



MAHANDRU ASSOCIATES LLC

EB-1 Green Card

Live Your American Dream



EB-1 Green Card Outline

Live & Work in USA

The EB-1 is the first-preference employment-based green card category. EB-1 extraordinary ability green cards are intended to offer persons who have achieved superlative recognition in their fields the opportunity to obtain lawful permanent resident also called as green card status in the united states.

EB - 1 Category & Criteria



EB-1A - Extraordinary Ability

You must be able to demonstrate extraordinary ability in the sciences, arts, education, business, or athletics through sustained national or international acclaim. Your achievements must be recognized in your field through extensive documentation. No offer of employment is required.

EB-1B - Outstanding Professors & Researchers

You must demonstrate international recognition for your outstanding achievements in a particular academic field. You must have at least 3 years' experience in teaching or research in that academic area. You must be entering the United States in order to pursue tenure or tenure track teaching or comparable research position at a university or other institution of higher education.

EB-1C - Multinational manager or executive

You must have been employed outside the United States in the 3 years preceding the petition for at least 1 year by a firm or corporation and you must be seeking to enter the United States to continue service to that firm or organization. Your employment must have been outside the United States in a managerial or executive capacity and with the same employer, an affiliate, or a subsidiary of the employer.



EB-1A - EXTRAORDINARY ABILITY PERSONS

The EB1 green card visa is self-sponsored immigration visa or permanent residence petition commonly known as “Green Card” is based talent and achievement not academic qualifications.

This category is sometimes known as the “nobel prize” visa. It is intended to offer a path to lawful permanent residence to persons who have achieved national or international acclaim for excellence in their field. There are no restrictions on which field that achievement was attained, however most common fields are: Science, Art, Education, Business, or Athletics. Additionally, the applicant must possess a level of expertise in the field that indicates that it is one of the small percentage of people who have risen to the very top of the field, and its professional achievements must have received national and international recognition.

An applicant must meet 3 out of the 10 listed criteria below to prove extraordinary ability in the field:



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1. **Awards:** Evidence of receipt of a Nobel Prize or lesser nationally or internationally recognized prizes or awards for excellence.
2. **Memberships:** Evidence of membership in associations in the field, which demand outstanding achievement of their members.
3. **Published Articles Written by Others About Your Work:** Evidence of published material about you in professional or major trade publications or other major media.
4. **Peer Review Activities:** Evidence of judging the work of others, either individually or on a panel.
5. **Original Contributions, Innovation:** Evidence of original scientific, scholarly, artistic, athletic, or business-related contributions of major significance to the field.
6. **Published Scholarly Articles Written by You:** Evidence of authorship of scholarly articles in professional or major trade publications or other major media.
7. **Artistic Exhibitions / Showcases:** Evidence that work has been displayed at artistic exhibitions or showcases.
8. **Critical Role:** Evidence of performance of a leading or critical role in distinguished organizations.
9. **Comparatively High Salary:** Evidence that of high salary or other significantly high remuneration in relation to others in the field.
10. **Commercial Success:** Evidence of commercial successes in the performing arts.



Inspiration and Motivation

**"IF YOU ARE NOT WILLING TO RISK
THE USUAL,
YOU WILL HAVE TO SETTLE FOR THE
ORDINARY."**

- JIM ROHN



EB - 1B OUTSTANDING

PROFESSORS AND RESEARCHERS

EB1 green card has a special category for Outstanding Researchers or Professors. The visa application requires evidence that the foreign worker has outstanding ability, and should also include a permanent job offer letter, as well as evidence of three years teaching or research experience.

To qualify for an EB1B visa, there are 3 main requirements:

- ✓ You must be internationally recognized as being outstanding in an academic field.
- ✓ You must have at least 3 years of experience teaching and/or doing research in your academic field.
- ✓ You must have a US job offer to work in a teaching position or as a researcher.

The visa petition must include documents proving at least 2 of the 6 requirements set out below, and also include a job offer from a U.S. employer:



EB-1B Criteria

- 1. Awards:** Evidence of receipt of major prizes or awards for outstanding achievement.
- 2. Memberships:** Evidence of membership in associations that require their members to demonstrate outstanding achievement.
- 3. Published Articles Written by Others About Your Work:** Evidence of published material in professional publications written by others about the alien's work in the academic field.
- 4. Peer Review Activities:** Evidence of participation, either on a panel or individually, as a judge of the work of others in the same or allied academic field.
- 5. Original Contributions:** Original scientific, scholarly, or artistic contributions in the field.
- 6. Published Scholarly Articles Written by You:** Evidence of authorship of scholarly books or articles (in scholarly journals with international circulation) in the field



There are 3 ways to satisfy job offer requirements;

1. A job offer from a university or institute of higher education as a teacher.
2. A job offer from a university or institute of higher education as a researcher.
3. A job offer from a private employer as a researcher.

USCIS takes a 2-step approach when deciding whether You Are Internationally Recognized as Outstanding in Your Field:

Step 1: Evidentiary Threshold or Calculating Prongs Satisfied

During this step, USCIS is determining whether you actually have sufficient evidence to satisfy at least 2 of the 6 evidentiary criteria listed above (awards, membership in associations, etc.). The quality and the caliber of the evidence is not the primary focus of this step. If you do not satisfy at least 2 of the criteria, your petition will be denied.

Step 2: Final Merits Determination or Totality test

During this step, USCIS is critically analyzing the totality of the evidence submitted to see whether you have been at a level to be considered outstanding in your field. At this stage is where the quality and caliber of your evidence is primarily assessed.

Even if you satisfy 2 of the 6 evidentiary criteria, you still might not pass the final merits determination if the evidence you submit is not strong enough.



EB – 1C MULTINATIONAL MANAGER OR EXECUTIVE CATEGORY

The EB-1 also includes a sub-category of green cards for Managers and Executives of Multinational Companies. This green card category is intended to make it easier for multinational companies to transfer high-ranking foreign executives and managers to the U.S. The EB1C visa is a great option for managers and executives to transfer from a foreign company to a related US company.

To establish that the U.S. employer is a multinational company, the visa petition must include information that proves 5 qualifying criteria as following:



Qualification Criteria

1. a qualifying relationship between the foreign company and the US company.
2. The beneficiary must be employed in a managerial or executive position as a full-time employee of the foreign company for at least 1 year in the 3 years prior to the visa petition.
3. The beneficiary must have worked for the foreign company in a managerial or executive capacity.
4. The beneficiary must have a full-time job offer to work for the US company in a managerial or executive capacity.
5. The U.S. employer must have been doing business for at least 1 year, as an affiliate, a subsidiary, or as the same corporation that employed the beneficiary abroad.

Executive duties usually require that the employee engage in policymaking for a company and have a role in determining the goals and strategy of a company.

Managerial functions include management of professionals or other managers, or management of an essential function of the organization.



Definition of Manager & Executive

Personnel Managers


- ✓ Manages and controls the work of other supervisory, professional, or managerial employees.
- ✓ Supervises and controls the work of other supervisory, professional, or managerial employees.
- ✓ Possesses the authority to hire and fire or recommend those types of personnel actions for the employees they directly supervise.

Function Managers

- ✓ Manages the organization, or a department, subdivision, function, or component of the organization.
- ✓ Manages an essential function within the organization, or a department or subdivision of the organization.
- ✓ Functions at a senior level within the organizational hierarchy or with respect to the function managed.
- ✓ exercised discretion over the day-to-day operations of the activity or function that they have authority over.

Executive

- ✓ Directs that management of the organization or a major component or function of the organization.
- ✓ Establishes the goals and policies of the organization, component, or function.
- ✓ Exercises wide latitude in decision-making.
- ✓ Receives only general supervision or direction.



EB-1 Green Card Application Process

To obtain an EB-1 Green Card, you must file, and receive approval of, an I-140 Immigrant Petition and an I-485 Adjustment of Status Application.

Step 1

File a Form I-140, Petition for Alien. The purpose is to prove that the applicant qualifies for EB-1 category. Form I-140 application procedure.

Step 2

Background Check. The applicant and his/her family members must prove that they do not have prior immigration or criminal violations or other problems that would make them ineligible for the green card

Step 3

File a Form I-485 or Take Consular Processing Interview. Upon approval of Form I-140, the applicant should file Form I-485 application for adjustment of status or take consular processing interview at a US consulate in his country.

Step 4

Receive Green Card. The permanent resident card (Green Card) will be mailed to the applicant's home or collected from the consulate based on the priority dates; if the application is approved by USCIS.

The applicant must intend to continue working in the same field and be able to demonstrate how his/her expertise would benefit the U.S.



EB-1

Green Card

Benefits

- ✓ Employer Sponsorship is Not Required for EB-1A Extraordinary Ability & Qualification
- ✓ US employer must the petition for EB-1C multinational manager or executive petition.
- ✓ A Specific Offer of Employment is Not Required
- ✓ Green Card Backlogs Applicable to Other Green Card Categories Typically Do Not Apply to EB-1A
- ✓ PERM Labor Certification is Not Required
- ✓ No Investment Requirements
- ✓ No Business Continuity or Performance Requirement
- ✓ Premium Processing is Available
- ✓ Family (Spouse and under age 21) included

Time Period



Standard process time is 3 months but EB-1A I-140

Immigrant Petition can be filed under the premium processing program, which means your EB-1A I-140 Immigrant Petition could be approved in as little as 15 days or less if no Request for Evidence (RFE) is issued for your application.

Even if an RFE is issued, you will receive a decision on your application within 15 days after the RFE response is submitted.



Application Fee

✓ I-140 Filing Fee: \$700

✓ I-140 Premium Processing Fee (if requested):

\$1,410

✓ I-485 Filing Fee for Principal Applicant: \$1,225

✓ I-485 Filing Fee for Dependent Spouse and/or

Child over age 14: \$1,225 each

✓ I-485 Filing Fee for Dependent Child under age

14: \$750 each



Contact Information

**For any questions or
concerns**

MAILING ADDRESS

2000 Duke Street
Alexandria 22314, VA - USA

EMAIL ADDRESS

usimmigrationandvisa@gmail.com

PHONE NUMBER

+1 (213) 927 6537

Skype

USA Support



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