

ATTACHMENT 3

EB-1 Eligibility and Filing

Aliens with **extraordinary ability** are those with "extraordinary ability in the sciences, arts, education, business, or athletics which has been demonstrated by sustained national or international acclaim and whose achievements have been recognized in the field through extensive documentation." You must be one of "that small percentage who have risen to the very top of the field of endeavor," to be granted this classification. For example, if you receive a major internationally recognized award, such as a Nobel Prize, you will qualify for an EB-1 classification. Other awards may also qualify if you can document that the award is in the same class as a Nobel Prize. Since few workers receive this type of award, alternative evidence of EB-1 classification based on at least three of the types of evidence outlined below, is permitted. The worker may submit "other comparable evidence" if the following criteria do not apply:

1. 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 the alien in professional or major trade publications or other major media;
4. Evidence that the alien has judged the work of others, either individually or on a panel;
5. Evidence of the alien's original scientific, scholarly, artistic, athletic, or business-related contributions of major significance to the field;
6. Evidence of the alien's authorship of scholarly articles in professional or major trade publications or other major media;
7. Evidence that the alien's work has been displayed at artistic exhibitions or showcases;
8. Performance of a leading or critical role in distinguished organizations;
9. Evidence that the alien commands a high salary or other significantly high remuneration in relation to others in the field;
10. Evidence of commercial successes in the performing arts.

Outstanding professors and researchers are recognized internationally for their outstanding academic achievements in a particular field. In addition, an outstanding professor or researcher must have at least three years experience in teaching or research in that academic area, and enter the U.S. in a tenure or tenure track teaching or comparable research position at a university or other institution of higher education. If the employer is a private company rather than a university or educational institution, the department, division, or institute of the private employer must employ at least three persons full time in research activities and have achieved documented accomplishments in an academic field.

Evidence that the professor or researcher is recognized as outstanding in the academic field must include documentation of at least two of the following:

1. Receipt of major prizes or awards for outstanding achievement;
2. Membership in associations that require their members to demonstrate outstanding achievements;

3. Published material in professional publications written by others about the alien's work in the academic field;
4. Participation, either on a panel or individually, as a judge of the work of others in the same or allied academic field;
5. Original scientific or scholarly research contributions in the field;
6. Authorship of scholarly books or articles (in scholarly journals with international circulation) in the field.