The EB-1, Outstanding Researcher or Professor category is a shorter process than EB-2, and does not require labor certification. It may be the best option for scholars with high academic achievements, especially scholars from China or India because of retrogression. *Applications under this category go through two steps.* From beginning the process to approval (green card issuance) takes 18-24 months.

**POSITION AND CANDIDATE REQUIREMENTS**

- Employment must be located in the United States
- Position must be **full-time, permanent and tenure track or equivalent**:
  - Permanent refers to a position that does not have a definite termination point defined either by a date or the completion of a project or assignment, is not seasonal or intermittent, and is not presently intended or contemplated by the employer that the employment will definitely end at some specified date in the future, such as at the completion of grant-funded research. Employer must intend to hire the employee permanently; employee must intend to remain in the job permanently.
- The candidate must be a researcher or professor who:
  - Has a minimum of 3 years of experience teaching/research in current field post PhD
  - Is **internationally recognized** as outstanding in his/her academic field
Has received major prizes or awards for outstanding achievement in the academic field
Is a member of associations in the academic field that require outstanding achievements of their members
Has contributed original scientific or scholarly research to the field
Has authored scholarly books or articles in academic field
Has 6-10 field experts who can write opinion letters on his/her behalf
Has published material and professional publications written by others about his/her work in the academic field

GENERAL PROCEDURE

Gather the documentation listed below and submit it to ISSS. We will review it for completeness and accuracy, ensuring that the candidate meets the qualifications for an EB-1 petition, and begin to compile exhibits to submit to USCIS.

DOCUMENTS NEEDED TO FILE:

- Permanent Residency Approval and Intake form
- Copy of original job offer letter
- Proof of Qualifications: if you sent any of these for the H-1B petition, you do not need to send them again.
  - Copy of degrees, academic record, transcripts, etc.
  - Proof that the candidate has at least three years of teaching or research experience and tenure or a tenure-track or equivalent position
  - Attestations (6-10) from other scholars in the field of the candidate’s recognition.
- Evidence from two or more of the six regulatory categories below of the candidate’s achievements (best to offer evidence from all six categories):
  - Documentation of major prizes or awards in the academic field
  - Documentation of the candidate’s membership in associations in the academic field which require outstanding achievements of their members
  - Published material, originally in any language, but translated into English, in professional publications written by others about the candidate’s work in the academic field. Must include title, date, and author of the material
  - Evidence of the candidate’s participation, either individually or on a panel, as the judge of the work of others in the same, or an allied, academic field
Evidence of the candidate’s original scientific or scholarly research contributions in the academic field
Evidence of the candidate’s authorship of scholarly books or articles, in scholarly journals with international circulations, in the academic field

WHAT NEXT?

Assemble the packet of materials and submit to ISSS.

ISSS files the I-140 with the U.S. Citizenship & Immigration Services (USCIS). It is the University’s petition for permanent residency on behalf of the employee. The documents below are required:

- A copy of the employee’s passport
- A copy of the employee’s I-797 (proof of H-1B status)
- A copy of the employee’s I-94 card
- If the employee has dependents, we will also need their immigration documents, passports, and a letter describing each dependent

ISSS will need 1-2 months to review and prepare the EB-1 petition. Once mailed processing of the I-140 can take 1-6 months. In some cases, ISSS can elect premium processing, which takes just 15 days. ISSS will notify you when it is time to proceed.

STEP 3: I-485

The employee files this individual application on his/her own. ISSS strongly recommends that the I-485 not be filed until the I-140 has been approved

GREEN CARD:

- The green card is mailed once the I-485 is approved:

  *Total Processing Time for Green Card: 18-24 months*

Please direct any questions regarding this process or employment based permanent residency to Doreen Clayton, International Scholar Advisor at dclayton@gsu.edu or 404-413-2070.