

Each application for a grant to carry out a program or project described in paragraph (1)(1) shall state the manner by which the partnership will provide non-Federal matching resources (cash, or in-kind contributions, or both) equal to at least 50 percent of the total grant amount awarded under paragraph (2)(A)(i), and at least 100 percent of the total grant amount awarded under paragraph (2)(A)(ii). At least one-half of the non-Federal matching funds shall be from the business or businesses or business-related nonprofit organizations involved. Consideration in the award of grants shall be given to applicants that provide a specific commitment or commitments of resources from other public or private source, or both, so as to demonstrate the long-term sustainability of the training program or project after the grant expires.

(6) Administrative costs.

An entity that receives a grant to carry out a program or project described in paragraph (1)(A) may not use more than 10 percent of the amount of the grant to pay for administrative costs associated with the program or project.

Applicable Sections of the Immigration and Nationality Act

The Immigration and Nationality Act (INA) (section 101(a)(15)(h)(i)(b)) (8 U.S.C. 1101(a)(15)(H)(i)(B)) defines the H-1B alien as one who is coming temporarily to the United States to perform services in a specialty occupation * * * or as a fashion model. * * *

The INA (Section 214(i)) sets criteria to define the term "specialty occupation:"

(1) For purposes of section 1101(a)(15)(H)(i)(b) and paragraph 1, a "specialty occupation" means an occupation

that requires—(A) theoretical and practical application of a body of highly specialized knowledge and,

(B) attainment of a bachelor's higher degree in the specific speciality (or its equivalent) as a minimum for entry into the occupation in the United States.

(2) For purposes of section 1101(a)(15)(H)(i)(b)), the requirements of this paragraph with respect to a specialty occupation are—(A) full state licensure to practice in the occupation, if such licensure is required to practice in the occupation.

(B) completion of the degree described in paragraph (1)(B) for the occupation, or (C)(i) experience in the specialty equivalent to the completion of such degree, and (ii) recognition of expertise in the specialty through progressively responsible positions relating to the specialty.

APPENDIX B—H-1B PETITIONS APPROVED IN FISCAL YEARS 2001 AND 2002 FOR TOP 10 MAJOR OCCUPATIONAL GROUPS: U.S. BUREAU OF CITIZENSHIP AND IMMIGRATION SERVICES, JUNE 2003

Occupations	Group rank	LCA* code	FY 2001 percent	FY 2002 percent
Computer-related	1	03	58.0	38.3
Systems analysis and programming		030		
Data communications and networks		031		
Computer systems technical support		033		
Architecture, engineering and surveying	2	00/01	12.2	12.8
Electrical/Electronics engineering		003		
Mechanical engineering		007		
Architectural		001		
Civil engineering		005		
Industrial engineering		012		
Administrative specializations	3	16	7.2	10.7
Accountants, auditors and related occupations		160		
Budget and management systems		161		
Sales and distribution management		163		
Education	4	09	5.3	10.5
College and university education		090		
Preschool, primary school and kindergarten education		092		
Medicine and health	¹ 6	07	3.4	6.6
	² 5			
Physicians and surgeons		070		
Managers and officials	¹ 6	18	3.8	5.4
	² 6			
Life Sciences	7	04	2.0	3.5
Biological Sciences		041		
Social Sciences	8	05	1.9	2.8
Economics		050		
Mathematics and physical sciences	9	02	1.7	2.8
Chemistry		022		
Miscellaneous professional, technical and managerial	10	19	1.7	2.5

¹ FY 2001.

² FY 2002.

* Labor Condition Application code.