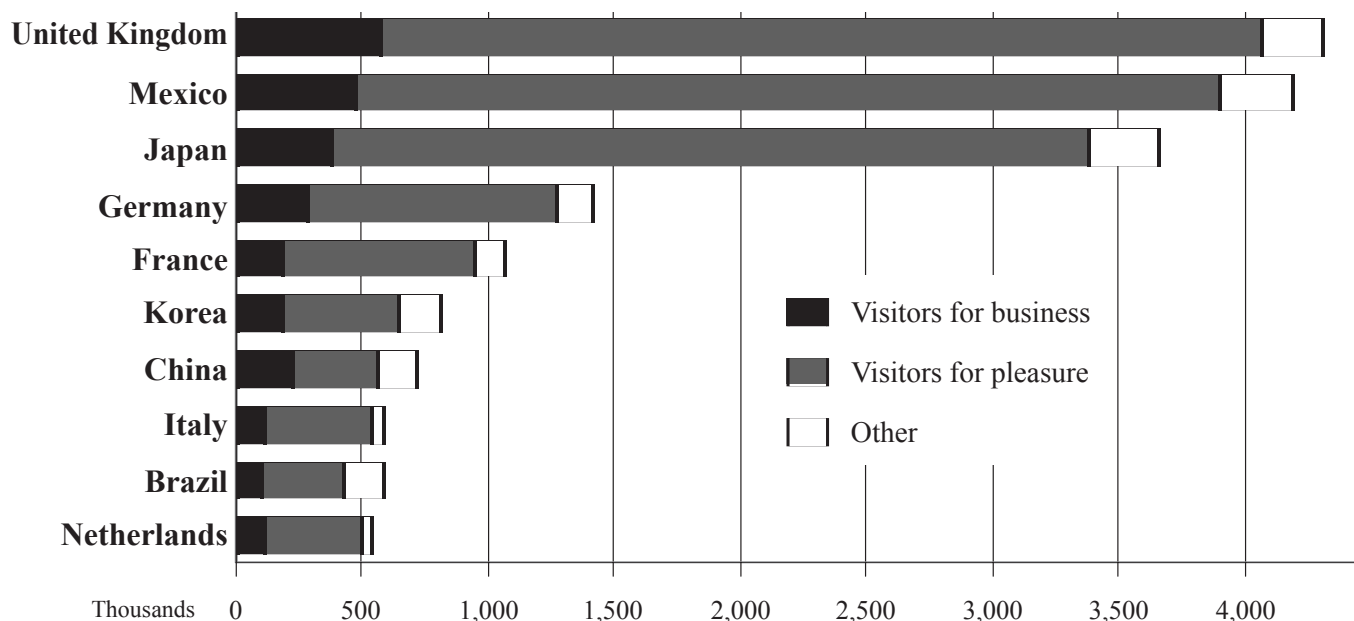
**Chart H**

**Nonimmigrants Admitted as Temporary Workers, Intracompany Transferees, and Exchange Visitors from Top 20 Countries of Citizenship: Fiscal Year 2002**



NOTE: China includes the People's Republic of China and Taiwan. "Temporary workers and trainees" includes admission classes H, O, P, Q, and R (see Nonimmigrant Admission section of text). Also, see Glossary for definitions of nonimmigrant classes of admission. Source: Table 27.

**Chart I**  
**Nonimmigrants Admitted by Selected Class of Admission from Top 10 Countries of Citizenship: Fiscal Year 2002**



NOTE: China includes the People's Republic of China and Taiwan. Source: Table 25.

Germany (5.0). Both the United Kingdom and Mexico surpassed Japan in total admissions for the first time in 2002.<sup>1</sup> Though all four countries sent fewer arrivals during 2002 than in 2001 Japan showed the largest percent decrease, at -28.0 percent (more than 1.4 million fewer). Other countries with a significant number of arrivals that showed a decrease of 20 percent or more between 2001 and 2002 were Argentina (-53.0 percent), Sweden (-26.0), Switzerland and Brazil (-21.1), and Italy (-20.1). Countries with a significant number of arrivals that showed an increase include Honduras (12.4 percent), New Zealand and Poland (9.0), and Ecuador (6.3). New Zealand was the only country that exhibited an increase in Visa Waiver Program admissions (11.2 percent).

**Port of entry (Table 28)**

Just as four countries dominated nonimmigrant admissions to the United States in 2002, so did four ports of entry. Miami (13.5 percent), New York and Los Angeles (10.8), and Honolulu (5.3) together accounted for 40 percent of

all entrants. The share of these four ports decreased slightly in 2002, due almost entirely to a significant reduction for New York (12.2 percent in 2001).

While total admissions declined significantly from fiscal year 2001 to 2002, several ports with substantial numbers of admissions showed increases, including Philadelphia (18.6 percent), El Paso (14.1), Nogales (7.4), and Houston (4.5). New York and Newark, NJ each were down about 25 percent.

**State of destination (Tables 30, 31)**

Five states were most often the destination of temporary visitors to the United States: Florida (16.1 percent of total admissions, 27 percent from the United Kingdom); California (12.9 percent of the total, 17 percent from Mexico and 13 percent from the United Kingdom); New York (10.2 percent of the total, 19 percent from the United Kingdom); Texas (6.7 percent of the total, 59 percent from Mexico); and Hawaii (5.3 percent of the total, 83 percent from Japan).

**Gender and age (Table 32)**

The largest 5-year age group for all nonimmigrant

<sup>1</sup> Increased use since 1997 of the INS Form I-94 for inspection of Mexican nationals has increased counts for Mexico.



**Table G**  
**Parolees Admitted by Selected Class of Admission from Top Five Countries of Citizenship:**  
**Fiscal Years 1998-2002**

Class of admission/ country of citizenship	1998	1999	2000	2001	2002
<b>All parolees .....</b>	<b>234,545</b>	<b>263,755</b>	<b>299,851</b>	<b>273,914</b>	<b>244,834</b>
<b>Deferred inspections .....</b>	<b>10,108</b>	<b>9,608</b>	<b>10,272</b>	<b>12,677</b>	<b>6,722</b>
Mexico .....	1,786	1,806	1,773	2,089	967
Canada .....	822	851	991	951	665
Cuba .....	212	399	362	1,540	320
United Kingdom .....	480	445	556	526	310
China <sup>1</sup> .....	333	349	347	645	206
Other .....	6,475	5,758	6,243	6,926	4,254
<b>Advance parolees .....</b>	<b>8,344</b>	<b>7,955</b>	<b>6,039</b>	<b>22,795</b>	<b>28,557</b>
Mexico .....	1,729	629	469	2,012	3,799
Canada .....	1,985	2,058	1,610	2,769	3,106
India .....	248	225	313	2,074	2,572
China <sup>1</sup> .....	269	353	474	2,280	2,514
United Kingdom .....	420	570	495	1,779	1,971
Other .....	3,693	4,120	2,678	11,881	14,595
<b>Port of entry parolees .....</b>	<b>169,357</b>	<b>196,409</b>	<b>241,625</b>	<b>198,495</b>	<b>171,114</b>
Mexico .....	55,290	51,928	51,163	42,134	30,663
Canada .....	11,234	15,170	17,734	14,737	13,090
India .....	5,940	7,314	14,583	12,619	11,750
China <sup>1</sup> .....	8,693	9,614	15,023	11,097	9,816
Cuba .....	940	2,773	5,066	6,492	8,341
Other .....	87,260	109,610	138,056	111,416	97,454
Humanitarian, public interest, and overseas parolees .....	46,736	49,783	41,915	39,947	38,441

<sup>1</sup> Includes the People's Republic of China and Taiwan.

admissions during fiscal year 2002 is 30-34 years, with nearly 13 percent of the total. For females the predominant age group is 25-29 years (12.9 percent of females); for males 30-34 (13.4 percent of males). Males account for 53.3 percent of total nonimmigrant admissions; more than 85 percent of intracompany transferees; nearly 76 percent of visitors for business; 75 percent of temporary workers and trainees; more than 73 percent of foreign government officials; and more than 70 percent of foreign information media. Females show a slight edge in arrivals as visitors for pleasure (51 percent) and for a category with fewer arrivals—the Legal Immigration Family Equity (LIFE) Act (60 percent).

## Parolees

*A parolee is an alien, appearing to be inadmissible to the inspecting officer, allowed to enter the United States under urgent humanitarian reasons or when that alien's entry is determined to be for significant public benefit.*

(See Glossary)

### Authority to grant parole

The Attorney General has the authority to allow the temporary admission of an alien on a case-by-case basis who may appear inadmissible but who enters the United

**Table H**  
**Parolees Admitted by Selected Category of Parole from Selected Country of Citizenship:**  
**Fiscal Years 1998-2002**

Class of admission/ country of citizenship	1998	1999	2000	2001	2002
<b>All selected parole categories .....</b>	<b>46,736</b>	<b>49,783</b>	<b>41,915</b>	<b>39,947</b>	<b>38,441</b>
<b>Overseas parolees .....</b>	<b>1,072</b>	<b>2,130</b>	<b>3,345</b>	<b>3,159</b>	<b>2,508</b>
Cuba .....	107	181	103	399	788
Ukraine .....	144	601	640	685	370
Russia .....	159	372	304	316	219
Mexico .....	86	112	92	59	203
Vietnam .....	101	138	176	202	88
Moldova .....	6	71	104	136	80
China <sup>1</sup> .....	47	20	135	184	79
Cambodia .....	9	10	39	122	69
Other .....	413	625	1,752	1,056	612
<b>Humanitarian parolees (medical and     related reasons) .....</b>	<b>25,141</b>	<b>22,571</b>	<b>22,933</b>	<b>18,374</b>	<b>16,708</b>
Mexico .....	18,292	16,106	15,948	9,291	6,312
Cuba .....	234	260	325	903	2,310
Honduras .....	66	68	291	1,034	1,739
El Salvador .....	742	1,077	699	935	1,724
Canada .....	1,802	1,620	1,704	1,957	1,345
Other .....	4,005	3,440	3,966	4,254	3,278
<b>Public interest parolees (legal and     related reasons) .....</b>	<b>20,523</b>	<b>25,082</b>	<b>15,637</b>	<b>18,414</b>	<b>19,225</b>
Cuba .....	13,547	16,768	8,760	9,574	12,772
Mexico .....	3,092	3,581	2,300	2,718	2,550
Canada .....	543	516	319	578	465
Ukraine .....	493	874	504	725	447
Russia .....	483	547	280	443	349
Other .....	2,365	2,796	3,474	4,376	2,642

<sup>1</sup> Includes the People's Republic of China and Taiwan.

States for urgent humanitarian reasons or when that alien's entry is determined to be for significant public benefit. Parole does not constitute formal admission to the United States. It confers only temporary status, and parolees are required to leave when the conditions supporting their admission are ended.

### U.S. Parole Program

Parolees are treated as nonimmigrants at port processing, but their numbers are not reported in the nonimmigrant admission data (Tables 24-32). They are classified into six categories: deferred inspections; port-of-entry paroles;

advance paroles; humanitarian; public interest; and overseas paroles. To simplify presentation, some of these categories are combined in Table G. In fiscal year 2002 the total number of parole entries was slightly less than 245,000, continuing a decline from the record high of nearly 300,000 reached in fiscal year 2000.

### Categories of parole

Deferred inspection is used when an alien does not appear to be clearly admissible based on the evidence at hand. The parole is issued and an appointment is made for the alien to appear at another INS office, where more

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## ***Nearly 245,000 parolees were admitted to the United States during 2002.***

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information is available and the inspection can be completed. These cases are usually resolved within two weeks, and, if admissible, the alien is admitted in the appropriate category. Parole may also be granted by advance application to an INS District Office. Advance parole is issued to an alien residing legally in the United States in other than lawful permanent resident status who has an unexpected need to travel abroad and return, and whose conditions of stay do not otherwise allow for readmission after temporary departure. Most commonly, parole is extended at ports of entry. These parole admissions comprised 70 percent of all paroles in fiscal year 2002. These cases are most common at the land border ports and often involve the reentry of lawful permanent residents who are not carrying their documents. Again, these cases are typically resolved rapidly when the documents are produced.

The more exceptional instances of parole arise in emergencies or special situations. People may be admitted under humanitarian parole to receive medical treatment or because they are injured or acutely ill. They may be brought to the United States under public interest parole to take part in legal proceedings as witnesses or defendants, or as part of a special overseas program undertaken in an agreement with another government. The latter category is the only one that may result in a long-term admission to the United States.

### **Country of citizenship**

Table G displays the total number of parolees admitted from fiscal year 1998 through fiscal year 2002 by major categories of parole. Within the deferred inspections, advance parole, and port-of-entry categories, the 5 countries accounting for the largest number of parole admissions in fiscal year 2002 are shown. Total parole admissions declined by 10.6 percent in fiscal year 2002 compared to fiscal year 2001, and by 18.3 percent compared to the all-time high reached in fiscal year 2000. As in previous years our neighboring countries, Canada and Mexico, account for the largest number of paroles in the deferred inspections, port-of-entry, and advance parole categories.

Deferred inspections decreased by nearly half in 2002 compared to 2001, while advance paroles increased to more than 28,000, more than four times the level observed in 2000 and earlier years. The growth in the use of advance parole is thought to be caused in part by the backlog of applications for adjustment to lawful permanent resident status in 2001 and 2002. In addition, tightened security measures taken following September 11, 2001 may have been partly responsible for the drop in the use of deferred inspection and the increase in advance paroles by aliens wanting to ensure their readmission after departure. The major decline in the use of parole came in the port-of-entry category (a 29.2 percent decline since 2000) and was observed among most countries, including Mexico and others with many parole admissions.

Table H presents more detail for the same years regarding admissions in the overseas and humanitarian parole categories, in which admissions fell, and the public interest parole category, which increased slightly. Cubans accounted for two-thirds of the public interest parole admissions and were also the largest single nationality in the overseas parole category. Most Cubans continued to be admitted under the 1994 migration agreement with Cuba. Many of the overseas paroles were extended to persons from Ukraine, Russia, and other former Soviet republics; if the former Soviet Union were counted as one country, it would have been the largest in the overseas parole category, with 803 admissions in fiscal year 2002. Most of the parolees from Vietnam, Cambodia, and the former Soviet Union arrived under special legislation after being denied refugee status.<sup>2</sup> These persons are allowed to adjust to immigrant status after one year of residence in the United States.

More than 46 percent of the humanitarian parole admissions granted in fiscal year 2002 for medical and related reasons were from Canada and Mexico, and humanitarian parole was also used to admit significant numbers from Honduras and El Salvador. The rest came in small numbers from many other countries. A number of the annual admissions under public interest parole for legal and related reasons are also from Canada and Mexico, but the major increase in this category in 2002 was among Cubans. If counted as one country, the former Soviet Union had 1,073 public interest parole admissions.

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<sup>2</sup> The Foreign Operations Act of November 21, 1989. This provision is commonly known as the Lautenberg Amendment.

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### **Notes on the parole data**

Several changes were made in the presentation of the parole data in fiscal year 2000 and continued in subsequent years. The corresponding changes were made retroactively in the data for fiscal years 1998 and 1999 in Tables G and H. First, the data for the independent republics of the former Soviet Union are no longer combined. This affects the ranking of the countries in the tables, since the former Soviet Union as a whole accounted for a significant share of the paroles in some categories. Second, the practice of combining the humanitarian and public interest parolees from countries with special programs into the overseas parole category is no longer being followed, and the data are presented without this editing step. Most Cubans admitted under the 1994 migration agreement are now being classified under public interest parole, but Cubans appear in significant numbers in other parole categories as well. Parolees from Vietnam and the republics of the former Soviet Union may be classified under overseas or public interest parole. Third, from May 1 through the end of October 2000, the public interest parole authority was used to admit more than 9 million temporary visitors after the Visa Waiver Pilot Program expired without being reauthorized. Although procedures were adopted to distinguish these paroles from ordinary public interest paroles in the data, analysis indicates that the distinction was not made correctly in every case. For this reason, interpretation of the public interest parole data for fiscal year 2000, and to a lesser extent fiscal year 2001, should be made with caution.

## **Understanding the Data**

### **Data Collection**

The Nonimmigrant Information System (NIIS) is designed to provide for each nonimmigrant entry a record of legal admission and departure. The system also produces statistics for such variables as age, gender, country of citizenship, class of admission, visa-issuing post, port of entry, and destination in the United States.

As mentioned, many nonimmigrants enter and leave the United States more than once each year, and the NIIS system records each entry (and departure) separately. The data system records each arrival/departure event via collection of a separate INS Form I-94; thus, admission data represent each arrival event during the year rather than the actual number of individuals admitted. Nonimmigrants in several classes of admission often enter (and leave) many times in any given year, especially students, intracompany transferees, and visitors for business.

A description of the principal steps in the process of nonimmigrant admission to the United States is useful for understanding the data produced by the NIIS system. A nonimmigrant visa is secured at a U.S. Consulate abroad (except for those entering under the Visa Waiver Program—see Visa Waiver Program section). These visas may be valid for multiple visits to the United States. Prior to departing for the United States, nonimmigrants are screened initially by the transportation company to ensure that their documents are in order. During the trip, INS Form I-94 is distributed to non-U.S. citizens.

At the port of entry, each arriving nonimmigrant presents a visa (or proof of visa waiver status), which usually is stamped in the passport, and a completed INS Form I-94 to an immigration inspector. Among other actions, the inspector checks the form for completeness, determines the length of admission, and stamps the class of admission and port of entry on the form. The arrival portion is torn off and sent to a central data processing facility. The matching departure section of the form, usually stapled into the passport, is the nonimmigrant's proof of legal admission to the United States. This section of the I-94, collected at departure, also is sent to the data processing facility where it is processed and matched electronically to the arrival section of the form.

### **Other temporary visitors**

The Nonimmigrant Information System also includes information on parolees (see Parolees section), withdrawals, stowaways, refugees, and crewmen. Data for crewmen have historically been a very limited subset of arrivals. Improvements in collection and processing of forms during fiscal year 2002 have produced more complete counts for all types of crewmen (air and sea, cargo and pleasure conveyances). However, procedures for inspecting and documenting crewmen admissions render such counts incomplete. Data are not shown in the nonimmigrant tables for any of these classes of admission but are included in footnotes to the appropriate tables.

### **Temporary visitor information not collected**

The Nonimmigrant Information System does not include data for permanent resident aliens returning to the United States after short visits abroad or for most of the millions of citizens of Canada and Mexico who cross U.S. land borders for brief periods of time. Most Canadian and Mexican citizens and certain other aliens, including those residing in some Caribbean islands, do not require documentation in

the NIIS system.<sup>3</sup> Canadians may travel for business or pleasure without travel restrictions for a period of six months without obtaining nonimmigrant visas. Mexicans crossing the border frequently may apply for border crossing cards, which can be used for admission to the United States for business or pleasure within 25 miles of the Southwestern border for a period not to exceed 72 hours. Many Mexican visitors obtain Form I-94s that allow multiple visits and are valid for 6 months (mostly those whose travel in the United States will exceed 25 miles or whose stay will exceed 72 hours). Inspection policy for Mexican temporary visitors has changed over the past several years leading to the collection of the I-94 for a greater proportion of visitors from that country. However, visitation without benefit of this form remains vastly larger.

## Limitations of Data

Counts for unknown class of admission increased sharply in fiscal year 2002 (Tables 24-26, 30, and 32) due to a processing change in the data base. Certain class of admission codes previously assigned to the visitors for pleasure category were designated as unknown class for fiscal year 2002.

The tables on parole admissions in fiscal year 1998 reflect a later edition of the data than was available for production of the report entitled, *Use of the Attorney General's Parole Authority Under the Immigration and Nationality Act: Fiscal Years 1997-1998*.

### Missing information

There are gaps in the historical nonimmigrant data series due to the unavailability of arrival and departure records for July to September 1979, all of 1980, and for most characteristics for 1981 and 1982. Country of last residence and class of admission are the only variables available for 1981 and 1982. No reliable data are available for 1997.

## H-1B Temporary Workers

*An H-1B temporary worker is an alien admitted to the United States to perform services in "specialty occupations," based on professional education, skills, and/or equivalent experience.* (See Glossary)

<sup>3</sup> Exempt from the use of INS Form I-94 are: certain British, French, and Netherlands nationals residing in certain Caribbean islands and arriving from the Western Hemisphere; citizens of Bermuda; and citizens of the Republic of the Marshall Islands and Federated States of Micronesia.

**Table I**  
**H-1B Petitions Filed and Approved by Type:**  
**Fiscal Year 2002**

Type of petition	Petitions filed	Petitions approved
All petitions .....	215,190	197,537
Initial beneficiaries .....	109,576	103,584 <sup>1</sup>
Aliens outside U.S. ....	37,923	36,494 <sup>1</sup>
Aliens in U.S. ....	71,653	67,090 <sup>1</sup>
Continuing beneficiaries .....	105,614	93,953

<sup>1</sup> Petitions approved in fiscal year 2002 that may have qualified as counting towards the numerical limit of 195,000 based on rules existing prior to the enactment of AC21 and before adjustment for multiple petitions and revocations.

## H-1B Program

The Immigration and Naturalization Service is responsible for the processing and approval of H-1B petitions submitted by domestic employers and their representatives on behalf of nonimmigrant workers seeking temporary employment within the United States. The H-1B nonimmigrant classification permits foreign professionals to enter the United States on a temporary basis to work in their field of expertise.

Under the H-1B program, specialty workers are permitted to be employed for as long as three years initially with extensions not exceeding three years. The maximum stay is six years. In order to perform services in a specialty occupation, an employee must meet one of the following criteria: 1) hold a U.S. 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 U.S. 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 the INS, the equivalent of the degree required by the specialty occupation acquired through a combination of education, training, and/or experience. Specialty occupations include computer systems analysts and programmers, physicians, professors, engineers, and accountants.

**Table J. Profile of H-1B Beneficiaries by Top 10 Countries of Birth: Fiscal Year 2002**

Country of birth	All beneficiaries	Initial beneficiaries (percent)	Continuing beneficiaries (percent)	Initial and continuing beneficiaries				
				Median age (years)	Median income (dollars <sup>1</sup> )	Bachelor's degree or higher (percent <sup>2</sup> )	Master's degree or higher (percent <sup>2</sup> )	Computer-related occupation (percent <sup>2</sup> )
<b>All countries .....</b>	<b>197,537</b>	<b>52</b>	<b>48</b>	<b>30</b>	<b>53,000</b>	<b>98</b>	<b>48</b>	<b>38</b>
India .....	64,980	32	68	29	60,000	99	43	73
China, People's Rep. ....	18,841	63	37	32	48,000	100	85	28
Canada .....	11,760	67	33	34	70,000	94	39	24
Philippines .....	9,295	72	28	32	38,000	99	15	17
United Kingdom ....	7,171	58	42	33	68,000	92	36	17
Korea .....	5,941	65	35	34	42,000	98	59	14
Japan .....	4,937	60	40	31	38,000	97	37	9
Taiwan .....	4,025	59	41	31	42,000	99	71	24
Pakistan .....	3,810	51	49	31	50,000	99	50	39
Colombia .....	3,320	71	29	32	38,000	98	29	9

<sup>1</sup> Rounded to the nearest thousand dollars. <sup>2</sup> Based on all beneficiaries with known level of income, education, or occupation.

In order to sponsor a foreign worker under the H-1B program, an employer must first file an application with the Department of Labor specifying the job, the salary, and the length and site of employment. In addition, the employer must agree to pay the prevailing salary and provide proof that the pay is fair. Once the Department of Labor certifies the application, U.S. employers file the petition with the INS to sponsor an alien worker as an H-1B nonimmigrant. This petition may be filed to sponsor an alien for an initial period of H-1B employment or to extend the authorized stay of an alien as an H-1B nonimmigrant. 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 might be made to extend the authorized stay of the H-1B worker. For example, an employer may file an amended petition notifying the INS of a different location where the H-1B worker will be employed or a material change in the H-1B worker's job duties. Therefore, the total number of approved petitions exceeds the actual number of aliens who are provided nonimmigrant status as H-1B.

The Immigration and Naturalization Act, as amended by the Immigration Act of 1990 and the American

Competitiveness and Workforce Improvement Act of 1998 (ACWIA), regulates H-1B policy as well as guides H-1B procedures. Under ACWIA, the annual ceiling of H-1B petitions valid for initial employment was increased from 65,000 to 115,000 in fiscal years 1999 and 2000 and 107,500 in 2001. The enactment of the American Competitiveness in the Twenty-first Century Act (AC21) in October 2000 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.

**More than 215,000 H-1B petitions were filed and nearly 198,000 approved during 2002.**

### Data Overview

#### Petitions filed and approved (Table I)

The terms initial employment and continuing employment are used throughout this section on H-1B petitions 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

**Table K. Profile of H-1B Beneficiaries by Top 10 Occupations: Fiscal Year 2002**

Occupation	All beneficiaries	Initial and continuing beneficiaries		
		Initial beneficiaries (percent)	Continuing beneficiaries (percent)	Leading country of birth (percent)
<b>All occupations .....</b>	<b>197,537</b>	<b>52</b>	<b>48</b>	<b>India (33)</b>
Computer-related .....	75,114	34	66	India (63)
Architecture, engineering, and surveying .....	25,197	57	43	India (23)
Administrative specializations .....	21,103	66	34	India (13)
Education .....	20,613	68	32	PRC (17)
Medicine and health .....	12,920	61	39	India (20)
Managers and officials n.e.c. ....	10,610	63	37	India (11)
Life sciences .....	6,910	68	32	PRC (28)
Social sciences .....	5,547	67	33	India (13)
Mathematics and physical sciences .....	5,443	63	37	PRC (26)
Miscellaneous professional, technical, and managerial .....	4,940	64	36	India (14)

annual cap.<sup>4</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 six years, the maximum period permissible under law during fiscal year 2001.<sup>5</sup> Sequential employment refers to petitions for workers transferring between H-1B employers within the six-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.

The number of H-1B petitions filed in fiscal year 2002 was approximately 215,000, of which 109,000 or 51 percent were for initial employment.<sup>6</sup> The remaining 106,000 or 49

percent were for extensions of status, and sequential or concurrent employment. The corresponding numbers for fiscal year 2001 were 342,000 petitions filed, of which 202,000 (59 percent) were for initial and 140,000 (41 percent) were for continuing employment. The number of petitions filed decreased by 37 percent in 2002 over 2001.

During the same period, the INS approved about 198,000 H-1B petitions submitted by employers on behalf of alien workers. In some cases, more than one U.S. employer submitted a petition on behalf of an individual H-1B worker (multiple petitions); therefore, the number of approved petitions exceeds the number of individual H-1B workers. *The references in the tables and chart to beneficiaries (see definition 1 of H-1B Beneficiary in Glossary) represent petitions approved (rather than individual workers approved).* In fiscal year 2001, approximately 331,000 petitions were approved.

Of the petitions approved in fiscal year 2002, about 104,000 petitions or 52 percent were for initial employment.<sup>7</sup> Approximately 65 percent of the

<sup>4</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>5</sup> Enactment of AC21 amended the 6-year limitation for certain aliens (Public Law 106.313, Sec. 104(c) and 106).

<sup>6</sup> The number of petitions counting against the cap was 79,000. This number excludes multiple petitions of individuals as well as petitions for employment with institutions of higher education and certain non-profit organizations.

<sup>7</sup> AC21 raised the cap on initial employment from 65,000 to 195,000 in fiscal years 2002 and 2003.

**Table K. Profile of H-1B Beneficiaries by Top 10 Occupations:  
Fiscal Year 2002—Continued**

Occupation	Initial and continuing beneficiaries			
	Median age (years)	Median income (dollars <sup>1</sup> )	Master's degree or higher (percent <sup>2</sup> )	Leading industry (percent <sup>2</sup> )
<b>All occupations .....</b>	<b>30</b>	<b>53,000</b>	<b>48</b>	<b>Computer systems design and related services (28)</b>
Computer-related .....	29	60,000	38	Computer systems design and related services (65)
Architecture, engineering, and surveying .....	31	57,000	48	Architectural, engineering, and related services (32)
Administrative specializations .....	30	41,000	34	Accounting, tax preparation, bookkeeping, and payroll services (17)
Education .....	34	36,000	75	Colleges, universities, and professional schools (67)
Medicine and health .....	32	46,000	68	General medical and surgical hospitals (26)
Managers and officials n.e.c. ....	33	59,000	34	Computer systems design and related services (8)
Life sciences .....	33	38,000	85	Colleges, universities, and professional schools (37)
Social sciences .....	29	44,000	42	Management, scientific, and technical consulting services (11)
Mathematics and physical sciences .....	32	55,000	80	Scientific research and development services (29)
Miscellaneous professional, technical, and managerial .....	30	53,000	48	Management, scientific, and technical consulting services (16)

<sup>1</sup> Rounded to the nearest thousand dollars. <sup>2</sup> Based on all beneficiaries with known level of income, education, or occupation.

Note: n.e.c. represents not elsewhere classified. PRC represents People's Republic of China.

beneficiaries of initial employment were in the United States in another nonimmigrant status.<sup>8</sup> The corresponding number of petitions for continuing employment was 94,000.<sup>9</sup> In fiscal year 2001, 61 and 39 percent of the petitions approved were for initial and continuing beneficiaries, respectively.

The number of H-1B petitions approved presented in this section and the number of H-1B temporary workers admissions reported previously in the Nonimmigrants section are not comparable because they measure different

populations. Petitions approved pertain to H-1B petitions authorizing temporary employment for specialty workers, whether they are in the United States or overseas, while admissions represent H-1B workers arriving from abroad. H-1B petitions can be approved for aliens changing nonimmigrant status without leaving the United States. Most significantly, H-1B workers can be admitted multiple times using a single petition, and admitted with a petition approved in a prior fiscal year.

**Common characteristics of beneficiaries**

The typical H-1B beneficiary whose petition was approved in fiscal year 2002 had the following characteristics: born in India; 30 years old; holding a bachelor's degree; working in a computer-related occupation; and receiving an annual compensation of \$53,000. Twenty-four percent of all beneficiaries were born in India, had either a bachelor's or master's degree, and were employed in a computer-related

<sup>8</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 website (<http://www.immigration.gov/graphics/index.htm>).

<sup>9</sup> Neither AC21 nor prior legislation establishes a cap on H-1B petitions for continuing employment.



**Table L. Profile of H-1B Beneficiaries by Top 10 Industries: Fiscal Year 2002**

Industry (NAICS code)	All beneficiaries	Initial and continuing beneficiaries		
		Initial beneficiaries (percent)	Continuing beneficiaries (percent)	Leading country of birth (percent)
<b>All industries</b> <sup>1</sup> .....	<b>197,537</b>	<b>52</b>	<b>48</b>	<b>India (34)</b>
Computer systems design and related services (5415) .....	50,776	33	67	India (68)
Colleges, universities, and professional schools (6113) .....	18,401	65	35	PRC (26)
Architectural, engineering, and related services (5413) .....	8,963	60	40	India (21)
Management, scientific, and technical consulting services (5416) .....	7,458	55	45	India (39)
Scientific research and development services (5417) .....	6,695	63	37	PRC (24)
Telecommunications (5133) .....	4,357	41	59	India (38)
Elementary and secondary schools (6111) .....	3,983	76	24	India (18)
Accounting, tax preparation, bookkeeping, and payroll services (5412) .....	3,507	62	38	India (16)
General medical and surgical hospitals (6221) .....	3,442	58	42	India (24)
Securities and commodity contracts intermediation and brokerage (5231) .....	2,917	54	46	India (21)

occupation.<sup>10</sup> The corresponding percentage in fiscal year 2001 was 41 percent. The beneficiaries continuing in H-1B status were one year older and earned \$15,000 more annually than the typical initial beneficiaries.

**Profile of beneficiaries by country of birth**

(Table J)

The relative share of beneficiaries from India in the H-1B program declined sharply in fiscal year 2002 in relation to 2001 from one half to one third of the total. A distant second were beneficiaries from the People’s Republic of China, accounting for almost 10 percent. In fiscal year 2001, approximately 49 percent and 8 percent of beneficiaries were from India and the People’s Republic of China, respectively.

As indicated in Chart J and Table J, 85 and 71 percent of beneficiaries born in the People’s Republic of China and Taiwan, respectively had at least a master’s degree, the

highest percent among countries listed. On the other hand, 15 and 29 percent of beneficiaries born in the Philippines and Colombia, respectively, had a master’s degree or higher.

The youngest beneficiaries, with a median age of 29, were born in India while the oldest, with a median age of 34, were born in Canada and Korea. In fiscal year 2001, the median age of Indians was also 28 years. The median age of beneficiaries in all countries was 30 years, one year more than in fiscal years 2000 and 2001.

Median income ranged from \$38,000 for beneficiaries born in Colombia, Japan, and the Philippines to \$70,000 for beneficiaries born in Canada. The median income was \$53,000 for beneficiaries from all countries, 3 percent lower than the overall median income in fiscal year 2001.

Ninety-seven percent of beneficiaries of all countries held a bachelor’s degree or higher, and 47 percent at least a master’s degree. The corresponding percents in fiscal year 2001 were 98 and 41. Seventy-three percent of

<sup>10</sup> Every percentage shown about H-1B beneficiaries is based on the total number of reported values for a particular characteristic.

**Table L. Profile of H-1B Beneficiaries by Top 10 Industries: Fiscal Year 2002—Continued**

Industry (NAICS code)	Initial and continuing beneficiaries			
	Median income (dollars <sup>1,2</sup> )	Median age (years)	Master's degree or higher (percent <sup>1</sup> )	Leading occupation (percent <sup>1</sup> )
<b>All industries <sup>1</sup></b> .....	<b>55,000</b>	<b>30</b>	<b>48</b>	<b>Computer-related (39)</b>
Computer systems design and related services (5415) .....	60,000	29	36	Computer-related (90)
Colleges, universities, and professional schools (6113) .....	37,000	34	93	Education (70)
Architectural, engineering, and related services (5413) .....	48,000	31	44	Architecture, engineering, and surveying (81)
Management, Scientific, and Technical Consulting Services (5416) .....	55,000	29	43	Computer-related (39)
Scientific research and development services (5417) .....	54,000	33	82	Life sciences (35)
Telecommunications (5133) .....	70,000	30	48	Computer-related (56)
Elementary and secondary schools (6111) .....	33,000	33	31	Education (94)
Accounting, tax preparation, bookkeeping, and payroll services (5412) .....	42,000	30	36	Administrative specializations (87)
General medical and surgical hospitals (6221) .....	42,000	32	81	Medicine and health (91)
Securities and commodity contracts intermediation and brokerage (5231) .....	75,000	28	45	Computer-related (24)

<sup>1</sup> Based on all beneficiaries with known level of industry, income, education, or occupation. <sup>2</sup> Rounded to the nearest thousand dollars.

Note: NAICS refers to North American Industry Classification System. For additional information on NAICS codes, visit the website of the National Technical Information Service at <http://www.ntis.gov>. PRC represents People's Republic of China.

beneficiaries born in India had a computer-related occupation. For beneficiaries of all countries, the percentage was 38, a decline from 58 percent in fiscal year 2001. Of the top 10 countries, only beneficiaries from India and Pakistan (39) exceeded the average percentage. Without India, the percentage of beneficiaries employed in computer-related occupations drops to 14 percent. In 2001, the corresponding percentage was 32.

**Profile of beneficiaries by occupation**  
(Table K)

Sixty-three percent of H-1B beneficiaries in computer-related occupations were born in India, down from 71 percent in 2001. In no other occupation did a country have a majority of beneficiaries. Other characteristics of beneficiaries in computer-related occupations were a median age of 29 and a median income of \$60,000. The corresponding numbers in 2001 were 28 and \$58,000. Additionally, 48 percent held at least a master's degree and

28 percent were employed in computer systems design and related services.

Besides computer-related occupations, India-born beneficiaries held the lead in other numerically-significant occupations: architecture, engineering, and surveying (23 percent); administrative specializations (13 percent); medicine and health (20 percent); managers and officials not elsewhere classified (11 percent); social sciences (13 percent); and miscellaneous professional, technical, and managerial (14 percent).

Besides computer-related occupations and computer systems design and related services, close relationships existed between other occupations and industries. Two-thirds of educators were employed in colleges, universities, and professional schools, and 80 percent of beneficiaries in law and jurisprudence were employed in legal services (not shown).

**Table M. Median Annual Compensation of H-1B Beneficiaries by Age and Top 10 Occupations: Fiscal Year 2002**

Occupation	All beneficiaries	Median compensation (dollars) by age of beneficiary						
		All ages	Under 25 years	25-29 years	30-34 years	35-39 years	40 years and older	Unknown age
<b>All occupations .....</b>	<b>195,196<sup>1</sup></b>	<b>53,000</b>	<b>46,000</b>	<b>53,000</b>	<b>56,000</b>	<b>54,000</b>	<b>52,000</b>	<b>48,000</b>
Computer-related .....	74,641	60,000	55,000	60,000	63,000	65,000	67,000	60,000
Architecture, engineering, and surveying .....	24,942	57,000	50,000	54,000	60,000	62,000	62,000	47,000
Administrative specializations	20,810	41,000	37,000	41,000	45,000	42,000	40,000	40,000
Education .....	20,265	36,000	30,000	33,000	36,000	37,000	39,000	33,000
Medicine and health .....	12,649	46,000	37,000	40,000	47,000	71,000	60,000	45,000
Managers and officials n.e.c.	10,495	59,000	36,000	45,000	60,000	72,000	75,000	42,000
Life sciences .....	6,865	38,000	31,000	35,000	37,000	39,000	43,000	40,000
Social sciences .....	5,448	44,000	42,000	42,000	50,000	45,000	40,000	50,000
Mathematics and physical sciences .....	5,399	55,000	47,000	52,000	55,000	57,000	60,000	42,000
Miscellaneous professional, technical, and managerial	4,882	53,000	45,000	50,000	65,000	51,100	47,000	55,000

<sup>1</sup> Less than the 197,537 shown in prior tables because 2,341 petitions were missing annual compensation. Note: n.e.c. represents not elsewhere classified.

**Profile of beneficiaries by industry** (Table L)

Of the top 10 industries, only colleges, universities, and professional schools, elementary and secondary schools, and general medical and surgical hospitals increased their employment of H-1B beneficiaries between 2001 and 2002, by 20, 20, and 22 percent, respectively. In sharp contrast, the number of petitions approved for work in computer systems design and related services dropped by 64 percent.

Twenty-eight percent of all beneficiaries were employed in computer systems design and related services, a big drop from 47 percent in fiscal year 2001. The percentage of initial beneficiaries among these workers declined from 60 percent in 2001 to 33 percent in 2002. Sixty-eight percent of these beneficiaries were born in India. These beneficiaries had a median age of 29, earning a median income of \$60,000. Additionally, 36 percent held at least a master's degree and 90 percent were in computer-related occupations.

The least compensated beneficiaries, with a median income of \$33,000, were employed in elementary and

secondary schools, and the most compensated, with a median income of \$75,000, were employed in securities, and commodity contracts intermediation and brokerage.

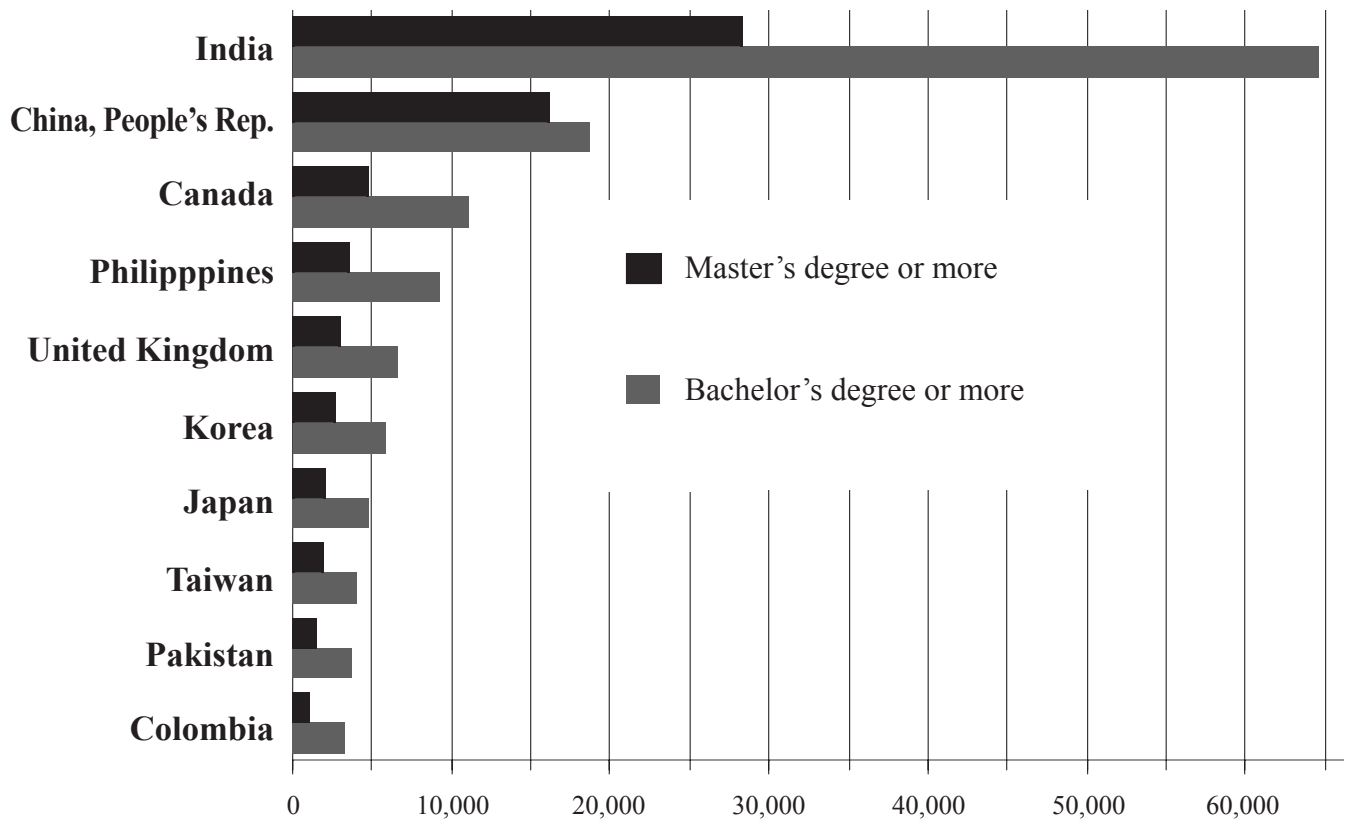
Ninety-three percent of H-1B employees in colleges, universities, and professional schools held at least a master's degree, the highest of any top 10 industry. The lowest percent was 31 in elementary and secondary schools.

**Annual compensation by age and occupation of beneficiaries** (Table M)

For all beneficiaries median annual compensation was \$53,000, with a peak at \$56,000 for workers in their thirties.

For any occupation and age group the highest compensated beneficiaries, at a median level of approximately \$75,000, were managers and officials not elsewhere classified and over 39 years old. The lowest, compensated at about \$30,000, were education workers under age 25.

**Chart J**  
**H-1B Beneficiaries from Top 10 Countries of Birth by Level of Education:**  
**Fiscal Year 2002**



**Education by occupation of beneficiaries**

(Table N)

Ninety-seven and 47 percent of all beneficiaries held at least a bachelor's or master's degree, respectively. Five percent had a professional degree and another 12 percent had a doctorate degree. The big shift from 2001 was the increase from 7 to 12 percent of beneficiaries with a doctorate degree and from 3 to 5 percent with a professional degree.

For beneficiaries in computer-related occupations, 62 percent had no more than a bachelor's degree and 98 percent no more than a master's degree.

**Annual compensation by education and occupation of beneficiaries** (Table O)

Beneficiaries with a bachelor's degree—the most numerous group—had a median income of \$50,000, 6 percent lower than in fiscal year 2001. Their income was lower than all other education levels, except

beneficiaries with a doctorate. The doctorate holders had a relatively low median income (\$47,000) because so many (42 percent) were employed as low-paid educators.

Beneficiaries with at most a master's degree fared better. Their median income was \$58,000, \$2,000 less than in fiscal year 2001. Median compensation for H-1B workers with professional degrees and doctorates decreased in fiscal year 2002 over fiscal year 2001 by \$7,000 to \$58,000, and by \$8,000 to \$47,000, respectively.

**Understanding the Data**

**Data Collection**

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

**Table N. H-1B Beneficiaries by Education and Top 10 Occupations: Fiscal Year 2002**

Occupation	All beneficiaries	Education of beneficiary					Unknown
		Less than Bachelor's degree	Bachelor's degree	Master's degree	Professional degree	Doctorate degree	
<b>All occupations .....</b>	<b>197,537</b>	<b>3,975</b>	<b>99,436</b>	<b>60,022</b>	<b>10,493</b>	<b>23,323</b>	<b>288</b>
Computer-related .....	75,114	916	45,554	26,781	131	1,652	80
Architecture, engineering, and surveying .....	25,197	569	12,485	9,327	140	2,636	40
Administrative specializations .....	21,103	492	13,362	6,889	183	164	13
Education .....	20,613	81	5,027	4,003	1,632	9,830	40
Medicine and health .....	12,920	48	4,055	1,072	6,392	1,332	21
Managers and officials n.e.c. ....	10,610	614	6,338	3,164	144	343	7
Life sciences .....	6,910	33	987	1,314	621	3,946	9
Social sciences .....	5,547	84	3,143	2,035	38	237	10
Mathematics and physical sciences .....	5,443	31	1,073	1,571	71	2,692	5
Miscellaneous professional, technical, and managerial .....	4,940	117	2,430	2,008	127	256	2

Note: n.e.c. represents not elsewhere classified.

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.

Biographical data such as name, date of birth, and country of birth are entered from the petition by data entry clerks into the Computer-Linked Application Information Management System (CLAIMS3) case-tracking system. 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 the corresponding information is entered into the tracking system. Otherwise, additional information is sought by

the adjudicator from the sponsoring employer. A response from the employer must be made within a set period of time or 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.

## Limitations of Data

Historical data on H-1B petitions filed and approved is incomplete before fiscal year 2000. The availability of comprehensive H-1B data does not begin until fiscal year 2000,<sup>11</sup> a direct response to the aforementioned ACWIA.

The tables in this report have been tabulated from an extract file created at headquarters from INS service center 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

<sup>11</sup> The reports, *Characteristics of Specialty Occupation Workers (H-1B)—Fiscal Year 2000 and Fiscal Year 2001*, are available at the H-1B and statistical reports section of the Bureau of Citizenship and Immigration Services website (<http://www.immigration.gov/graphics/index.htm>).

**Table O. Median Annual Compensation of H-1B Beneficiaries by Education and Top 10 Occupations: Fiscal Year 2002**

Occupation	All beneficiaries	Median compensation (dollars) by education of beneficiary						
		All education levels	Less than Bachelor's degree	Bachelor's degree	Master's degree	Professional degree	Doctorate degree	Unknown
<b>All occupations .....</b>	<b>195,196<sup>1</sup></b>	<b>53,000</b>	<b>64,000</b>	<b>50,000</b>	<b>58,000</b>	<b>58,000</b>	<b>47,000</b>	<b>48,000</b>
Computer-related .....	74,641	60,000	69,000	60,000	62,000	63,000	80,000	60,000
Architecture, engineering, and surveying .....	24,942	57,000	64,000	52,000	60,000	64,000	75,000	63,000
Administrative specializations	20,810	41,000	48,000	38,000	50,000	54,000	80,000	35,000
Education .....	20,265	36,000	33,000	32,000	36,000	37,000	40,000	39,000
Medicine and health .....	12,649	46,000	45,000	40,000	42,000	84,000	39,000	82,000
Managers and officials n.e.c.	10,495	59,000	55,000	48,000	75,000	89,000	104,000	55,000
Life sciences .....	6,865	38,000	40,000	35,000	40,000	34,000	39,000	32,000
Social sciences .....	5,448	44,000	40,000	40,000	51,000	60,000	70,000	42,000
Mathematics and physical sciences .....	5,399	55,000	41,000	48,300	54,000	56,000	60,000	61,000
Miscellaneous professional, technical, and managerial	4,882	53,000	50,000	43,000	64,000	45,000	79,000	17,000

<sup>1</sup> Less than the 197,537 shown in prior tables because 2,341 petitions were missing annual compensation. Note: n.e.c. represents not elsewhere classified.

service centers, or improperly transferred electronically between the service centers and headquarters. Very little editing has been done in this report. 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.

Industry data was 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.

In fiscal year 2002 the percentage of petitions with unknown information was not more than 1.2 percent for every characteristic except industry. The percentage of petitions approved with missing data remained at 9.0 percent for industry in fiscal year 2002, the second year of its availability. For the other characteristics, the percentages of approved petitions with missing data remained low: age (.2 of 1 percent); country of birth (.2 of 1 percent); and education (.1 of 1 percent), major occupation (.7 of 1 percent), detailed occupation (.8 of 1 percent), and compensation (1.2 percent).