



We will begin momentarily at 2pm ET



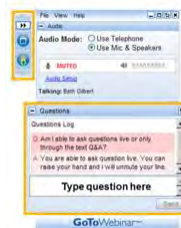
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Thursday, September 24, 2015

“Delivery Options to Support Dose Escalation in Preclinical Toxicology and Pharmacodynamic Activity Studies”

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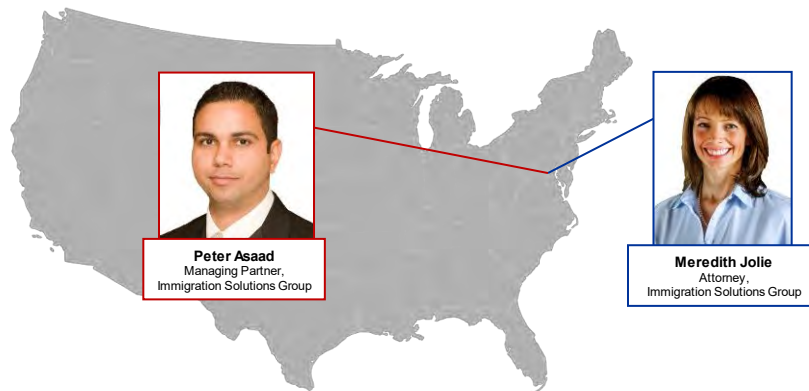
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“Paving Your Eligibility Pathway: Green Card Tips for Scientists, Professors and Researchers”



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Paving Your Eligibility Pathway:

Green Card Tips for Scientists, Professors and Researchers



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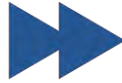
This presentation provides general information only and cannot substitute for individualized legal advice about your particular case. Moreover, the laws, regulations and policies do change frequently. Accordingly, seeking an attorney for advice on your particular case is a must before taking any action or inaction.





Agenda

- Key **fast track green card pathways** for scientists, professors and researchers.



- **Steps toward eligibility** that you can and should take each and every day.

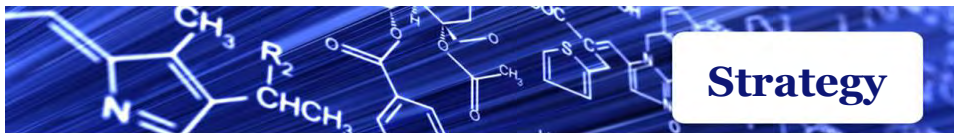


- **Tips for letters of recommendation** that will lead to an approval.

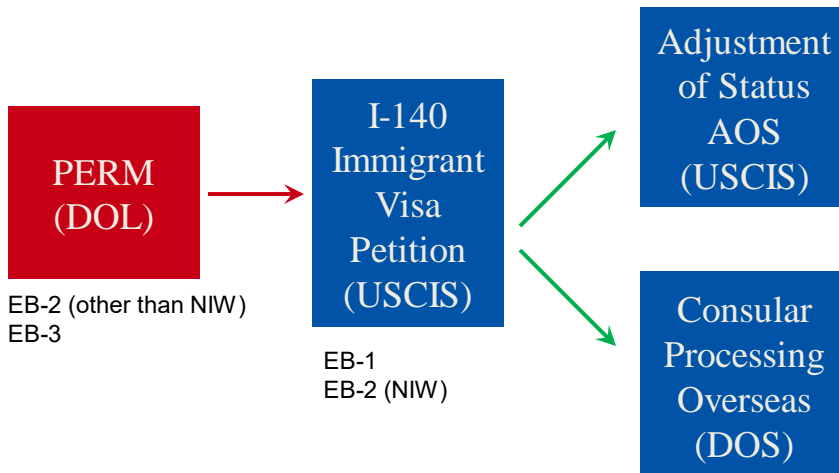


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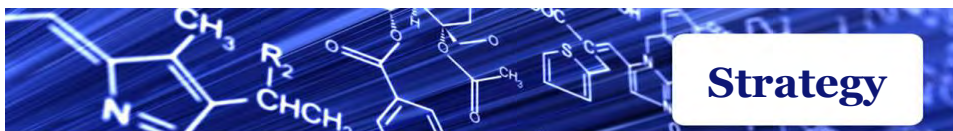


Strategy



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Employment-Based	All Chargeability Areas Except Those Listed	CHINA - mainland born	INDIA	MEXICO	PHILIPPINES
1 st (EB-1)	C	C	C	C	C
2 nd (EB-2)	C	01JAN06	01JAN06	C	C
3 rd (EB-3)	15AUG15	22DEC04	22DEC04	15AUG15	22DEC04
Other Workers	15AUG15	01JAN04	22DEC04	15AUG15	22DEC04
4 th (EB-4)	C	C	C	C	C
Certain Religious Workers	C	C	C	C	C
5 th (EB-5) Non-Regional Center (C5 and T5)	C	22SEP13	C	C	C
5 th (EB-5) Regional Center (I5 and R5)	C	22SEP13	C	C	C



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Audience Survey Question

ANSWER THE QUESTION ON BLUE SCREEN IN ONE MOMENT



What is your current position?

- Researcher
- Professor
- Scientist in Another Capacity
- Other

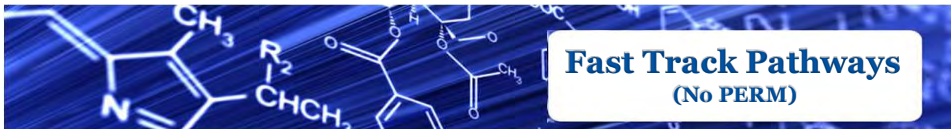
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What are the **special fast track pathways** to a green card for a scientist, researcher or professor?



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- **Employment-Based Immigration: First Preference (EB-1)**
 1. Persons of “Extraordinary Ability”
 2. “Outstanding Professors and Researchers”

- **Employment-Based Immigration: Second Preference (EB-2)**
 3. National Interest Waiver (“NIW”)



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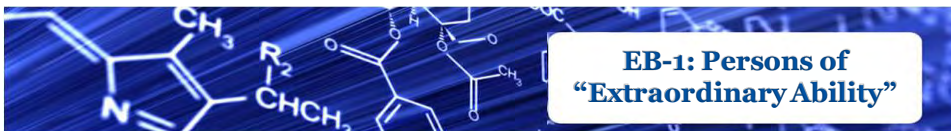
- Employment-Based Immigration: First Preference (EB-1)

-> PERSONS OF “EXTRAORDINARY ABILITY”



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- No employer/sponsor required.
- No Labor Certification.
- For people who are recognized as being at the very top of their field and who are coming to the United States to continue work in that field.
- Provide evidence of 3 out of the 10 listed criteria below to prove extraordinary ability and all your evidence, when evaluated together, shows that you are among the small percentage of individuals that have risen to the very top of your field.



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Show "Extraordinary Ability" with at least 3 of the Following:

1. Evidence of receipt of lesser nationally or internationally recognized prizes or awards for excellence;
2. Membership in associations in the field which demand outstanding achievement of their members;
3. Published material about you in professional or major trade publications or other major media;
4. You have been asked to judge the work of others, either individually or on a panel;
5. Your commercial successes in the performing arts;
6. Original scientific, scholarly, artistic, athletic, or business-related contributions of major significance to the field;



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List Continued for "Extraordinary Ability":

7. Authorship of scholarly articles in professional or major trade publications or other major media;
8. Your work has been displayed at artistic exhibitions or showcases;
9. Your performance of a leading or critical role in distinguished organizations; or
10. You command a high salary or other significantly high remuneration in relation to others in the field.



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Tips – “Extraordinary Ability” Cases that **Succeed**:

- Narrowed field of expertise.
- Showing, not telling.
- Providing comparative evidence.
- Testimonial letters that focus on the qualifying criteria
- Strong support letters:
 - Substantial, recognized national or international organizations/institutes/ government agencies with expertise.
 - The authors of these third-party testimonial letters should clearly state how they came to be familiar with your work.
 - Carries more weight if the author is not a personal friend of the applicant.
 - Used letters written by those who know you (head of organization) and those who do not know you (objective expert letters).



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Tips – “Extraordinary Ability” Cases that **Fail**:

- Failing to recognize that each criteria is related to that definition, “having risen to the top of your field of endeavor.”
- Referring to memberships in associations that are merely purchased.
- Media or press that fails to mention you by name.
- Failing to give stats on why prizes/award is rare and uncommon.
- Authorship of scholarly articles that is common for a PhD.
- Letters that do not explain basis for opinion or how that person knows your work.
- Letters that do not have accompanying CV or paragraph about the author’s credentials.



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Audience Survey Question

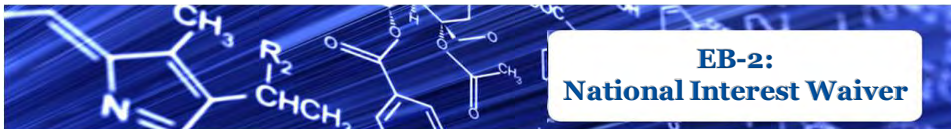
ANSWER THE QUESTION ON BLUE SCREEN IN ONE MOMENT



When requesting others to write support letters on your behalf, is it better to ask someone that you have worked with or someone whom you have never worked with?

- Someone that you have worked with
- Someone whom you never worked with
- Both A & B

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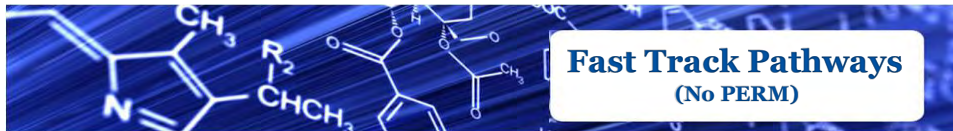
Tips – Strong “Extraordinary Ability” Testimonial Letters:

- Written like an expert opinion and not like a recommendation letter.
- Testimonial letters that focus on the qualifying criteria.
- Origin of the letter – substantial, recognized national or international organizations/institutes/ government agencies with the expertise.
- Relationship of the author – Use letters written by those who know you (head of organization) and those third party-persons who do not know you (objective expert letters).
- A testimonial letter will often carry more weight if the author is not a personal friend of the applicant.
- The authors of these third-party testimonial letters should clearly state how they came to be familiar with your work.



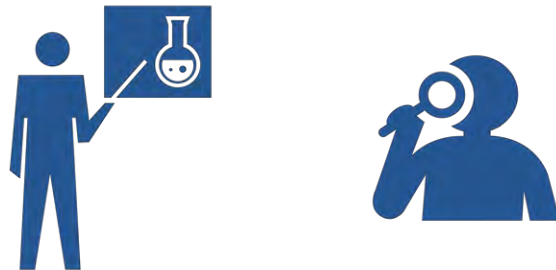
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- Employment-Based Immigration: First Preference (EB-1)

-> “OUTSTANDING PROFESSORS AND RESEARCHERS”



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- Employer sponsor is required.
- No Labor Certification.
- Must show international recognition for your outstanding achievements in a particular academic field.
- Must have at least 3 years experience in teaching or research in that academic area.
- Permanent job offer: Entering the U.S. in order to pursue tenure or tenure track teaching or comparable research position at a university or other institution of higher education.



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Show “Outstanding” with at least 2 of the Following:

1. Evidence of receipt of major prizes or awards for outstanding achievement;
2. Evidence of membership in associations that require their members to demonstrate outstanding achievement;
3. Evidence of published material in professional publications written by others about the alien's work in the academic field;
4. 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. Evidence of original scientific or scholarly research contributions in the field;
or
6. Evidence of authorship of scholarly books or articles (in scholarly journals with international circulation) in the field.



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- Employment-Based Immigration: Second Preference (EB-2)

-> NATIONAL INTEREST WAIVER (“NIW”)



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- No employer sponsor required.
- No Labor Certification (“waived”).
- Persons with an advanced degree or of “exceptional ability” in the sciences, arts, or business
- NYSDOT: The Three-Pronged Test:
 1. Benefit will be **national in scope**;
 2. Area of **substantial intrinsic merit**; and
 3. Will serve the national interest **to a substantially greater degree than others** in the same field and requiring a labor certification would harm the national interest.



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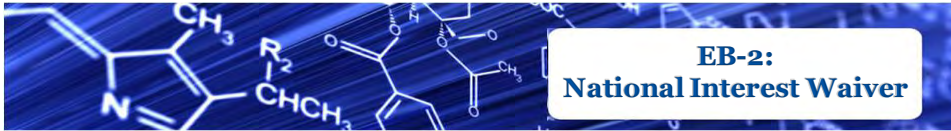
Advanced Degree:

- U.S. advanced degree or a foreign equivalent degree;
- OR
- baccalaureate degree plus 5 years work experience in the field.
(Submit letters from current or former employers showing that you have at least 5 years of progressive post-baccalaureate work experience in the specialty).



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Exceptional Ability: (Show 3)

1. Degree, diploma, certificate, or similar award from a college, university, school, or other institution of learning relating to your area of exceptional ability;
2. Letters documenting at least 10 years of full-time experience in your occupation;
3. A license to practice your profession or certification for your profession or occupation;
4. Evidence that you have commanded a salary or other remuneration for services that demonstrates your exceptional ability;
5. Membership in a professional association(s);
6. Recognition for your achievements and significant contributions to your industry or field by your peers, government entities, professional or business organizations; or
7. Other comparable evidence of eligibility is also acceptable.



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Audience Survey Question 
ANSWER THE QUESTION ON BLUE SCREEN IN ONE MOMENT

National Interest Waiver Tip: Which is more important...?

- The value of what you can contribute.
- The fact that you are working in a field of high national interest.

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EB-2: National Interest Waiver

Tips – NIW Cases that **Succeed**:



- Your achievements distinguish you or sets you apart from others with the same education and training in your field.
- You are irreplaceable and indispensable to the completion of a critical activity.
- Harm to important work if you are replaced.
- Your past achievements have been recognized as significant by peers, governmental entities, professional, or business organizations.
- You authored a patent setting you apart from others in your field and endeavor.
- Others in the field cite to your work as showing your work's impact in the field.
- You created a standard or model which others use and reply upon.



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EB-2: National Interest Waiver

Tips – NIW Cases that **Fail**:



- A graduate student who has done little outside the work required to complete your degree.
- Relying merely on your field of high national interest or cutting edge.
- Emphasizing that there are few able and qualified workers in your field rather than your expertise.
- Relying on the institution you are currently employed rather than your critical position at the institution.
- You only have one or a list of future endeavors with no past accomplishments to support the likelihood of success in those future endeavors.
- Many people have received the same recognitions, memberships, and publications as you such that you appear replaceable.



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Audience Survey Question

ANSWER THE QUESTION ON BLUE SCREEN IN ONE MOMENT



Which fast track petition do you believe you are most eligible to file?

- An “Extraordinary Ability” Petition
- An Outstanding Researcher or Professor Petition
- A National Interest Waiver (NIW) Petition
- None

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For a Case Specific Assessment or to Petition for Your Green Card:



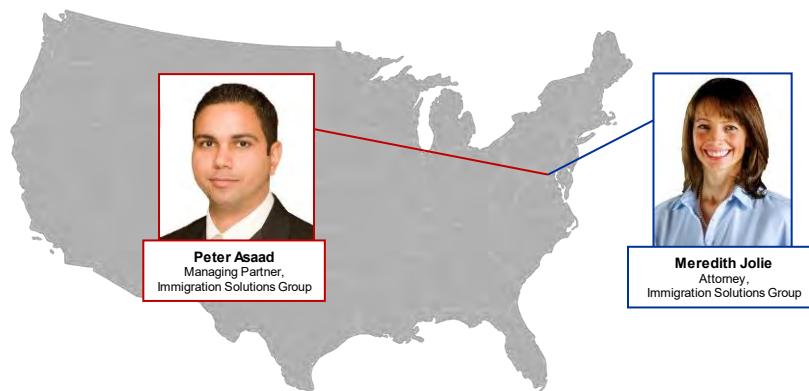
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**“Paving Your Eligibility Pathway:
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Thursday, September 24, 2015

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Preclinical Toxicology and Pharmacodynamic
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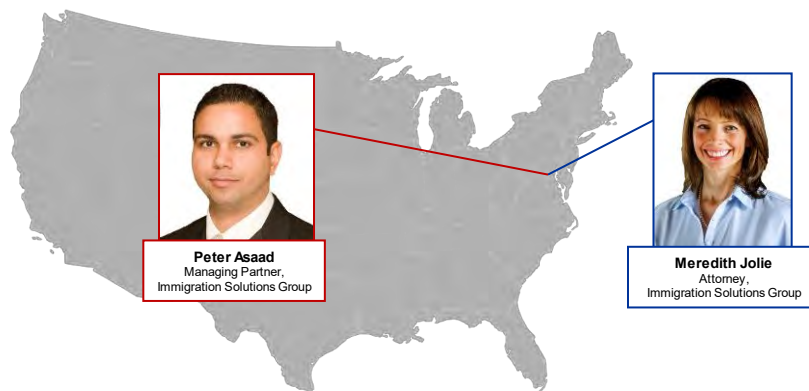
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