



Instructions and Checklist

EB-1 LPR Based on Outstanding Professor or Research Category

Basic Forms and Fees

The U.S. Citizenship & Immigration Services (USCIS) charges the following processing fees for LPR applications:

- I-140 Fee: **\$580** (paid by the school/department)
- I-485 Fee: **\$985** filing fee + **\$85** biometrics fee = **\$1070**
- Additional I-485 Fee for Dependents: (See USCIS website: <http://www.uscis.gov>)
- Form I-765: (Optional)
- Form I-131: (Optional)

PART I

Preparation of Form I-140 (Immigration Petition for Alien Worker), with Supporting Documentation

The EB-1 **Outstanding Professor or Researcher** category is reserved for professors or researchers who are recognized internationally as outstanding in their academic field, and who have at least **three years*** of teaching or research experience in the field. To qualify for LPR via this category, the alien must have an offer of a tenure or tenure-track teaching position or permanent research position. In addition, immigration regulations specify that the international must present evidence in **at least two** of the following categories [8 CFR 204.5(i)(3)(i)]:

*Evidence that the alien has at least three years of experience in teaching and/or research in the academic field. Experience in teaching or research while working on an advanced degree will only be acceptable if the alien has acquired the degree, and if the teaching duties were such that he or she had full responsibility for the class taught or if the research conducted toward the degree has been recognized within the academic field as outstanding. Evidence of teaching and/or research experience shall be in the form of letter(s) from current or former employer(s) and shall include the name, address, and title of the writer, and a specific description of the duties performed by the alien

- **Receipt of major prizes or awards for outstanding achievement in the academic field**

(**HELPFUL HINT:** These are awards that are prestigious, although they do not have to be quite the caliber of a Nobel or Pulitzer Prize. It may be necessary to explain the significance of these prizes and awards. In general, please be aware that the awarding of a “postdoctoral fellowship” is not considered to be nationally or internationally prestigious enough to qualify as acceptable evidence. Student awards, unless nationally or internationally recognized, should not be included. Grant awards may be included, depending upon the international’s role in obtaining the grant.)

- **Membership in associations in the academic field, which require outstanding achievements.**

(**HELPFUL HINT:** USCIS is looking for memberships that are above and beyond the “run-of-the-mill, pay-your-dues-and-you’re-a-member” sort of memberships. The regulations clearly state that the organizations should

“require outstanding achievements of their members,” as judged by experts. Leadership positions in professional associations are especially helpful.)

- **Published material in professional publications written by others about the alien’s work in the academic field.**

(HELPFUL HINT: Complete copies of articles, reviews, etc. about the individual’s work should be submitted. Citation listings alone do not constitute the level of proof required to meet this criterion.)

- **Evidence of the alien’s participation as the judge of the work of others in the same or an allied academic field.**

(HELPFUL HINT: A “judge” of the work of others can include serving as a reviewer for a professional journal, judging papers, etc. Evidence of this can be provided in several ways. Individuals knowledgeable about the circumstances could write letters attesting to this fact. Alternatively, copies of letters asking the individual to judge an event or a paper or thanking them for doing this can be submitted.)

- **Evidence of the alien’s original scientific or scholarly research contributions to the academic field.**

(HELPFUL HINT: Documentation of this can take many forms. Copies of patents or other recognition of a contribution or achievement can also be included with the petition. Letters from experts in the field are essential for helping to document this.)

- **Evidence of the alien’s authorship of scholarly books or articles (in scholarly journals with international circulation) in the academic field.**

(HELPFUL HINT: Copies of articles should be included, although if the alien has a long list of publications, a list with complete citations and copies of some representative samples would suffice. The quality and distribution of the publication does make a difference since the regulation requires the publication to have “international circulation in the field.”)

In addition to evidence in at least two of the aforementioned categories, the international must submit the following:

- **Letters from recognized experts in the field.**

(HELPFUL HINT: The cornerstone of the entire petition for Outstanding Professor or Researcher category is the opinion of experts in the field. It is crucial to obtain expert opinions from objective, established people in the field. The letters should be as detailed as possible and come from individuals representing as varied a group as possible (e.g., academic institutions in the U.S. and/or abroad, government institutions in the U.S. and/or abroad, the business community in the U.S. and/or abroad, professional associations in the U.S. and/or abroad, etc.). Please be aware that since the Outstanding Professor or Researcher category is for internationals who are recognized internationally as outstanding in their field, letters describing only the accomplishments made at the beginning of the international’s career, as well as letters describing potential (but not yet realized) contributions will carry less weight and may even harm the petition. **Recommended obtaining five to six letters.** The letters must be on official letterhead/stationary that clearly identifies the institutional affiliation of the author. *See later in this Request Packet for an outline to share with recommenders to help guide them in writing these crucial letters.*)

- **Documentation establishing at least three years of teaching and/or research experience.**

(HELPFUL HINT: This documentation should include letters from current and former employers and should include the name, address, and title of the writer, as well as a detailed description of the duties performed. Please be aware that experience in teaching or research while working on an advanced degree will only be acceptable if the alien has acquired the degree, and if the teaching duties were such that he/she had full responsibility for the class taught or if the research conducted toward the degree has been recognized within the academic field as outstanding.)

- **Job offer letter.**

(HELPFUL HINT: This letter must come from the person or persons in the department who are authorized by the University to extend an offer of employment. Even though you may already be working at the University, this letter is required. The letter must establish that you are employed, or will be employed, in a tenure or tenure-track teaching position or permanent research position. Please note that the regulatory definition of “permanent” employment as a researcher takes into account the fact that research funding is often in the form of grants and other “soft” money. “Permanent,” in reference to a research position, means either tenured, tenure-track, or “for a term of indefinite or unlimited duration, and in which the employee will ordinarily have an expectation of continued employment unless there is good cause for termination” [8 CFR 204.5(i)(2)]. The letter must also include the title and salary of the position offered, a detailed job description, as well as an explanation of how the international qualifies for the position.)

- **Current CV, including notarized copies of all education credentials (i.e., diplomas).**

(HELPFUL HINT: All documents must be in English or accompanied by a notarized English translation. If you were educated outside of the United States, you must also submit a credential evaluation that establishes the comparability of your educational level to that within the U.S.)

- **Check(s) for the required USCIS fee(s) made payable to “The Department of Homeland Security.”**

**THE INTERNATIONAL MUST SUBMIT TWO SETS OF ALL MATERIALS.
Please do not staple any documents!**

SAMPLE OUTLINE OF LPR RECOMMENDATION LETTER

Required from Experts in the Alien's Academic Field

The letter should be addressed to:

U.S. Citizenship & Immigration Services
Texas Service Center
4141 North St. Augustine Road
Dallas, TX 75227

Do not send the letter directly to USCIS. The letter must be submitted by the international to International Services for inclusion with all other application materials for mailing to USCIS.

The letter should follow the outline below:

1. Opening Paragraph

"I am writing this letter in support of Montclair State University's application for U.S. Lawful Permanent Resident status on behalf of [INSERT NAME] in the Outstanding Professor or Researcher category."

2. Paragraph #1

Information regarding the writer, including current position, background, and accomplishments. (NOTE: It is helpful if the writer provides a copy of his/her CV along with the recommendation letter.)

3. Paragraph #2

An explanation of how the writer knows the applicant.

4. Paragraph #3

Documentation regarding how the applicant qualifies for LPR status based on the Outstanding Professor or Researcher category. The letter must help establish that the applicant meets the following criteria:

- a. International recognition in the field;
- b. Three years of teaching or research experience in the field;
- c. Evidence of meritorious achievements (*a minimum of two of the following is required for approval of the petition*):
 1. Receipt of major prizes or awards;
 2. Membership in associations in the academic field, which require outstanding achievements;
 3. Published material in professional publications written by others about the alien's work in the academic field;
 4. Evidence of the applicant's participation as a judge of the work of others in the same or allied academic field;
 5. Evidence of the applicant's original scientific or scholarly research contributions to the academic field;
 6. Evidence of the alien's authorship of scholarly books or articles (in scholarly journals with international circulation) in the academic field.

5. Closing Paragraph

SAMPLE EMPLOYMENT VERIFICATION LETTER

The letter should be addressed to:

**U.S. Citizenship & Immigration Services
Texas Service Center
4141 North St.
Augustine Road
Dallas, TX 75227**

*NOTE: This letter must be submitted by the foreign national and/or his/her department to International Services for inclusion with all other application materials for mailing to USCIS.
This letter should contain the elements included in the sample letter.*

- I am writing this letter in support of the US Lawful Permanent Resident petition for [NAME OF INTERNATIONAL].
- He/she has worked at Montclair State University since [DATE OF HIRE] as a [POSITION TITLE].
- **FOR TENURE/TENURE-STREAM POSITIONS**- Be sure to include language in this letter that makes clear this is a tenure/tenure-stream positions.
- The minimum requirements for this position are a Ph.D. degree in [DISCIPLINE OR FIELD OF STUDY] or related field, and [#] year(s) of research experience in the field of [DISCIPLINE OR FIELD OF STUDY].
- [NAME OF INTERNATIONAL]'s current annual salary is [\$\$\$\$].
- His/her job duties include [BRIEFLY DESCRIBE THE NATURE OF THE POSITION, INCLUDING MAJOR RESPONSIBILITIES AND DUTIES]

PART II

Preparation of Form I-485 (Application to Register Permanent Residence or Adjust Status) and Related Forms, with Supporting Documentation

(NOTE: The forms listed below must be obtained from USCIS. You can download them at the following Internet site: <http://uscis.gov/graphics/formsfee/forms/index.htm>. This site also includes information about the filing fees for each form. Fees are also listed earlier in this request packet.)

- **Form I-485** for the international and each family member, if filing for dependents as well.
- **Form I-693 Medical Exam** and **Form I-693 Supplement** for the international and each family member, if filing for dependents as well.

- **Form G-325A** (Biographic Information) for the international and each family member, if filing for dependents as well.
- 2 photos that meet USCIS specification. These specifications were changed, effective August 2, 2004. To view the specifications, go to: <http://www.travel.state.gov/passport/pptphotos/index.html>. Include the name, social security number, and I-94 number on the back of each photo.
- Photocopy of all passports held while in the United States (introductory page(s) and any and all stamped pages).
- Photocopy of birth certificate for the international and each family member, if filing for dependents as well (with translation if not in English).
- Photocopy of marriage certificate and/or divorce certificate (if applicable) for the international and each family member, if filing for dependents as well (with translation if not in English).
- Photocopy of approval (Form I-797) of Form I-140 (Immigrant Petition for Alien Worker). *This is not applicable if filing I-140 and I-485 concurrently.*
- For prior J-1 Exchange Visitors who were subject to the “two-year home country physical presence requirement” [INA 212(e)], a photocopy of the approval of a waiver of that requirement (Form I-612).
- Photocopy for the international and each family member, if filing for dependents as well, of both sides of the Form I-94 and evidence of having maintained an uninterrupted nonimmigrant status at all times while in the United States (e.g., photocopies of I-20s, IAP-66s, DS-2019s, I-797s, etc.).
- For internationals who have held F-1 or J-1 *student* status, a photocopy of academic transcripts for the entire period of study in the United States.

Optional Forms

- **Form I-765** Application for Employment Authorization.
- **Form I-131** Application for Travel Document.

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