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Law Group, PC

**EB-1(b)**  
**First Preference Immigrant Petition**  
INA §203(b)(1), 8 CFR §204.5(i)

A First Preference Immigration Petition (EB-1) is an employment-based petition for permanent residence reserved for those who are among the most able and accomplished in their respective fields within the arts, sciences, education, business, or sports. There are three (3) types of EB-1 petitions:

- Alien of Extraordinary Ability EB-1(a)
- Outstanding Researcher/Outstanding Professor EB-1(b)
- Managers and Executive Transferees EB-1(c)

The most notable advantage for those who qualify for an EB-1 petition is the lack of a Labor Certification requirement.

In an EB-1 petition, the Labor Certification is not required at all. In EB-(a) petition, a permanent job offer is not required, and an alien may petition immigration by himself or herself. However, in EB-1(b) and EB-1(c) petitions, a permanent job offer is required. In other words, a US employer must be the petitioner in EB-1(b) or EB-1(c) petition.

An Outstanding professor or researcher, or EB-1(b), classification applies to aliens who can demonstrate that they are “recognized internationally as outstanding in the academic field specified in the petition.”



**EB-1(b) Outstanding Professors and Researchers Checklist\***

Forms	Status
Form G-28 for Kalpana V. Peddibhotla	
Form I-140 – Petition for Immigrant Worker	
Documents	
<b>Cover letter from Attorney attaching forms and supporting documents and explaining petitioner’s field and expertise</b>	
<p><b>Evidence of Alien’s international recognition as outstanding in the academic field specified in the petition (8 CFR 204.5(i)(3)(i):</b></p> <ol style="list-style-type: none"> <li>1. Receipt of major prizes or awards for outstanding achievement in the academic field;</li> <li>2. Membership in associations in the academic field which require outstanding achievements of their members;</li> <li>3. Published material in professional publications written by others about the alien’s work in the academic field;</li> <li>4. Evidence that the alien is a judge of the work of others in the academic field;</li> <li>5. Evidence of the alien’s original scientific or scholarly research contributions to the academic field; or</li> <li>6. Authorship of scholarly books or articles in the academic field;</li> </ol>	
<p><b>Evidence that the Alien has at least 3 years of experience in teaching and/or research in the academic field.</b></p> <p><b>NOTE:</b> Experience in teaching or research while working on an advanced degree will only be acceptable if the alien as 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 with the academic field as outstanding</p>	
<p><b>An Offer of Employment from a prospective US employer.</b> The offer of employment shall be in the form of a letter from:</p> <ol style="list-style-type: none"> <li>1. A US university or institution of higher learning offering the alien a tenured or tenure-track teaching position in the alien’s academic field;</li> <li>2. A US university or institution of higher learning offering the alien a permanent research position in the alien’s academic field; or</li> <li>3. A department, division, or institute of a private employer offering the alien a permanent research position in the alien’s academic field.</li> </ol> <p>Note: The department, division, or institute must demonstrate that it employs at least <u>three persons full-time in research positions, and that it has achieved documented accomplishments in an academic field.</u></p>	

\* The above checklist does not include the required documents for forms I-485, I-131, I-765.