EB-1: OUTSTANDING PROFESSOR/RESEARCHER

The ISSO will file this application for qualified Cornell University employees holding permanent academic positions, and only with support from their hiring unit/supervisor.

Minimum Qualifications:

1) A permanent job offer in a Cornell academic position. (Note: Postdoctoral Associates or Fellows and those with “Temporary” in their title are not considered to be permanent employees and would not qualify for this program. Research Associates generally qualify for sponsorship.

2) USAICS regulations require that the professor or researcher have 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 is only acceptable if the person achieved 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 had been recognized as outstanding.

3) Evidence that the professor or researcher is recognized internationally as outstanding in their academic field

STEP 1. Assemble a DRAFT of supporting documentation for I-140 petition. Supporting documentation can include the following list of items:

- Receipt of major prizes or awards for outstanding achievements in the academic field;
- Membership in associations in the academic field which require outstanding achievements of their members;
- Participation on a panel, or individually, as the judge of the work of others in the same or an allied field;
- Citations of your work in professional publications by other experts in the field;
- Authorship of scholarly books/articles, in scholarly journals with international circulation, in the field;
- Original scientific or scholarly research contributions to the academic field.

You may reassemble the items in order to highlight the evidence that you feel is strongest first. Each section should be labeled and the contents labeled on a piece of colored paper dividing sections. If subsections are used, use a different color divider to make it clear that the divider is dividing a subsection, rather than a whole section. Use no more than 2 colors – one dividing Sections, the other dividing Subsections. Never write more than: “What, when and where” information to describe evidence. Do not use first-person descriptors such as, “I”.

Do not use tabs. Do not staple anything. Secure material with a jumbo clip or rubber ban

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Assembling the Evidence

**Department Support Letter** - Support letter from department chair or host professor. This letter should both confirm permanent employment and provide a strong recommendation for permanent residence (see sample).

**Confirmation of permanent position and salary & copy of original offer letter** - Statement from department chair or HR hiring authority confirming permanent employment (see attached sample).

**Curriculum Vitae** – This should be detailed, and should include all invited talks, presentations, grants, journals for which you act as a reviewer, and a list of publications.

**Copies of PhD** - If the Ph.D. diploma is in a language other than English or Latin, it must be accompanied with a certified translation.

**Letters attesting to international recognition and contributions** - Supporting letters from leaders in the field attesting to your “original scientific or scholarly research contributions.” (6 – 12 letters recommended – more detail explanation of these letters is attached)

**Applicant's participation in activity as the judge of work of others in the academic field - must provide evidence of activity, examples:**
- Copies of requests from editors who asked that you review an article for a scholarly journal, or memos confirming participation as a reviewer
  - For each request, include the following:
    - How does the journal or org. select reviewers? - Why is this request significant?
    - How significant is the publication? How many times published per year? Published in how many countries?
- Copies of conference publications which show your participation an organizer or reviewer
  - For each – what was the conference? How did you get selected to be an organizer? How significant was the contribution?
- Copies of documents that indicate committee assignments for professional associations in the field
  - For each – How important was the committee, what were the committee assignments? How important is the association to the field?
- Copies of documents proving that you’ve acted as a reviewer for grant proposals (i.e. USDA, NSF). Do not assume that the USCIS reviewer will know who NSF or USDA is! Provide information about the significance of the organization.
- Any other information for which you can document that it represents your standing in your field of specialty.

**Membership in professional organizations that require outstanding achievement** – proof of membership and criteria for inclusion in the professional organization. You must demonstrate that the organization requires outstanding achievement for membership. Copies of organization by-laws with relevant sections highlighted is one example of how this might be demonstrated.

**Prizes and awards (including competitive grants)** - copies of first pages of documentation, the copies should include name, and name of grant or prize awarded. Whole grant proposals do NOT need to be included. You might wish to supply information about the relevance or importance of the granting institution.

**Presentations at academic** - symposiums - include copies of abstracts, if available
**Peer-reviewed articles** - copies of the first pages of all published articles/books. Note – if any of your publications have appeared in particularly significant journals, you will want to highlight this with information about the particular journal.

**Evidence of citations** – Evidence from on-line citation indexes is ideal as long as the evidence clearly shows who cited you, and in what publication. The following structure is recommended:

1) Provide an overview of your citation record. How many times have you been cited overall, and if in particular important ways, highlight those.
2) Provide complete lists of who cited you or your publication, and in what context or publication.
3) Provide several samples of actual citations. For example, if you have 50 citations, select 8-10, and copy the article title page and include the pages where your work is referenced – highlight these sections.

These should be divided into Subsections within the overall Citation section of the petition.

**Any additional evidence:** i.e. patents, computer programs, any other materials that demonstrate standing in the field! For each, be prepared to provide documentation attesting to the value or importance of the evidence.

**Step 2:** When you have a complete draft ready for review, make an appointment with Laura. Do not send in single letters reviewed by email or dropbox. Only complete drafts will be reviewed.

**Step 3:** Submit the following:
- Final packet of supporting evidence for I-140 petition
- Data elements for Form I-140. ISSO will complete final copy (see attached data sheet)
- Check or money order for $580 payable to USCIS

**Step 4:** ISSO (Cornell) files the I-140 petition with supporting evidence compiled by applicant, and filing fee of $580. A USCIS receipt will be mailed to the ISSO within 2-3 weeks. The ISSO will send you a scanned PDF copy of the I-140 receipt notice. Note: If desired, the applicant may pay an additional $1225 to USCIS for an expedited decision (15 business days). This requires a separate check ($580 and $1225)

**Step 5** Applicant submits an Adjustment Petition with USCIS ($1070). The Adjustment petition includes Form I-485, and other required documentation. The Adjustment Petition may be pending concurrently with the I-140 petition (above). If the applicant wishes to file the adjustment petition concurrently, to send with the petition. Dependent family members who wish to obtain US Permanent Residence will also file I-485 petitions, with yours.

**Note:** Processing times for each stage of the petitioning process vary widely. The ISSO cannot predict processing times into the future, so our estimates regarding timing are always a “best guess”.
Department Letter Structures

These letters are not sent to the USCIS directly. They should be collected by the applicant and submitted with the other supporting documentation.

1. The Department support letter should have the following structure:

Address letter to:
USCIS – Texas Service Center
4141 North St. Augustine Road
Dallas, TX 75227

Dear USCIS Official,

Paragraph 1:
I would like to support Dr. X for permanent residence under the outstanding professor or research category. Dr. X has a permanent position, as defined by 8 C.F. R. 204.5(i)(3)(iii)(A)-(C) at Cornell University as a [insert title] with an annual salary of [insert salary]

Paragraph 2:
Dr. X meets the necessary experience qualification… (i.e. at least three years of experience in teaching and/or research in the academic field is required).

Paragraphs 3, (4, 5, 6?):
Discuss the contribution of the application’s work to the area of specialty with specific examples that relate to the types of evidence that the USCIS is looking for:

- Invitations to speak – what is the significance of the inviting organizations?
- Citations – how many times – are any of the citations particularly impressive?
- Publications – are any of these particularly significant, or published in a significant journal?
- Activities as the judge of the work of others – how do these activities set this individual apart?

Final Paragraph:
Discuss impact that the applicant’s work has had on the field/the significance to the field. The field can be as narrow as the area of specialty in which the applicant is engaged. Please see the general guidelines for more guidance on how these letters should be drafted.
2. The Department confirmation of employment letter/memo should have the following structure:

This is to confirm that (name) has been offered permanent employment as a (title) with the Department of (name), Cornell University. The annual salary for this position is $______ ______. As [your title] I am the hiring authority for this department at Cornell University.

If this is a petition for a research associate or other non-tenure-track position, you should also include the following:

Although appointments for research positions at Cornell University are given term dates as per university policy, these are renewable, and Research Associates ordinarily have the expectation of continued employment, unless there is good cause for termination. Accordingly, Dr. [insert name of applicant] position as Research Associate meets the definition of "permanent" as defined by 8 C.F. R. 204.5(i)(3)(iii)(A)-(C).
Letters Attesting to “original scientific or scholarly research contributions”

The Outstanding Professors and Researchers permanent residence category allows for employment-based “green card” petitions to be submitted for faculty and researchers who are recognized internationally as outstanding in their specific academic field.

One of the lines of evidence used to support petitions for Outstanding Professors and Researchers are letters from experts in the field. Expert testimonials must discuss the professor and/or researcher’s original scientific or scholarly contributions of major significance in the area of study. Letters that merely establish the professor/researcher’s competence, and fail to set him/her apart from other persons in the field, can be more harmful than helpful.

Individuals filing for this classification must already be considered to have an international reputation for scholarly achievement in their field. USCIS will not approve petitions simply because an individual has the potential to rise to the top. Phrases that indicate what the scholar will do are not helpful. Letter should concentrate on what the applicant has done and is doing.

Comparisons of the applicant can be made to others in the field and the field can be as specific as the applicant’s area of specialty. However, do not assess the applicant’s contribution relative to other cohorts (examples: “young”, “women” or others of similar rank or age). Comparisons should only be made among/between those who are working in the same area of specialty.

USCIS is not interested in the personality or the working style of the applicant. Therefore, the letter should focus on the scholarly/scientific contributions that the applicant has made to the field. Objective assessments are best. If you are a former supervisor or advisor, you should indicate how you know the applicant, and then move to writing about the contributions of the work to the field, using examples. USCIS is not interested in the growth and development of the applicant, or in their work or educational history.

USCIS adjudicators evaluating the petitions are not experts in the field. Therefore, it is important to bring the discussion down to a level where a reasonably intelligent lay person can understand the significance of the work and the individual’s contributions to the field. In addition, since the letters are being included as “expert” testimonials, USCIS wants to know who you are. Please include in the letter a brief description of your credentials and background, and attach a copy of your own CV or web bio page (if available).

There is no recommended length, although the letter should be at least one page, and generally no longer than three pages in length. Substance is more important than length. Letters should be returned to the applicant or department for submission with the USCIS petition for US permanent residence. Please do not ask the applicant for a template. USCIS adjudicators will catch every matching sentence or phrase. Letters should be original, and in your own “voice”.

Letters collected by the applicant, but addressed in the following manner:

USCIS – Texas Service Center
4141 North St. Augustine Road
Dallas, TX 75227

Dear USCIS Official
Data Elements for Form I-140:

1. First Name:
2. Middle Name:
3. Last Name:
4. Local US Address:
5. Email Address:
6. Daytime Phone:
7. Date of Birth (mo/day/year):
8. City/Town/Village of Birth:
9. State/Province of Birth:
10. Country of Birth:
11. Country of Citizenship/Birth:
12. A-Number (if any):
13. US Social Security Number:
14. Date of Last Arrival to US (mo/day/year):
15. I-94 Number:
16. Current Nonimmigrant Status:
17. Date Status Expires:
18. Last Country of Residence:
19. Foreign Address:
20. Passport Country, Number and Expiration Date:

21. If native alphabet is other than Roman letters, write name and foreign address in the native alphabet:

Has any immigrant visa petition ever been filed by or on your behalf? If yes, attach explanation.
Husband or wife and children (list all, use separate page, if necessary):

Last Name
First Name
Middle Name
Relationship
Date of Birth
Country of Birth

Last Name
First Name
Middle Name
Relationship
Date of Birth
Country of Birth

Last Name
First Name
Middle Name
Relationship
Date of Birth
Country of Birth

Last Name
First Name
Middle Name
Relationship
Date of Birth
Country of Birth