



# Characteristics of H-1B Specialty Occupation Workers

Fiscal Year 2016 Annual Report to Congress  
October 1, 2015 – September 30, 2016



Homeland  
Security

*U.S. Citizenship and  
Immigration Services*



**Homeland  
Security**

May 5, 2017

## Foreword

On behalf of the Department of Homeland Security, I am pleased to present the following report, “Characteristics of H-1B Specialty Occupation Workers” for Fiscal Year 2016, prepared by U.S. Citizenship and Immigration Services.

Pursuant to statutory requirements, this report is being provided to the following Members of Congress:

The Honorable Charles E. Grassley  
Chairman, Senate Judiciary Committee

The Honorable Dianne Feinstein  
Ranking Member, Senate Judiciary Committee

The Honorable Robert W. Goodlatte  
Chairman, House Judiciary Committee

The Honorable John Conyers, Jr.  
Ranking Member, House Judiciary Committee

Inquiries relating to this report may be directed to me at (202) 447-5890.

Sincerely,

A handwritten signature in blue ink that reads "Benjamin Cassidy". The signature is written in a cursive style and is positioned above a horizontal blue line.

Benjamin Cassidy  
Assistant Secretary for Legislative Affairs

# Executive Summary

*The American Competitiveness and Workforce Improvement Act of 1998 (ACWIA)*, Pub. L. 105-277, div. C, tit. IV § 416(c)(2), 112 Stat. 2681, imposes annual reporting requirements on U.S. Citizenship and Immigration Services (USCIS) concerning the countries of origin and occupations of, educational levels attained by, and compensation paid to, aliens who were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(b) of the *Immigration and Nationality Act (INA)* during the previous fiscal year (FY).

To fulfill this requirement, USCIS submits the following report for FY 2016, October 1, 2015 – September 30, 2016.

## **Highlights**

- The number of H-1B petitions filed increased 14 percent from 348,669 in FY 2015 to 398,718 in FY 2016.
- The number of H-1B petitions approved increased 25 percent from 275,317 in FY 2015 to 345,262 in FY 2016.<sup>1</sup>
- The number of H-1B petitions approved in FY 2016 for workers between the ages of 25 and 34 was 69 percent.
- The number of H-1B petitions approved in FY 2016 for workers with a bachelor's degree was 44 percent. In addition, 45 percent of approved petitions were for workers with a master's degree, 7 percent had a doctorate, and 3 percent were for workers with a professional degree.
- The number of H-1B petitions approved in FY 2016 for workers in computer-related occupations was 69 percent.
- The median salary of beneficiaries of approved petitions increased from \$79,000 for FY 2015 to \$82,000 for FY 2016.

---

<sup>1</sup> This number does not reflect approval versus denial rates, but rather shows the number of approved petitions overall this year versus the number approved last year. The figures for Fiscal Year 2016 include petitions that were received *prior* to Fiscal Year 2016, but were approved in Fiscal Year 2016 (see footnote 11).



# Characteristics of H-1B Specialty Occupation Workers

## Table of Contents

I.	Legislative Requirement.....	1
II.	Background .....	2
III.	Data Report.....	4
	Section 3.1 – General distribution of petitions.....	4
	Section 3.2 – Distribution of petitions by country of birth .....	6
	Section 3.3 – General distribution of petitions by age .....	9
	Section 3.4 – Distribution of petitions by education .....	9
	Section 3.5 – Distribution of petitions by occupation.....	11
	Section 3.6 – Distribution of petitions by annual compensation.....	16
	Section 3.7 – Distribution of petitions by industry .....	19
IV.	Appendices .....	22
	A. H-1B Petition Processing.....	22
	B. Data Limitations.....	23

# I. Legislative Requirement

Section 416(c)(2) of the *American Competitiveness and Workforce Improvement Act of 1998* (ACWIA), Pub. L. 105-277, div. C, tit. IV, 112 Stat. 2681, includes the following reporting requirement:<sup>2</sup>

[T]he Attorney General<sup>3</sup> shall submit on an annual basis, to the Committees on the Judiciary of the United States House of Representatives and the Senate, information on the countries of origin and occupations of, educational levels attained by, and compensation paid to, aliens who were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act during the previous fiscal year.

---

<sup>2</sup> Sections 416(c)(1) and (3) of ACWIA, Pub. L. 105-277, div. C, tit. IV, 112 Stat. 2681, require the submission of data on the number of aliens issued visas or otherwise provided nonimmigrant status pursuant to petitions filed by institutions or organizations described in section 212(p)(1) of the INA. This data is included in the “Report on H-1B Petitions” for Fiscal Year 2016.

<sup>3</sup> As of March 1, 2003, in accordance with section 1517 of Title XV of the *Homeland Security Act of 2002* (HSA), Pub. L. 107-296, 116 Stat. 2135, any reference to the Attorney General in a provision of the *Immigration and Nationality Act* describing functions which were transferred from the Attorney General or other Department of Justice official to the Department of Homeland Security by the HSA “shall be deemed to refer to the Secretary” of Homeland Security. See 6 USC 557 (2003) (codifying HSA, Title XV, § 1517).



## II. Background

*An H-1B temporary worker is an alien admitted to the United States to perform services in a “specialty occupation.”*<sup>4</sup>

The H-1B nonimmigrant classification is a vehicle through which employers may obtain workers on a temporary basis. The program is designed to provide employers the opportunity to employ qualified workers who are not otherwise authorized to work in the United States. Employers may file an H-1B petition for an alien to perform services in a specialty occupation, services of an exceptional nature relating to a Department of Defense (DOD) cooperative research and development project or coproduction project, or services of distinguished merit and ability in the field of fashion modeling. Prior to employing an H-1B temporary worker, the U.S. employer must first file a Labor Condition Application (LCA) with the Department of Labor (DOL) and then file an H-1B petition with U.S. Citizenship and Immigration Services (USCIS).<sup>5</sup> The LCA specifies the job, salary, length, and geographic location of employment. In addition, to ensure the protection of U.S. workers (as well as H-1B workers), the employer must agree to pay the alien the greater of the actual wage paid by the employer to other workers with similar experience and qualifications or the prevailing wage for the occupation in the area. Certain employers (“H-1B dependent” employers and “willful violator” employers) must also recruit U.S. workers before seeking H-1B workers.

The position must meet one of the following criteria to qualify as a specialty occupation:

(1) a bachelor’s or higher degree or its equivalent is normally the minimum entry requirement for the position; (2) the degree requirement is common to the industry in parallel positions among similar organizations or, in the alternative, the position is so complex or unique that it can be performed only by an individual with a degree; (3) the employer normally requires a degree or its equivalent for the position; or (4) the nature of the specific duties is so specialized and complex that the knowledge required to perform the duties is usually associated with attainment of a bachelor’s or higher degree. *See* 8 CFR 214.2(h)(4)(iii)(A).

In order to perform services in a specialty occupation, an alien must meet one of the following criteria: (1) hold a U.S. bachelor’s or higher degree as required by the specialty occupation from an accredited college or university; (2) possess a foreign degree determined to be equivalent to a U.S. bachelor’s or higher degree as required by the specialty occupation from an accredited college or university; (3) have any required license or other official permission to practice the occupation (for example, architect, surveyor, physical therapist) in the state in which employment is sought; or (4) have education, specialized training, or progressively responsible experience (or a combination thereof) that is equivalent to completion of a U.S. bachelor’s degree or higher in the specialty occupation, and have recognition of expertise through progressively responsible positions directly related to the specialty occupation. *See* 8 CFR 214.2(h)(4)(iii)(C). Specialty occupations may include, but are not limited to, computer systems analysts and programmers, physicians, professors, engineers, and accountants. *See* 8 CFR 214.2(h)(4)(ii).

---

<sup>4</sup> Section 214(i)(1) of the INA, 8 USC 1184(i)(1), defines a specialty occupation as “an occupation that requires— (A) theoretical and practical application of a body of highly specialized knowledge, and (B) attainment of a bachelor’s or higher degree in the specific specialty (or its equivalent) as a minimum for entry into the occupation in the United States.”

<sup>5</sup> An LCA is not required for petitions involving DOD cooperative research and development projects or coproduction projects. *See* 8 CFR 214.2(h)(4)(vi)(A)(2).

Although USCIS is responsible for evaluating an alien's qualifications for the H-1B classification and effecting a change of nonimmigrant status for aliens already in the United States in another nonimmigrant classification, approval of an H-1B petition does not guarantee issuance of an H-1B visa or admission to the United States in H-1B status. The responsibility for visa issuance rests primarily with the Department of State (DOS), which determines whether a prospective alien employee is eligible for issuance of a visa at a U.S. Embassy or Consulate abroad after the H-1B petition has been approved by USCIS. Determinations of whether to admit an alien in H-1B status are made by U.S. Customs and Border Protection at a port of entry. Possession of a visa does not guarantee admission.

An alien generally may be admitted to the United States in H-1B status for a maximum period of six years, *see* INA 214(g)(4); however, each H-1B petition may only be approved for a maximum period of three years.<sup>6</sup> *See* 8 CFR 214.2(h)(9)(iii)(A)(1). The H-1B petition may be used to sponsor an alien for an initial period of H-1B employment or to extend or change the authorized stay of an alien previously admitted to the United States in H-1B status or another nonimmigrant status. An employer may file the petition to sponsor an alien who currently has H-1B nonimmigrant status working for another employer or amend a previously approved petition. Therefore, the total number of approved petitions in any given fiscal year may exceed the actual number of aliens who are provided nonimmigrant status in the H-1B classification. At the end of the six year period, the alien must either change to a different status (if eligible) or depart the United States, unless otherwise exempt.<sup>7</sup> USCIS regulations provide that an alien who has resided and been physically present outside the United States for at least one year may be eligible for a new six-year period of admission in H-1B status. *See* 8 CFR 214.2(h)(13)(iii)(A).

When the H-1B category was enacted in 1990, Congress set a maximum of 65,000 aliens who could be issued H-1B visas or otherwise provided H-1B status during each fiscal year. This limitation, commonly referred to as the "H-1B cap," does not apply to H-1B petitions filed on behalf of certain aliens who have previously been counted against the cap. Thus, generally, a petition to extend an H-1B nonimmigrant's period of stay, change the conditions of the H-1B nonimmigrant's current employment, or request new H-1B employment for an H-1B worker already in the United States will not count against the H-1B fiscal year cap. An approved petition for initial employment is also exempt from the cap if the petitioner is an institution of higher education or nonprofit entity affiliated with or related to an institution of higher education, or if the petitioner is a nonprofit research organization or governmental research organization. *See* INA 214(g)(5)(A)-(B), 8 USC 1184(g)(5)(A)-(B).

---

<sup>6</sup> An alien involved in DOD cooperative research and development projects or coproduction projects may be admitted to the United States in H-1B status for a maximum period of ten years, *see* 8 CFR 214.2(h)(13)(iii)(B); however, the H-1B petition may only be approved for a maximum period of five years. *See* 8 CFR 214.2(h)(9)(iii)(A)(2).

<sup>7</sup> Certain aliens are exempt from the six year maximum period of admission under the provisions of the American Competitiveness in the Twenty-First Century Act of 2000 (AC21), Pub. L. 106-313, 114 Stat. 1251.

*The American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) and The American Competitiveness in the Twenty-first Century Act of 2000 (AC21)*, made significant changes to policy and procedure governing the H-1B classification, including providing temporary increases in the fiscal year limitations on the number of aliens who may be issued H-1B visas or otherwise provided H-1B status and providing certain exemptions to these limitations. Under ACWIA, the annual ceiling was increased from 65,000 to 115,000 in Fiscal Years (FY) 1999 and 2000 and to 107,500 in FY 2001. AC21 raised the limit in FY 2001, FY 2002, and FY 2003 to 195,000. Starting in FY 2004, the H-1B cap reverted to 65,000 per fiscal year and remains at that level.<sup>8</sup> These statutory provisions also provided for certain exemptions from the fiscal year H-1B cap, as described above. The *H-1B Visa Reform Act of 2004* mandated that up to 20,000 H-1B petitions filed on behalf of aliens with U.S.-earned master's, or higher, degrees will be exempt from each fiscal year's H-1B cap. See INA 214(g)(5)(C), 8 USC 1184(g)(5)(C).

### III. Data Report

#### Section 3.1 – General distribution of petitions

During FY 2016, USCIS approved 345,262 H-1B petitions submitted by employers on behalf of alien workers. The number of approved petitions exceeds the number of individual H-1B workers sponsored because of the different types of petitions that can be filed (e.g., requests for concurrent employment with another employer, requests for extension of stay, amended petitions).

Table 1 shows for FYs 2013 to 2016 the number of petitions filed for initial and continuing employment and the number of petitions approved for initial and continuing employment. Of the petitions approved in 2016, a total of 114,503 petitions, or 33 percent, were for initial employment.<sup>9</sup> The corresponding number of petitions for continuing employment was 230,759.<sup>10</sup> A worker may have had a second (or subsequent) petition filed on his or her behalf to: 1) extend the period allowed to work with his or her current employer; 2) notify USCIS of changes in the conditions of employment, including a change of employer; or 3) request concurrent H-1B status with another employer.

---

<sup>8</sup> Each fiscal year, up to 1,400 H-1B visa numbers are set aside for nationals of Chile and up to 5,400 are set aside for nationals of Singapore under the provisions of free trade agreements between the United States and each country. See INA 214(g)(8)(B)(ii), 8 USC 1184(g)(8)(B)(ii). In addition, there is a limit of no more than 100 aliens in the United States at any time performing services in a DOD cooperative research and development project or coproduction project. See 8 CFR 214.2(h)(8)(i)(B).

<sup>9</sup> The terms “initial employment” and “continuing employment” are used throughout this report to identify two types of petitions. Petitions for initial employment are filed for first-time H-1B employment with an employer, only some of which are applied to the annual cap. Examples of petitions for initial employment that are exempt from the cap include petitions submitted by nonprofit research organizations or governmental research organizations. Continuing employment petitions refer to extensions, sequential employment, and concurrent employment, which are filed for aliens already in the United States. Extensions generally are filed for H-1B workers intending to work beyond the initial three year period up to a total of six years, the maximum period generally permissible under law. Sequential employment refers to petitions for workers transferring between H-1B employers within the six year period. Finally, petitions for concurrent employment are filed for H-1B workers intending to work simultaneously for an additional H-1B employer.

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



The number of H-1B petitions filed increased 14 percent and petitions approved increased by 25 percent between FYs 2015 and 2016. For initial employment, petitions filed increased six percent and petitions approved increased by less than one percent. Petitions filed for continuing employment increased 20 percent and petitions approved increased by 43 percent.

**Table 1. H-1B Petitions Filed and Approved by Type of Petition:  
FYs 2013 to 2016**

	FY 2013	FY 2014	FY 2015	FY 2016
<b>Petitions filed</b>	<b>299,467</b>	<b>318,824</b>	<b>348,669</b>	<b>398,718</b>
Initial Employment	130,034	127,205	136,042	144,583
Continuing Employment	169,433	191,619	212,627	254,135
<b>Petitions approved<sup>11</sup></b>	<b>286,773</b>	<b>315,857</b>	<b>275,317</b>	<b>345,262</b>
Initial Employment	128,291	124,326	113,603	114,503
Continuing Employment	158,482	191,531	161,714	230,759

Table 2 shows the number of H-1B petitions filed by quarter in FYs 2014 to 2016. A total of 76 percent of all FY 2016 initial employment filings occurred in the third quarter when the cap-subject petition filing season opened.

**Table 2. H-1B Petitions Filed by Quarter:  
FYs 2013 to 2016**

Quarter	FY 2013	FY 2014	FY 2015	FY 2016	FY 2016 Initial Employment	Percent of Total	FY 2016 Continuing Employment	Percent of Total
<b>Total</b>	<b>299,467</b>	<b>318,824</b>	<b>348,669</b>	<b>398,718</b>	<b>144,583</b>	<b>100</b>	<b>254,135</b>	<b>100</b>
October-December	40,048	45,211	51,964	64,721	10,979	8	53,742	21.1
January-March	39,433	42,781	46,088	66,715	11,637	8	55,078	21.7
April-June	159,380	158,623	176,042	185,782	110,199	76	75,583	29.7
July-September	60,606	72,709	74,575	81,500	11,798	8	69,732	27.4

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

<sup>11</sup> These figures represent all approved petitions during the respective fiscal year, irrespective of whether the petition was filed in the same or in a previous fiscal year.

Table 3 provides a breakdown of approved petitions in FYs 2013 to 2016 by type of petition. In FY 2016, 114,503 H-1B beneficiaries were approved for initial employment and 230,759 were approved for continuing employment.

The number of aliens outside the United States approved for initial employment decreased 6 percent from 62,656 in FY 2015 to 58,896 in FY 2016. The corresponding number of petitions approved for aliens in the United States requesting a change to H-1B status increased by 9 percent from 50,947 in FY 2015 to 55,607 in FY 2016.

**Table 3. H-1B Petitions Approved by Type:  
FYs 2013 to 2016**

Type of Petition	Petitions Approved							
	FY2013	Percent	FY2014	Percent	FY2015	Percent	FY2016	Percent
<b>Total</b>	<b>286,773</b>	<b>100</b>	<b>315,857</b>	<b>100</b>	<b>275,317</b>	<b>100</b>	<b>345,262</b>	<b>100</b>
<b>Initial employment</b>	<b>128,291</b>	<b>45</b>	<b>124,326</b>	<b>39</b>	<b>113,603</b>	<b>41</b>	<b>114,503</b>	<b>33</b>
Aliens outside U.S.	68,785	24	68,390	22	62,656	23	58,896	17
Aliens in U.S.	59,506	21	55,936	18	50,947	19	55,607	16
<b>Continuing employment</b>	<b>158,482</b>	<b>55</b>	<b>191,531</b>	<b>61</b>	<b>161,714</b>	<b>59</b>	<b>230,759</b>	<b>67</b>

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

## Section 3.2 – Distribution of petitions by country of birth

Tables 4A and 4B show the distribution of beneficiaries by country of birth.<sup>12</sup> Of the H-1B petitions approved in FY 2016, 74 percent reported that the beneficiary was born in India. The second most prevalent country of birth of H-1B beneficiaries was the People’s Republic of China, representing 9 percent of all beneficiaries. The number of beneficiaries from India approved for initial employment decreased by less than one percent in FY 2016, while the number of beneficiaries approved for continuing employment increased by 50 percent in FY 2016.

<sup>12</sup> Data represent countries and territories of birth.

**Table 4A. H-1B Petitions Approved by Country of Birth of Beneficiary and Type of Petition (Number): FYs 2015 and 2016**

Country of Birth	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2015 Number	FY 2016 Number	FY 2015 Number	FY 2016 Number	FY 2015 Number	FY 2016 Number
<b>Total</b>	<b>275,317</b>	<b>345,262</b>	<b>113,603</b>	<b>114,503</b>	<b>161,714</b>	<b>230,759</b>
India	195,247	256,226	71,263	70,737	123,984	185,489
China, People's Republic	26,669	31,995	15,438	16,781	11,231	15,214
Canada	3,607	3,442	1,823	1,781	1,784	1,661
South Korea	3,470	3,620	1,870	1,857	1,600	1,763
Philippines	3,146	3,822	1,215	1,226	1,931	2,596
United Kingdom	2,241	2,135	1,015	967	1,226	1,168
Taiwan	2,060	2,208	1,112	1,239	948	969
Mexico	2,017	2,104	970	940	1,047	1,164
France	1,794	1,841	906	879	888	962
Pakistan	1,602	1,694	749	725	853	969
Japan	1,398	1,413	634	560	764	853
Brazil	1,388	1,528	751	842	637	686
Nepal	1,385	1,501	666	603	719	898
Germany	1,325	1,377	706	732	619	645
Turkey	1,196	1,360	611	662	585	698
Iran	1,057	1,250	739	784	318	466
Russia	1,056	1,040	550	542	506	498
Italy	1,035	1,108	573	608	462	500
Venezuela	976	1,066	461	483	515	583
Colombia	949	976	421	442	528	534
Spain	938	978	559	539	379	439
Other countries	20,761	22,578	10,371	10,574	10,190	12,004

Note: Countries of birth are ranked based on FY 2015 data.

**Table 4B. H-1B Petitions Approved by Country of Birth of Beneficiary and Type of Petition (Percent): FYs 2015 and 2016**

Country of Birth	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2015 Percent	FY 2016 Percent	FY 2015 Percent	FY 2016 Percent	FY 2015 Percent	FY 2016 Percent
<b>Total</b>	-----	-----	-----	-----	-----	-----
<b>Country of birth</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
India	70.9	74.2	62.7	61.8	72.1	80.4
China, People's Republic	9.7	9.3	13.6	14.7	6.6	6.6
Canada	1.3	1.0	1.6	1.6	2.2	0.7
South Korea	1.3	1.0	1.6	1.6	2.0	0.8
Philippines	1.1	1.1	1.1	1.1	1.2	1.1
United Kingdom	0.8	0.6	0.9	0.8	1.1	0.5
Taiwan	0.7	0.6	1.0	1.1	0.9	0.4
Mexico	0.7	0.6	0.9	0.8	0.6	0.5
France	0.7	0.5	0.8	0.8	0.6	0.4
Pakistan	0.6	0.5	0.7	0.6	0.7	0.4
Japan	0.5	0.4	0.6	0.5	0.6	0.4
Brazil	0.5	0.4	0.7	0.7	0.5	0.3
Nepal	0.5	0.4	0.6	0.5	0.5	0.4
Germany	0.5	0.4	0.6	0.6	0.5	0.3
Turkey	0.4	0.4	0.5	0.6	0.4	0.3
Iran	0.4	0.4	0.7	0.7	0.4	0.2
Russia	0.4	0.3	0.5	0.5	0.3	0.2
Italy	0.4	0.3	0.5	0.5	0.3	0.2
Venezuela	0.4	0.3	0.4	0.4	0.3	0.3
Columbia	0.3	0.3	0.4	0.4	0.4	0.2
Spain	0.3	0.3	0.5	0.5	0.3	0.2
Other countries	7.5	6.5	9.1	9.2	7.6	5.2

Notes: Countries of birth are ranked based on FY 2015 data.  
Sum of the percent may not add to 100 due to rounding.

### Section 3.3 – Distribution of petitions by age

Table 5 shows the age distribution of the H-1B beneficiaries in FY 2016 by type of petition. At the time their petitions were approved, 69 percent of workers granted H-1B status during FY 2016 were between 25 and 34 years of age. Of initial beneficiaries, 50 percent were under age 30, compared with 24 percent of continuing beneficiaries under age 30.

**Table 5. H-1B Petitions Approved by Age of Beneficiary at Time of Approval and by Type of Petition: FY 2016**

Age	All Beneficiaries	Percent	Initial Employment	Percent	Continuing Employment	Percent
<b>Total</b>	<b>345,262</b>		<b>114,503</b>		<b>230,759</b>	
<b>Age known</b>	<b>345,191</b>	<b>100</b>	<b>114,467</b>	<b>100</b>	<b>230,724</b>	<b>100</b>
Under 20	82	0.02	34	0.03	48	0.02
20-24	11,013	3.19	9,964	8.7	1,049	0.45
25-29	100,641	29.16	46,711	40.81	53,930	23.37
30-34	137,297	39.77	34,521	30.16	102,776	44.54
35-39	67,344	19.51	15,752	13.76	51,592	22.36
40-44	19,938	5.78	4,846	4.23	15,092	6.54
45-49	5,544	1.61	1,556	1.36	3,988	1.73
50-54	2,037	0.59	628	0.55	1,409	0.61
55-59	846	0.25	271	0.24	575	0.25
60-64	304	0.09	108	0.09	196	0.08
65 and over	145	0.04	76	0.07	69	0.03
<b>Age unknown</b>	<b>71</b>	<b>-----</b>	<b>36</b>	<b>-----</b>	<b>35</b>	<b>-----</b>

Notes: Anyone reported as under 16 years old and *not* a fashion model was assumed to be of unknown age.  
 Age of beneficiary is calculated based on the date the petition was approved.  
 Sum of the percent may not add to 100 due to rounding.  
 Percentages shown in the table are based on the total number of approved petitions with known ages.

### Section 3.4 – Distribution of petitions by education

Tables 6 and 7 show the highest level of education achieved by the beneficiaries at the time of filing the petition. Employers are asked to provide the highest degree (domestic or foreign) when completing the H-1B petition, but not training or experience deemed equivalent to a degree. The reporting of a domestic or foreign degree is not required in a standard format on USCIS or DOL forms. However, in nearly all cases, the petitioning employer provides the information in supporting documentation. For degrees earned outside the United States, the employer usually supplies a credential evaluation stating that the foreign degree is “equivalent to” a particular U.S. degree. USCIS does not maintain separate data regarding whether the degree was earned in the United States or abroad. (Data on beneficiaries with U.S. advanced degrees has been available since May 2005.)

The breakdown of the highest level of education achieved by H-1B beneficiaries remained mostly constant between FYs 2015 and 2016. As shown in Table 6, 44 percent of all H-1B petitions approved for workers in FY 2016 reported that the beneficiary had earned the equivalent of a bachelor's degree, 45 percent a master's degree, 7 percent a doctorate, and 3 percent a professional degree.

**Table 6. Percent of H-1B Petitions Approved by Level of Education: FYs 2013-2016**

Level of Education	FY 2013	FY 2014	FY 2015	FY 2016
<b>Education known</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Less than a Bachelor's degree	1	1	1	1
Bachelor's degree	45	45	45	44
Master's degree	41	43	44	45
Doctorate degree	9	8	7	7
Professional degree	3	4	3	3

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

**Table 7. H-1B Petitions Approved by Level of Education of Beneficiary and Type of Petition: Fiscal Year 2016**

Level of Education	All Beneficiaries	Percent	Initial Employment	Percent	Continuing Employment	Percent
<b>Total</b>	<b>345,262</b>		<b>114,503</b>		<b>230,759</b>	
<b>Education known</b>	<b>345,222</b>	<b>100</b>	<b>114,487</b>	<b>100</b>	<b>230,735</b>	<b>100</b>
No high school diploma	53	0.02	25	0.02	28	0.01
High school graduate	128	0.04	52	0.05	76	0.03
Less than 1 year of college credit	28	0.01	10	0.01	18	0.01
1 or more years of college credit, no diploma	220	0.06	75	0.07	145	0.06
Associate's degree	209	0.06	62	0.05	147	0.06
Bachelor's degree	152,530	44.18	45,399	39.65	107,131	46.43
Master's degree	156,784	45.42	52,002	45.42	104,782	45.41
Doctorate degree	23,922	6.93	12,775	11.16	11,147	4.83
Professional degree	11,348	3.29	4,087	3.57	7,261	3.15
<b>Education unknown</b>	<b>40</b>	<b>-----</b>	<b>16</b>	<b>-----</b>	<b>24</b>	<b>-----</b>

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

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

## Section 3.5 – Distribution of petitions by occupation

### Occupational Category



Tables 8A and 8B show the distribution of beneficiaries by occupational category for FYs 2015 and 2016. The category of computer-related occupations was the largest occupational category in 2016; its share of total petitions approved was 69 percent in FY 2016. The corresponding shares for initial employment and continuing employment in computer-related occupations were 61 and 73 percent, respectively. The top 10 occupational categories representing 96 percent of all beneficiaries had more continuing employment than initial employment beneficiaries.

The number of H-1B petitions approved for workers in computer-related occupations increased by 25 percent from 2015 to 2016. The number of H-1B petitions for all other occupation groups increased by 17 percent between 2015 and 2016.

**Table 8A. H-1B Petitions Approved by Major Occupation Group of Beneficiary and Type of Petition (Number): Fiscal Years 2015 and 2016**

Occupational Category	All Beneficiaries		Initial Employment		Continuing Employment	
	FY2015 Number	FY2016 Number	FY2015 Number	FY2016 Number	FY2015 Number	FY2016 Number
<b>Total</b>	<b>275,317</b>	<b>345,262</b>	<b>113,603</b>	<b>114,503</b>	<b>161,714</b>	<b>230,759</b>
<b>Occupation known</b>	<b>274,380</b>	<b>344,255</b>	<b>113,232</b>	<b>114,130</b>	<b>161,148</b>	<b>230,125</b>
Computer-related occupations	183,076	237,837	70,902	69,846	112,174	167,991
Occupations in Architecture, Engineering and Surveying	23,866	27,836	10,003	10,243	13,863	17,593
Occupations in Administrative Specializations	16,628	19,144	7,899	7,824	8,729	11,320
Occupations in Education	15,123	18,090	8,395	9,414	6,728	8,676
Occupations in Medicine and Health	11,543	14,178	4,645	4,979	6,898	9,199
Occupations in Mathematics and Physical Sciences	4,917	6,281	2,441	2,786	2,476	3,495
Managers and Officials N.E.C.*	4,103	4,830	1,550	2,517	2,553	2,313
Occupations in Life Sciences	4,114	4,580	2,291	1,533	1,823	3,047
Occupations in Social Sciences	3,480	3,898	1,666	1,502	1,814	2,396
Miscellaneous Professional, Technical, and Managerial	3,595	3,470	1,528	1,622	2,067	1,848
Occupations in Art	1,899	2,087	891	904	1,008	1,183
Occupations in Law and Jurisprudence	864	912	454	445	410	467
Occupations in Writing	424	421	218	182	206	239
Miscellaneous <sup>13</sup>	355	320	137	140	218	180
Occupations in Entertainment and Recreation	134	148	66	78	68	70
Occupations in Museum, Library, and Archival Sciences	148	138	81	67	67	71
Occupations in Religion and Theology	85	70	43	36	42	34
Sales Promotion Occupations	26	15	22	12	4	3
<b>Occupation unknown<sup>14</sup></b>	<b>937</b>	<b>1,007</b>	<b>371</b>	<b>373</b>	<b>566</b>	<b>634</b>

Notes: Occupations ranked based on FY 2016 data.  
\*N.E.C. indicates not elsewhere classified.

<sup>13</sup> The Miscellaneous category is a Major Occupation Group whose numbers are derived from the Detailed Occupations listed in Table 9A. A full listing of the Major Occupation Groups and the corresponding Detailed Occupations can be found in Form M-746, I-129 Dictionary of Occupational Titles (DOT) Codes (<http://www.uscis.gov/files/form/m-746.pdf>).

<sup>14</sup> The data in this chart is pulled from information captured on the Form I-129. In some instances a petitioner will leave the beneficiary's job code blank, which we report here as "Occupation unknown." This generally means that the position could not be classified under one of the provided occupational categories; it does not mean that the position is unknown or that the position is or is not a specialty occupation.

**Table 8B. H-1B Petitions Approved by Major Occupation Group of Beneficiary and Type of Petition (Percent): FYs 2015 and 2016**

Occupational Category	All Beneficiaries		Initial Employment		Continuing Employment	
	FY2015 Number	FY2016 Number	FY2015 Number	FY2016 Number	FY2015 Number	FY2016 Number
<b>Occupation known</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Computer-related occupations	66.5	69.1	62.4	61.2	69.4	73.0
Occupations in Architecture, Engineering, and Surveying	8.7	8.1	8.8	9.0	8.6	7.6
Occupations in Administrative Specializations	6.7	5.6	7.0	6.9	5.4	4.9
Occupations in Education	5.5	5.3	7.4	8.2	4.2	3.8
Occupations in Medicine and Health	4.2	4.1	4.1	4.4	4.3	4.0
Occupations in Mathematics and Physical Sciences	1.8	1.8	2.1	2.4	1.5	1.5
Managers and Officials N.E.C.*	1.5	1.4	1.4	2.2	1.6	1.0
Occupations in Life Sciences	1.5	1.3	2.0	1.3	1.1	1.3
Occupations in Social Sciences	1.3	1.1	1.5	1.3	1.1	1.0
Miscellaneous Professional, Technical, and Managerial	1.3	1.0	1.3	1.4	1.3	0.8
Occupations in Art	0.7	0.6	0.8	0.8	0.6	0.5
Occupations in Law and Jurisprudence	0.3	0.3	0.4	0.4	0.3	0.2
Occupations in Writing	0.2	0.1	0.2	0.2	0.1	0.1
Miscellaneous	0.1	0.1	0.1	0.1	0.1	0.1
Occupations in Entertainment and Recreation	0.1	0.0	0.1	0.1	0.0	0.0
Occupations in Museum, Library, & Archival Sciences	0.1	0.0	0.1	0.1	0.0	0.0
Occupations in Religion and Theology	0.0	0.0	0.0	0.0	0.0	0.0
Sales Promotion Occupations	0.0	0.0	0.0	0.0	0.0	0.0
<b>Occupation unknown</b>	<b>0.03</b>	<b>0.03</b>	<b>0.3</b>	<b>0.3</b>	<b>0.4</b>	<b>0.3</b>

Notes: Occupations ranked based on FY 2016 data.

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

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

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

## Detailed Occupation

Tables 9A and 9B indicate the distribution of beneficiaries by detailed occupational category in FYs 2015 and 2016. Each table shows occupations arranged in descending order by the total number of beneficiaries approved in FY 2016. The list is limited to the top 20 categories. Of approved petitions in 2016, 59 percent were for aliens working as systems analysts or programmers. Aside from the "Other Occupations" category, the second largest category was computer-related occupations.

**Table 9A. H-1B Petitions Approved by Detailed Occupation of Beneficiary and Type of Petition (Number): FYs 2015 and 2016**

Occupational Category	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2015 Number	FY 2016 Number	FY 2015 Number	FY 2016 Number	FY 2015 Number	FY 2016 Number
<b>Total</b>	<b>275,317</b>	<b>345,262</b>	<b>113,603</b>	<b>113,503</b>	<b>161,714</b>	<b>230,759</b>
<b>Occupation known</b>	<b>275,317</b>	<b>345,233</b>	<b>113,603</b>	<b>114,501</b>	<b>161,714</b>	<b>230,732</b>
Occupations in Systems Analysis and Programming	154,549	203,025	60,126	60,385	94,423	142,640
Computer-Related Occupations, N.E.C.*	23,920	29,342	8,876	7,694	15,044	21,648
Occupations in College and University Education	12,239	14,672	7,224	8,158	5,015	6,514
Electrical/Electronics Engineering Occupations	8,975	10,972	3,467	3,538	5,508	7,434
Accountants, Auditors, and Related Occupations	6,898	7,825	3,440	3,499	3,458	4,326
Physicians and Surgeons	5,772	7,329	2,344	2,427	3,428	4,902
Mechanical Engineering Occupations	4,657	5,523	1,961	2,086	2,696	3,437
Occupations in Architecture, Engineering, and Surveying, N.E.C.*	3,149	3,715	1,380	1,482	1,769	2,233
Occupations in Administrative Specializations, N.E.C.*	3,163	3,673	1,349	1,403	1,814	2,321
Budget and Management Systems Analysis Occupations	3,814	4,637	1,848	1,781	1,966	2,856
Misc Professional, Technical, and Managerial Occupations, N.E.C.*	3,437	3,692	1,446	1,403	1,991	2,289
Occupations in Biological Sciences	3,090	3,705	1,762	2,008	1,328	1,697
Occupations in Economics	3,084	3,051	1,429	1,378	1,655	1,673
Occupations in Medicine and Health, N.E.C.*	2,180	2,482	1,047	1,137	1,133	1,345
Occupations in Computer System Technical Support	2,402	2,902	949	867	1,453	2,035
Miscellaneous Managers and Officials, N.E.C.*	2,011	3,692	720	704	1,291	1,575
Industrial Engineering Occupations	2,157	2,350	834	905	1,323	1,445
Occupations in Data Communications and Networks	1,944	2,233	855	805	1,089	1,428
Occupations in Mathematics	2,434	3,308	1,185	1,486	1,249	1,822
Therapists	1,564	2,014	488	522	1,076	1,462
Other Occupations	23,878	25,091	10,873	10,833	13,005	15,650
<b>Occupation Unknown</b>	<b>0</b>	<b>29</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>7</b>

Notes: Occupations ranked based on FY 2016 data.

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

**Table 9B. H-1B Petitions Approved by Detailed Occupation of Beneficiary and Type of Petition (Percent): FYs 2015 and 2016**

Occupational Category	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2015 Percent	FY 2016 Percent	FY 2015 Percent	FY 2016 Percent	FY 2015 Percent	FY 2016 Percent
<b>Total</b>	-----	-----	-----	-----	-----	-----
<b>Occupation known</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Occupations in Systems Analysis and Programming	54.1	58.8	55.3	52.7	53.7	61.8
Computer-Related Occupations, N.E.C.*	8.4	8.5	7.9	6.7	8.7	9.4
Occupations in College and University Education	4.6	4.2	5.9	7.1	3.7	2.8
Electrical/Electronics Engineering Occupations	3.6	3.2	3.1	3.1	3.9	3.2
Accountants, Auditors, and Related Occupations	2.5	2.1	2.4	3.1	2.5	1.9
Physicians and Surgeons	2.3	1.6	1.9	2.1	2.6	2.1
Mechanical Engineering Occupations	1.7	1.7	1.7	1.8	1.8	1.5
Occupations in Architecture, Engineering, and Surveying, N.E.C.*	1.2	1.1		1.3		1.0
Occupations in Administrative Specializations, N.E.C.*	1.2	1.1	1.2	1.2	1.2	1.0
Budget and Management Systems Analysis Occupations	1.2	1.4	1.2	1.6	1.2	1.2
Misc Professional, Technical, and Managerial Occupations, N.E.C.*	1.2	1.1	1.0	1.2	1.3	1.0
Occupations in Biological Sciences	1.1	1.1	1.3	1.8	1.0	0.7
Occupations in Economics	1.1	0.9	1.1	1.2	1.1	0.7
Occupations in Medicine and Health, N.E.C.*	0.9	0.7	0.9	1.0	0.9	0.6
Occupations in Computer System Technical Support	0.9	0.8	1.0	0.8	0.9	0.9
Miscellaneous Managers and Officials, N.E.C.*	0.9	0.7	0.7	0.6	1.0	0.7
Industrial Engineering Occupations	0.8	0.7	0.8	0.8	0.8	0.6
Occupations in Data Communications and Networks	0.8	0.6	0.7	0.7	0.8	0.6
Occupations in Mathematics	0.8	0.2	0.9	0.3	0.8	0.2
Therapists	0.7	0.6	0.5	0.5	0.8	0.6
Other Occupations	9.9	8.9	9.3	10.4	10.3	7.5
<b>Occupation Unknown</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Notes: Occupations ranked based on FY 2016 data.

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

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

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

## Section 3.6 – Distribution of petitions by annual compensation<sup>15</sup>

Tables 10, 11, and 12 show compensation by occupation for beneficiaries of all, initial, and continuing employment, respectively. Each table shows occupations arranged in descending order by the total number of beneficiaries approved in FY 2016. As shown in Table 10, the median annual compensation reported by employers of H-1B workers approved for employment during FY 2016 was \$82,000. The median annual compensation was \$79,000 in FY 2015. Median compensation ranged from a low of \$37,000 for occupations in religion and theology to a high of \$115,000 for law and jurisprudence occupations.

**Table 10. Annual Compensation (\$) of All H-1B Beneficiaries by Major Occupation Group: FY 2016 (Approvals)<sup>16</sup>**

Occupation	Total Reported	25 <sup>th</sup> Percentile	Median	Mean	75 <sup>th</sup> Percentile
<b>Total</b>	<b>344,997</b>	<b>67,000</b>	<b>82,000</b>	<b>91,000</b>	<b>106,000</b>
<b>Known Occupations with annual compensation</b>	<b>343,993</b>	<b>67,000</b>	<b>82,000</b>	<b>91,000</b>	<b>106,000</b>
Computer-related Occupations	237,757	70,000	83,000	90,000	105,000
Occupations in Architecture, Engineering, and Surveying	27,816	70,000	87,000	94,000	109,000
Occupation in Administrative Specializations	19,085	56,000	75,000	87,000	108,000
Occupations in Education	18,083	46,000	57,000	69,000	78,000
Occupations in Medicine and Health	14,109	59,000	86,000	129,000	190,000
Occupations in Mathematics and Physical Sciences	6,275	65,000	83,000	90,000	110,000
Managers and Officials	4,830	47,000	57,000	68,000	78,000
Occupations in Life Sciences	4,573	74,000	106,000	117,000	140,000
Occupations in Social Sciences	3,898	73,000	100,000	108,000	136,000
Miscellaneous Professional, Technical, and Managerial Occupations	3,465	60,000	85,000	95,000	119,000
Occupations in Art	2,084	48,000	61,000	75,000	83,000
Occupations in Law and Jurisprudence	908	65,000	115,000	124,000	170,000
Occupations in Writing	421	38,000	56,000	63,000	85,000
Miscellaneous	319	36,000	48,000	53,000	60,000
Occupations in Entertainment and Recreation	148	50,000	62,000	79,000	83,000
Occupations in Museum, Library, and Archival Sciences	138	33,000	44,000	55,000	66,000
Occupations in Religion and Theology	69	30,000	37,000	42,000	50,000
Sales Promotion Occupations	15	0	52,000	90,000	130,000
<b>Occupation unknown</b>	<b>1,004</b>	<b>55,000</b>	<b>74,000</b>	<b>86,000</b>	<b>99,000</b>

Notes: Occupations ranked by number of beneficiaries.

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

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

Mean is the average of all values.

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

<sup>15</sup> Annual compensation refers to what the employer agreed to pay the beneficiary at the time the application was filed. The amount excludes non-cash compensation and benefits such as health insurance and transportation. Further, compensation is based on full-time employment for 12 months, even if the beneficiary worked fewer than 12 months.

<sup>16</sup> The Fiscal Year 2012 report reflects detailed occupational groups, whereas the Fiscal Year 2010, 2011, 2013, 2014, 2015, and 2016 reports reflect major occupational groups, which capture data on the general categories of H-1B positions.



As revealed in Tables 11 and 12, beneficiaries for continuing employment reported higher annual compensation than did beneficiaries for initial employment. In FY 2016, workers approved for continuing employment and initial employment reported median annual compensation of \$88,000 and \$71,000, respectively.

**Table 11. Annual Compensation (\$) of H-1B Beneficiaries for Initial Employment by Major Occupation Group: FY 2016 (Approvals)<sup>17</sup>**

Occupation	Total Reported	25 <sup>th</sup> Percentile	Median	Mean	75 <sup>th</sup> Percentile
<b>Total</b>	<b>114,424</b>	<b>60,000</b>	<b>71,000</b>	<b>81,000</b>	<b>90,000</b>
<b>Known Occupations with annual compensation</b>	<b>114,051</b>	<b>60,000</b>	<b>71,000</b>	<b>81,000</b>	<b>90,000</b>
Computer-related occupations	69,831	64,000	72,000	80,000	90,000
Occupations in Architecture, Engineering, and Surveying	10,238	62,000	75,000	83,000	95,000
Occupations in Education	9,413	45,000	55,000	68,000	77,000
Occupations in Administrative Specializations	7,789	50,000	62,000	74,000	85,000
Occupations in Medicine and Health	4,962	53,000	70,000	119,000	177,000
Occupations in Mathematics and Physical Sciences	2,785	60,000	75,000	81,000	96,000
Occupations in Life Sciences	2,517	45,000	52,000	63,000	68,000
Managers and Officials	1,622	50,000	71,000	83,000	100,000
Occupations in Social Sciences	1,531	64,000	88,000	104,000	122,000
Miscellaneous Professional, Technical, and Managerial Occupations	1,502	65,000	84,000	93,000	120,000
Occupations in Art	903	42,000	56,000	71,000	70,000
Occupations in Law and Jurisprudence	443	57,000	105,000	116,000	160,000
Occupations in Writing	182	36,000	45,000	52,000	63,000
Miscellaneous	140	34,000	43,000	46,000	53,000
Occupations in Entertainment and Recreation	78	48,000	61,000	71,000	79,000
Occupations in Museum, Library, and Archival Sciences	67	35,000	44,000	51,000	65,000
Occupations in Religion and Theology	36	32,000	36,000	40,000	48,000
Sales Promotion Occupations	12	0	52,000	93,000	130,000
<b>Occupation unknown</b>	<b>373</b>	<b>49,000</b>	<b>63,000</b>	<b>81,000</b>	<b>85,000</b>

Notes: Occupations ranked by the number of beneficiaries.

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

Mean is the average of all values.

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

**Table 12. Annual Compensation (\$) of H-1B Beneficiaries for Continuing Employment by Major Occupation Group: FY 2016 (Approvals)<sup>18</sup>**

Occupation	Total Reported	25 <sup>th</sup> Percentile	Median	Mean	75 <sup>th</sup> Percentile
<b>Total</b>	<b>230,573</b>	<b>70,000</b>	<b>88,000</b>	<b>96,000</b>	<b>112,000</b>

<sup>17</sup> The FY 2012 report reflects detailed occupational groups, whereas the FY 2010, 2011, 2013, 2014, 2015 and 2016 reports reflect major occupational groups, which capture data on the general categories of H-1B positions.

<sup>18</sup> The FY 2012 report reflects detailed occupational groups, whereas the FY 2010, 2011, 2013, 2014, 2015, and 2016 reports reflect major occupational groups, which capture data on the general categories of H-1B positions.

<b>Known Occupations with annual compensation</b>	<b>229,942</b>	<b>71,000</b>	<b>88,000</b>	<b>96,000</b>	<b>112,000</b>
Computer-related occupations	167,926	73,000	89,000	95,000	110,000
Occupations in Architecture, Engineering, and Surveying	17,578	77,000	94,000	100,000	115,000
Occupations in Administrative Specializations	11,296	63,000	85,000	95,000	118,000
Occupations in Education	9,147	62,000	98,000	135,000	195,000
Occupations in Medicine and Health	8,670	47,000	58,000	69,000	79,000
Managers and Officials	3,490	71,000	92,000	97,000	116,000
Occupations in Mathematics and Physical Sciences	3,042	83,000	115,000	124,000	148,000
Occupations in Life Sciences	2,396	83,000	110,000	118,000	140,000
Miscellaneous Professional, Technical, and Managerial Occupations	2,313	51,000	65,000	74,000	87,000
Occupations in Social Sciences	1,843	70,000	95,000	106,000	125,000
Occupations in Art	1,181	55,000	65,000	77,000	91,000
Occupations in Law and Jurisprudence	465	70,000	125,000	133,000	185,000
Occupations in Writing	239	46,000	68,000	72,000	96,000
Miscellaneous	179	42,000	53,000	58,000	65,000
Occupations in Entertainment and Recreation	71	30,000	43,000	58,000	68,000
Occupations in Museum, Library, and Archival Sciences	70	52,000	66,000	88,000	92,000
Occupations in Religion and Theology	33	29,000	40,000	45,000	56,000
Sales Promotions Occupations	3	52,000	52,000	78,000	91,000
<b>Occupation unknown</b>	<b>562</b>	<b>62,000</b>	<b>80,000</b>	<b>89,000</b>	<b>103,000</b>

Notes: Occupations ranked by the number of beneficiaries.

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

Mean is the average of all values.

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

## Section 3.7 – Distribution of petitions by industry

Tables 13A and 13B show the top 20 industries that employed H-1B workers in FY 2016. Industry data are collected using the North American Industry Classification System (NAICS). The top 20 industries listed in Tables 13A and 13B represent nearly 92 percent of H-1B workers approved for all known industry categories as determined by the NAICS code entered on Form I-129.<sup>19</sup> The number of workers approved for all known industries increased by 27 percent from 250,685 in FY 2015 to 318,093 in FY 2016.

---

<sup>19</sup> The remaining known industries for which H-1B workers were approved are captured in the “Other Industries” category in Tables 13A and 13B. For FY 2016, H-1B workers were approved for just over 1,400 unique industry categories as determined by the NAICS code entered on the Form I-129. Unlike country of birth, age, education, and occupation, USCIS does not verify the NAICS code.

**Table 13A. H-1B Petitions Approved by Detailed Industry and Type of Petition  
(Number) FYs 2015 and 2016**

Industry	All Beneficiaries		Initial Employment		Continuing Employment	
	FY 2015 Number	FY 2016 Number	FY 2015 Number	FY 2016 Number	FY 2015 Number	FY 2016 Number
<b>Total</b>	<b>275,317</b>	<b>345,262</b>	<b>113,603</b>	<b>114,503</b>	<b>161,714</b>	<b>230,759</b>
<b>Industry known</b>	<b>250,685</b>	<b>318,093</b>	<b>102,187</b>	<b>104,923</b>	<b>148,498</b>	<b>213,170</b>
Custom Computer Programming Services	86,775	114,299	38,004	36,048	48,771	78,251
Computer System Design Services	28,974	36,773	9,371	10,060	19,603	26,713
Colleges, Universities, and Professional Schools	15,777	18,696	9,151	10,254	6,626	8,442
Computer Systems Design and Related Services	5,514	8,727	2,155	3,190	3,359	5,537
Software Publishers	6,870	8,805	2,703	2,959	4,167	5,846
Other Computer Related Services	5,215	6,583	2,019	1,882	3,196	4,701
Engineering Services	5,818	7,173	2,543	2,735	3,275	4,438
General Medical and Surgical Hospitals	4,495	5,483	2,052	2,239	2,443	3,604
Management, Scientific, and Technical Consulting Services	3,285	4,911	1,788	1,699	1,497	3,212
Administrative Management and General Management Consulting Services	2,957	3,871	1,343	1,506	1,614	2,365
Electronic Computer Manufacturing	3,422	4,510	1,073	1,324	2,349	3,186
Elementary and Secondary Schools	2,338	2,773	888	963	1,450	1,810
Investment Banking and Securities Dealing	3,813	4,191	1,191	1,274	2,622	2,917
Offices of Physicians (except Mental Health Specialists)	2,116	2,549	713	811	1,403	1,738
Semiconductor and Related Device Manufacturing	1,972	2,500	766	826	1,206	1,674
Semiconductor and Other Electronic Component Manufacturing	1,915	2,529	713	1,086	1,202	1,443
Research and Development in the Physical, Engineering, and Life Sciences	1,828	2,245	915	390	913	1,203
Offices of Certified Public Accountants	2,327	2,476	1,096	1,070	1,231	1,406
Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	1,611	2,183	482	364	1,129	1,819
Offices of Other Holding Companies	1,279	1,562	360	317	919	1,245
Other Industries <sup>20</sup>	62,384	75,254	22,867	23,926	39,523	51,620
<b>Industry unknown</b>	<b>24,632</b>	<b>27,169</b>	<b>11,416</b>	<b>9,580</b>	<b>13,216</b>	<b>17,589</b>

Notes: Industries ranked by total beneficiaries in FY 2016.  
NAICS stands for North American Industry Classification System.

**Table 13B. H-1B Petitions Approved by Detailed Industry and Type of Petition  
(Percent) FYs 2015 and 2016**

<sup>20</sup> See footnote 19.

Industry	All Beneficiaries		Initial Employment		Continuing Employment	
	FY2015 Percent	FY2016 Percent	FY2015 Percent	FY2016 Percent	FY2015 Percent	FY2016 Percent
<b>Total</b>	100	100	100	100	100	100
<b>Industry known</b>	<b>91.1</b>	<b>92.1</b>	<b>90.0</b>	<b>91.6</b>	<b>91.8</b>	<b>92.4</b>
Custom Computer Programming Services	31.5	35.9	33.5	34.4	30.2	36.7
Computer System Design Services	10.5	11.6	8.2	9.6	12.1	12.5
Colleges, Universities, and Professional Schools	5.7	5.9	8.1	9.8	4.1	4.0
Computer Systems Design and Related Services	2.0	2.8	1.9	3.0	2.1	2.6
Software Publishers	2.5	2.7	2.4	2.8	2.6	2.7
Other Computer Related Services	1.9	2.3	1.8	1.8	2.0	2.2
Engineering Services	2.1	2.1	2.2	2.6	2.0	2.1
General Medical and Surgical Hospitals	1.6	1.7	1.8	2.1	1.5	1.7
Management, Scientific, and Technical Consulting Services	1.2	1.5	1.6	1.6	0.9	1.5
Administrative Management and General Management Consulting Services	1.1	0.9	1.2	1.4	1.0	0.8
Electronic Computer Manufacturing	1.2	1.2	0.9	1.3	1.5	1.5
Elementary and Secondary Schools	0.8	1.3	0.8	0.9	0.9	0.8
Investment Banking and Securities Dealing	1.4	1.4	1.0	1.2	1.6	1.4
Offices of Physicians (except Mental Health Specialists)	0.8	0.8	0.6	0.8	0.9	0.8
Semiconductor and Related Device Manufacturing	0.7	0.8	0.7	0.8	0.7	0.8
Semiconductor and other Electronic Component Manufacturing	0.7	0.8	0.6	1.0	0.7	0.7
Research and Development in the Physical, Engineering, and Life Sciences	0.7	0.8	0.8	0.3	0.6	0.2
Offices of Certified Public Accountants	0.8	0.7	1.0	1.0	0.8	0.7
Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	0.6	0.7	0.4	0.3	0.7	0.9
Offices of Other Holding Companies	0.5	0.5	0.3	0.3	0.6	0.6
Other Industries	22.7	15.7	20.1	14.6	24.4	17.2
<b>Industry unknown</b>	<b>8.9</b>	<b>7.9</b>	<b>10.0</b>	<b>8.4</b>	<b>8.2</b>	<b>7.6</b>

Notes: Industries ranked by total beneficiaries in FY 2016.

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

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

NAICS stands for North American Industry Classification System

## IV. Appendices

### A. H-1B Petition Processing

After obtaining an approved Form ETA-9035 (Labor Condition Application) from the U.S. Department of Labor, prospective employers petition for alien workers to obtain H-1B nonimmigrant classification by filing USCIS Form I-129, Petition for a Nonimmigrant Worker; the H Classification Supplement to Form I-129; and the H-1B Data Collection and Filing Fee Exemption Supplement. The petitions are generally mailed to one of three USCIS Service Centers (located in St. Albans, Vermont; Lincoln, Nebraska; or Laguna Niguel, California) for processing, depending on the location of the beneficiary's worksite or type of requested action.

Upon receipt of a properly filed petition,<sup>21</sup> each petition is stamped with its date of arrival at the service center. A clerk creates a paper file that contains the original petition as well as all supporting documentation. This file becomes the official file of record for all activities connected with the petition.

Biographical data (such as name, date of birth, and country of birth), as well as data on occupational and industry categories, are taken from the petition and entered by data entry clerks into the case tracking system Computer-Linked Application Information Management System (known as CLAIMS). The computer system generates a unique receipt number for the file. After being sorted into potential cap-subject and cap-exempt cases, the file is assigned to an adjudicator.

The adjudicator evaluates whether there is adequate information in the file to approve or deny the petition, or whether a need for further information warrants a request for evidence or initiation of an administrative investigation. If sufficient evidence is available, the adjudicator makes a decision and enters the corresponding information into the tracking system. In the case of insufficient evidence, the adjudicator requests additional information from the sponsoring employer. The employer must respond to the request within a set period of time or the petition will be denied.

After petitions are adjudicated, the petition and supporting documentation are forwarded to either the USCIS records center in Harrisonburg, Virginia, for storage, or the Kentucky Consular Center in Williamsburg, Kentucky, for consular processing.

---

<sup>21</sup> Petitions that are improperly filed (e.g., submitted without the correct supplements, proper signatures, or required fees) may be rejected by the service center. Rejected petitions are returned to the petitioner with any submitted fees. See 8 CFR 103.2(a)(7).



## B. Data Limitations

The data for the tables in this report have been extracted from a USCIS Service Center electronic data file. As such, errors in data may have occurred as a result of erroneous data submitted by the petitioner, initial data entry errors at service centers, or improper electronic transfer from the service centers to USCIS Headquarters. Accordingly, some data elements in the above tables are “unknown.”

Minimal editing has been done to the data in this file, and impossible or highly improbable values (such as beneficiaries younger than 16, except for fashion models) or beneficiaries (such as those working without compensation) have been defined as “unknown.” Information in electronic format is not available regarding the cities or states where H-1B workers are employed.