

AMERICAN DREAM: IMMIGRATION THROUGH HIGHER EDUCATION

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The COVID-19 pandemic led many institutions of higher education to reduce significantly - or freeze - their efforts to hire qualified faculty (Zhang & Renz 2022). Countries around the globe, including the U.S., had started to recover from the pandemic. Students had returned to campus. Universities had resumed their recruiting efforts. Due to high turnover and strong demand for qualified faculty, many universities drew from an international talent pool to fill their open positions. In fact, international faculty, also known as foreign-born faculty, had been a significant source of diversity at many institutions of higher education in the U.S. for several decades (Theobald 2013). At the same time, a long-enduring debate about immigration was going on in the U.S. The debate centered around immigration policies and how to solve challenges of immigration (Council on Foreign Relations 2022). It was only a question of time until this debate and recruiting practices at institutions of higher education crossed their paths.

You are a personnel analyst working for a mid-sized public university located in the U.S. “*What options do we actually have to hire international faculty?*” asked the Dean of your college. Your Dean expects your input and an evaluation of different options by the end of the week!

Your expertise is in human resource management, and you have some knowledge about your institution's current recruiting practices. However, you have little knowledge about other available options. Therefore, you decide to get in touch with Personnel Analysts at similar institutions to inquire about their practices. But first, to get a better idea of what it means to be an international faculty member, and to be equipped for the discussion with your colleagues at other institutions, you asked several international faculty members at your institution about their immigration experiences. You need to hurry: your Dean expects your input and an evaluation of the different options by the end of the week.

Immigration through Higher Education

You learned about immigration through higher education from the international faculty members at your institution.

Who is an Immigrant?

Thousands of individuals seeking to immigrate arrived in the U.S. every year through different channels. Some individuals arrived as refugees and others arrived as economic migrants. While their motivations and countries of origin varied, they usually had in common a desire for a new and better life – the pursuit of the American Dream. Although aspiring immigrants had already completed a long and oftentimes arduous journey, their arrival on U.S. soil was usually only the proverbial “*first step*” of an even longer journey to become officially recognized as an immigrant (see Exhibit 1), and eventually to become a citizen of the U.S. - welcomed by the President (see Exhibit 2).

Exhibit 1. Immigrant Status

Source: Department of Homeland Security (2022)

An immigrant is “any person lawfully in the United States who is not a U.S. citizen, U.S. national, or person admitted under a nonimmigrant category as defined by the INA Section 101(a)(15)” (Department of Homeland Security 2022, Section I). In contrast, a nonimmigrant is “any person in the United States not a U.S. citizen or U.S. national who is admitted on a temporary basis to the United States for a specific purpose under a nonimmigrant category as defined by the INA Section 101(a)(15)” (Department of Homeland Security 2022, Section N).

INA refers to the Immigration Nationality Act which is the “primary law, codified at U.S. Code Title 8, that governs the immigration, temporary admission, naturalization, and removal of persons who are not citizens or nationals of the United States” (Department of Homeland Security 2022, Section I). INA Section 101(a)(15) can be accessed [here](#).

Exhibit 2. Welcome to the United States

Source: USCIS (2021)

<https://www.youtube.com/embed/1jx2s9XISoM?feature=oembed>



The Path of Higher Education

Higher education did not offer a direct path to immigrate to the U.S.; the path was indirect. International students at institutions of higher education usually obtained J-1, M-1, or F-1 Visas to pursue their studies in the U.S. (see Appendix A). To gain professional experience in addition to academic credentials, students could either pursue [Curricular Practical Training \(CPT\)](#); see Appendix B) or [Optional Practical Training \(OPT\)](#); see Appendix C) during or after their studies. After completion of their studies and practical training, students usually were not eligible for an immigrant status and were expected to return to their countries of origin.

Graduates also had the option to find an employer who was willing to sponsor a work authorization through the H-1B visa program (see Appendix D). However, each year only a limited number of H-1B Visas was granted. The number of H-1B Visas was capped and allocated using a lottery system (U.S. Citizenship and Immigration Services 2022b, 2022d). Jim Hacking, an immigration lawyer operating in the U.S., gave an overview of the H-1B visa lottery system (see Exhibit 3). The potential employee and employer had to be lucky to be selected for an H-1B visa. Although there had been improvements, the lottery system and its uncertain waiting time often deterred employers and potential employees.

Therefore, many international graduates decided to pursue a doctoral degree to qualify for visa sponsorship through an institution of higher education. The advantage of these institutions was that they could sponsor H-1B visas separately from the H-1B visa lottery, and could sponsor an unlimited number of work authorizations if their funding for faculty positions permitted. Exhibit 4 shows the number of doctoral degree recipients by field of study and status in the U.S. Exhibit 5 shows the number of doctoral degree recipients on temporary visas who intended to stay in the U.S. after graduation by region of citizenship. As a result, over 22% of faculty members in the U.S. were born outside of the country (Furuya, Nooraddini, Wang & Waslin 2019).

Exhibit 3. How to Apply for the H-1B Visa Lottery

Source: Hacking Immigration Law, LLC (2022)

<https://www.youtube.com/embed/H-LrhT2v2EE?feature=oembed>



Exhibit 4. Doctoral Degree Recipients by Field of Study and Status in the United States

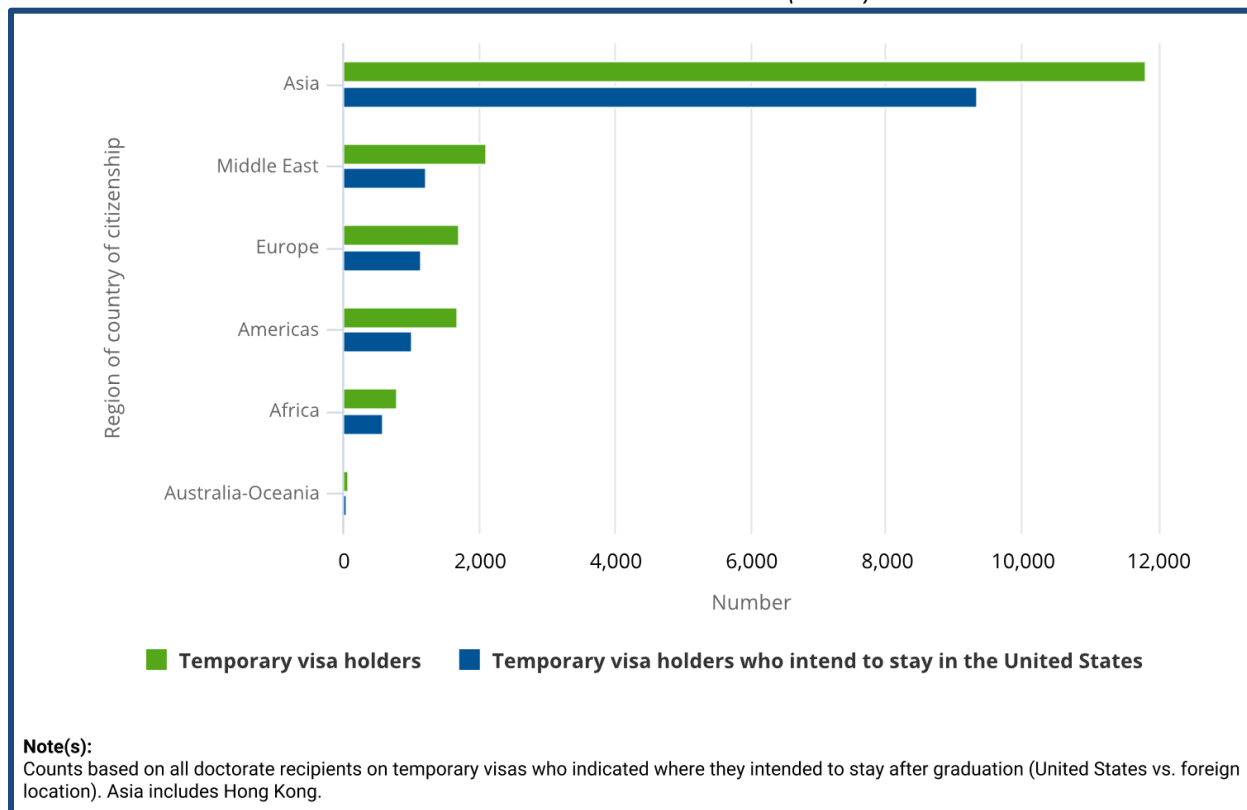
Source: National Science Foundation (2020a)

Field of Study	All Doctorate Recipients	Temporary Visa Holders	U.S. Citizens or Permanent Residents
Life Sciences	12,561	3,430	8,707
Physical Sciences and Earth Sciences	6,247	2,311	3,741
Mathematics and Computer Sciences	4,392	2,475	1,736
Psychology and Social Sciences	8,946	1,832	6,605
Engineering	10,476	5,955	4,154
Education	4,716	661	3,896
Humanities and Arts	4,939	742	3,915
Other	3,006	1,076	1,738
Total	55,283	18,482	34,492

Note: All doctorate recipients include respondents who did not report citizenship.

Exhibit 5. Doctorate Degree Recipients on Temporary Visas who Intended to Stay in the United States after Graduation by Region of Citizenship

Source: National Science Foundation (2020b)



Different Approaches to Hiring International Faculty

Personnel Analysts at University A, University B, and University C shared with you their different approaches to hire international faculty.

University A

At University A, newly hired international faculty usually had recently graduated from their doctoral degree programs. These faculty members had F-1 Visas during their doctoral programs and were eligible to apply for OPT after graduation (see Appendix C). University A asked recent graduates to apply for OPT and to use this status for their first year of employment at University A. The one year of OPT allowed faculty and University A to gather all needed documents to apply for the H-1B visa, and provided an additional probationary period to assess

fit between the faculty member and the university. University A assured newly hired faculty that once the OPT period had been exhausted, the university would sponsor the H-1B visa for a period of three years (see Appendix D). After these three years, if the international faculty member and University A both wanted to continue the employment relationship, University A would apply for another H-1B visa that allowed employment for another three years. Then University A would submit an application for permanent residency, which is also known as “green card,” on behalf of the international faculty member.

University B

At University B, newly hired international faculty usually had recently graduated from their doctoral programs, and were asked to apply for OPT – just like at University A. However, in some cases, new faculty members had already used their OPT for temporary faculty positions. In these cases, University B applied for H-1B Visas on behalf of faculty right from the beginning of the appointments. University B applied for periods of two years because their faculty performance review and evaluation periods took place every two years. The renewed applications for the H-1B visa were contingent on the satisfactory performance of faculty in the respective review and evaluation periods. Additionally, University B usually avoided sponsoring permanent residency.

University C

University C also mostly hired international faculty who had recently graduated from their doctoral programs, and some faculty who had prior appointments at other institutions. University C did not differentiate between both groups of faculty and sponsored H-1B Visas on behalf of all international faculty. At the same time as the H-1B visa applications were submitted, the applications for permanent residency were filed on behalf of faculty.

Experiences of International Faculty With Universities' Approaches

You started to wonder how international faculty perceived those different approaches. One of the international faculty members at your institution referenced an online forum about the management faculty job market where this issue was discussed (see Exhibit 6).

Exhibit 6. Management Faculty Job Market Discussion

Source: 2022-2023 Management PhD Jobs Doc (2022)

<https://docs.google.com/spreadsheets/d/1yfzDTxqndA-wkn8Tml5QNjgLAqfbutHLGjYM8bJOYo0/edit#gid=0>

Question	Responses
Do U.S. schools sponsor green card application for TT positions?	<p>Yes. I don't think approval is contingent on the prestige of the school, though.</p> <p>>Thanks for the information!</p> <p>Better schools may have better staff for this, but the outcome should be the same regardless (positive). I got a GC in 14 months since starting a job.</p> <p><- You'd think. Some of the most incompetent staff I've met have been at a top 5 school lol</p>
Will higher ranked schools more likely to sponsor and get approval as a result?	<p>>Thanks for sharing! May I ask whether it is EB1B, do we need journal publications for GC application?</p> <p>> no, it was EB2B, no pubs. But I had to move fast and pay A LOT out of pocket.</p> <p>> Thanks! That is really fast</p>
	<p>No, not all U.S. schools sponsor a green card application. Not all U.S. schools have knowledgeable staff to submit applications. Some schools may have racist staff who actively delay and hinder applications. The green card request is an important issue to ask to be explicitly listed on your offer letter. Otherwise, you'll have to pay 15k out of pocket expenses for immigration lawyers and other fees, and that's only if you're lucky enough to be eligible for NIW and don't need employer sponsorship. (Based on personal experience, tenure track, top school, not Indian not Chinese)</p> <p>(< Be careful throwing around the racist card. It's more likely incompetence rather than motives)</p> <p>>Thank you for your great suggestion. This is indeed my greatest concern when reviewing offer details. If I apply for myself, need a really long lineup I guess (due to my nationality). I heard schools have the benefit to have much quicker processing and no lineup for Indian and Chinese applicants.</p> <p><- not true, Indian and Chinese applicants need to wait for 4+ years</p> <p>< This is because there are so many Chinese and Indian waiting in line for green cards.</p> <p>> E, again. If you have more than one offer, please prioritize schools with credible commitment to retaining global talent. When a school's hallways whisper horror stories of immigrant faculty whose H1-B and green card applications were mishandled and delayed over decades, be more careful in your choices. My school even mishandled my H1-B renewal, after they had already mishandled my</p>

	<p>green card application. I have told my senior colleagues that I will discourage any immigrant assistant prof from joining my school.</p> <p>--> wow, sorry to know that and I appreciate your advice.</p>
<p>Do U.S. schools sponsor green card application for TT positions?</p> <p>Will higher ranked schools more likely to sponsor and get approval as a result?</p>	<p>I've seen a couple of barely accredited teaching schools state no sponsorship, but these are few and far between.</p> <p>>Thanks!</p> <p>>E, here. My school is very, very accredited. Originally, they claimed that they would sponsor it. But HR staff didn't prepare the paperwork, and the senior leadership didn't hold HR staff accountable. It was 18 months of me going to HR staff, the department head, and the associate dean, begging them. And after the USCIS 18-month deadline is over, no one can do anything.</p> <p>So sorry to hear about E's troubles, I have heard similar things before. Having said that, I don't know if any school would actually put that in the letter. I'd be cautious in asking for that - not asking for the sponsorship, but asking for the details to be put in the letter. It would convey a mistrust - in E's case it is certainly earned - but I am not sure if that is a good idea for the majority of schools whose word you can trust.</p> <p>>Overall, make sure you know that they will sponsor you, and most will. After that, make sure to stay on top of everything, first important deadline is PERM which is 18 months from getting your offer. Your school has to apply for this. So, make sure that they do. Don't think, "<i>Oh, they will do it,</i>" they might not as in E's case. I have a friend whose school (a flagship state school BTW) missed the PERM deadline, and he had no idea about the process. He ended up moving to another school.</p> <p>>E's school missed the PERM deadline for multiple faculty over the years. The HR staff asked the faculty to resign so that they could rehire them & restart the 18-month clock. Of course, the resignation screamed red flag for the USCIS, so USCIS audited these cases. E's colleague eventually moved to another country, withdrawing the hopeless & now-problematic green card application. Following a lawyer's advice, I insisted to my school that I wouldn't resign. So, as H suggested, please be very proactive and check every HR word & suggestions with a knowledgeable immigration lawyer.</p> <p>Best advice: Be VERY proactive about this.</p> <p>I have heard some faculty applying through EB1 route. Check that out too.</p>

<p>Do U.S. schools sponsor green card application for TT positions?</p> <p>Will higher ranked schools more likely to sponsor and get approval as a result?</p>	<p>I was at a state flagship and the same bungling of green card application happened to me. I was not aware of the 18-month PERM deadline for EB2 and when I enquired about the sponsorship of my green card, HR noted that this was no longer a possibility - it was EB1 or bust for me. This was complicated by the fact that I had a slow start to my publishing career and the school felt my case was not strong enough to support. I consulted with an external lawyer with a good track record and my plan was to pursue an EB1A application without my school's support since I was nearing the end of my H1B visa. I ended up going on the market again and applied internationally (given the strong likelihood that a green card would not be possible and my H1B clock was ending) with a few U.S. schools. This time around, I was very clear with U.S. schools regarding my urgent sponsorship needs given my visa situation (once they had decided to give me an offer) and asked them to check with their internal legal counsel before I considered accepting. All worked out in the end, but it was a very tough struggle for 7+ years.</p> <p>I also learned after the fact that my first academic home had a long history of making mistakes with timelines and processing green card paperwork for many international faculty - apparently it was a known issue but largely unaddressed. The comments highlighted earlier to be proactive are key. I wish I was more knowledgeable from the get-go - I could have possibly avoided years of stress in this regard.</p> <p>> So sorry to hear all the struggle you've experienced. I will research as soon as I can.</p>
<p>Can universities hire on J1 visa, or do they have to apply for H1B?</p>	<p>Although the University's lawyers may be competent, I suggest hiring your own to help process permanent resident paperwork. I've had several friends had their green cards take way too long because the university lawyers were just bad at their job.</p> <p>Just FYI: in some of the seps of getting a green card, you don't have much control. PERM needs to be done by the school, I even don't know whether you can pay for it (you cannot pay for the H1b application, for example) so your lawyers might not be able to do it. Having legal advice and being proactive are very important though.</p> <p>The whole immigration system is over-stressed. So many different categories.</p> <p>Some schools allow you to start on OPT, but this requires an F1 visa. Therefore, the uni would need to apply for H1B. Check if you have a 2YHRR (if this applies to you, you are not eligible for H1B).</p>

Exhibit 6 refers to two types of green card applications – EB1 and EB2. EB2 referred to the green card application that universities submitted on behalf of international faculty (U.S. Citizenship and Immigration Services 2022e). EB1 referred to a green card application that faculty could submit on their own. However, to get an EB1 application approved, faculty needed to demonstrate extraordinary ability or outstanding reputation in their field (see Appendix E; U.S. Citizenship and Immigration Services 2022f). The costs and duration of this alternative process were hard to predict because international faculty who chose this route needed to obtain their own immigration attorney, and provide strong evidence to support their case. All of the associated financial and other costs were carried by the international faculty member.

The Dilemma

As you see, there are different options to hire international faculty. Universities are in the position to decide which option to choose, and, for many international faculty, they become gatekeepers to the American Dream. What do you think about each of the options available to institutions of higher education? Are all of the options fair? Which is the best option for faculty? Which is the best option for the institution? Get ready to provide your evaluation to the Dean!



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Appendix A. Student Visas and Employment of the United States

Sources: U.S. Citizenship and Immigration Services (2020a, 2020b)

J-1 Visa

The J-1 classification (exchange visitors) is authorized for those who intend to participate in an approved program for the purpose of teaching, instructing or lecturing, studying, observing, conducting research, consulting, demonstrating special skills, receiving training, or to receive graduate medical education or training.

In carrying out the responsibilities of the Exchange Visitor Program, the Department of State designates public and private entities to act as exchange sponsors. J-1 nonimmigrants are therefore sponsored by an exchange program that is designated as such by the U.S. Department of State. These programs are designed to promote the interchange of persons, knowledge, and skills, in the fields of education, arts, and science.

Examples of exchange visitors include, but are not limited to professors or scholars, research assistants, students, trainees, teachers, specialists, au pairs and camp counselors.

Some J-1 nonimmigrants enter the U.S. specifically to work while others do not. Employment is authorized for J-1 nonimmigrants only under the terms of the exchange program. Please check with your sponsoring agency for more information on any restrictions that may apply to you working in the U.S.

F-1 Visa and M-1 Visa

The F-1 visa (Academic Student) allows you to enter the U.S. as a full-time student at an accredited college, university, seminary, conservatory, academic high school, elementary school, or other academic institution or in a language training program. You must be enrolled in a program or course of study that culminates in a degree, diploma, or certificate and your school must be authorized by the U.S. government to accept international students.

The M-1 visa (Vocational Student) category includes students in vocational or other nonacademic programs, other than language training.

F-1 students may not work off-campus during the first academic year, but may accept on-campus employment subject to certain conditions and restrictions. After the first academic year, F-1 students may engage in three types of off-campus employment: Curricular Practical Training (CPT), Optional Practical Training (OPT) (pre-completion or post-completion) in Science, Technology, Engineering, and Mathematics (STEM), as well as Optional Practical Training Extension (OPT).

F-1 students may also be eligible to work off-campus on a case-by-case basis as a result of special situations such as severe economic hardship or special student relief. M-1 students may engage in practical training only after they have completed their studies.

For both F-1 and M-1 students any off-campus training employment must be related to their area of study and must be authorized prior to starting any work by the Designated School Official (the person authorized to maintain the Student and Exchange Visitor Information System (SEVIS)) and USCIS.

Appendix B. Curricular Practical Training (CPT)

Sources: U.S. Citizenship and Immigration Services (2020c)

An F-1 nonimmigrant student may begin CPT after the designated school official (DSO) has authorized CPT on the student's Form I-20, Certificate of Eligibility for Nonimmigrant Student Status. CPT is any alternative work/study, internship, cooperative education, or other type of required internship or practicum offered by sponsoring employers through cooperative agreements with the school. CPT must be an integral part of an established curriculum. These students should enter the CPT employment end date from the employment authorization section of their Form I-20 in Section 1 as the date employment authorization expires.

F-1 students participating in CPT must present the following documents to establish identity and employment authorization for Section 2:

A List A document, including the combination of:

- Unexpired foreign passport;
- Form I-20 with the DSO endorsement for employment; and
- Form I-94 indicating F-1 nonimmigrant status.

or

List B and List C documents:

For example, a state driver's license (List B document) and, under List C #7, a Form I-94 indicating F-1 nonimmigrant status with a properly endorsed Form I-20.

When completing Section 2 with List A documents, you should enter the student's:

- Foreign passport information;
- Form I-94 information; and
- Form I-20 information, including the Student and Exchange Visitor Information System (SEVIS) number and CPT employment authorization end date (not the program expiration date).

Appendix C. Optional Practical Training (OPT)

Sources: U.S. Citizenship and Immigration Services (2020c, 2022a)

OPT provides a practical training experience that directly relates to an F-1 student's major area of study. Foreign students in F-1 nonimmigrant status participating in OPT must obtain an EAD from USCIS before they are authorized to work. The student may not begin employment until the date indicated on the EAD. While still in school, a student authorized for OPT may work:

- For up to 20 hours per week while school is in session; and
- Full-time during the student's annual vacation and at other times when school is not in session.

After finishing a course of study, we may authorize an F-1 student up to 12 months of OPT. Please see the USCIS OPT for F-1 Student's webpage for the types of OPT. Some F-1 students may be eligible for an extension of their OPT.

F-1 students must enter the "Card Expires" date from their EAD in the Authorized to Work Until field in Section 1. The EAD establishes their identity and employment authorization for Form I-9 purposes. You should enter the card information including the number and expiration date under List A in Section 2 of Form I-9.

When the EAD expires, you must reverify the F-1 student's employment authorization in Section 3. The employee may choose to present any List A or List C document that shows that he or she continues to be authorized to work in the U.S.

STEM Extension

F-1 students who received a bachelor, master, or doctoral degree in science, technology, engineering or mathematics (STEM) from an accredited Student Exchange Visitor Program-certified school may apply for an extension of their OPT while in a period of post-completion OPT. STEM OPT students must work for an employer that is enrolled and in good standing with E-Verify, the electronic employment eligibility verification program administered by USCIS. While a STEM OPT student may change employers, the new employer must be enrolled and in good standing with E-Verify before the student begins STEM OPT employment. EADs issued to F-1 STEM OPT students state "STU: STEM OPT ONLY."

The following documents establish the student's identity and employment authorization for Form I-9 purposes:

- Unexpired EAD (List A); or
- Expired EAD presented with Form I-20 endorsed by the student's designated school official (DSO) (List A). This is acceptable for 180 days from the expiration date on the EAD, after which you must reverify the student's work authorization.

If the student presents an expired EAD and an endorsed Form I-20 as described above, you should enter the following information under List A in Section 2 of Form I-9:

- EAD as the document title;
- DHS as the issuing authority;
- The EAD document number;
- The date the EAD expired in the expiration date space, and
- "180-day Ext."

Filing Fee

The filing fee is currently \$410. It is paid by the student.

Appendix D. H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models

Sources: U.S. Citizenship and Immigration Services (2018, 2022b, 2022c, 2022d)

This nonimmigrant classification applies to people who wish to perform services in a specialty occupation, services of exceptional merit and ability relating to a Department of Defense (DOD) cooperative research and development project, or services as a fashion model of distinguished merit or ability.

Numerical Limit or Cap

The H-1B classification has an annual numerical limit (cap) of 65,000 new statuses/visas each fiscal year. An additional 20,000 petitions filed on behalf of beneficiaries with a master's degree or higher from a U.S. institution of higher education are exempt from the cap. Additionally, H-1B workers who are petitioned for or employed at an institution of higher education or its affiliated or related nonprofit entities, a nonprofit research organization, or a government research organization, are not subject to this numerical cap.

Period of Stay

As an H-1B specialty occupation worker or fashion model, you may be admitted for a period of up to three years. Your time period may be extended, but generally cannot go beyond a total of six years, though some exceptions do apply under sections 104(c) and 106(a) of the American Competitiveness in the Twenty-First Century Act (AC21), 8 CFR 214.2(h)(13)(iii)(D) and (E).

Your employer will be liable for the reasonable costs of your return transportation if your employer terminates your employment before the end of your period of authorized stay. Your employer is not responsible for the costs of your return transportation if you voluntarily resign from your position.

Registration and Filing Fees

The nonrefundable registration fee for the visa lottery is \$10. Either the employer or the potential employee pays this fee.

The filing fee for I-129, Petition for a Nonimmigrant Worker is currently \$460. It is paid by the employer.

Additional fees depend on the H1-B classification and size of the employer, and vary between \$150 and \$4000.

Appendix E. EB1 Eligibility Criteria

Sources: U.S. Citizenship and Immigration Services (2022f)

Categories	Description	Evidence
Extraordinary Ability	You must be able to demonstrate extraordinary ability in the sciences, arts, education, business, or athletics through sustained national or international acclaim.	You must meet at least 3 of the 10 criteria* below, or provide evidence of a one-time achievement (i.e., Pulitzer, Oscar, Olympic Medal) as well as evidence showing that you will be continuing to work in the area of your expertise. No offer of employment or labor certification is required.
Outstanding professors and 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 U.S. in order to pursue tenure or tenure track teaching or a comparable research position at a university, institution of higher education, or private employer.	You must meet at least 2 of the 6 criteria listed below** and provide an offer of employment from the prospective U.S. employer. The private employer must show documented accomplishments and that it employs at least 3 full-time researchers. No labor certification is required.
Certain Multinational manager or executive	You must have been employed outside the U.S. for at least 1 year in the 3 years preceding the petition or the most recent lawful nonimmigrant admission if you are already working for the U.S. petitioning employer. The U.S. petitioner must have been doing business for at least 1 year, have a qualifying relationship to the entity you worked for outside the U.S., and intend to employ you in a managerial or executive capacity.	Your petitioning employer must be a U.S. employer and intend to employ you in a managerial or executive capacity. The petitioner must have been doing business in the U.S. for at least 1 year, as a legal entity with a qualifying relationship to the entity that employed you abroad in a managerial or executive capacity. No labor certification is required.

Criteria for Demonstrating Extraordinary Ability

In order to demonstrate you have sustained national or international acclaim and that your achievements have been recognized in your field of expertise, you must either include evidence of a one-time achievement (major internationally recognized award) or 3 of the 10 listed criteria below (or comparable evidence if any of the criteria do not readily apply):

- Evidence of receipt of lesser nationally or internationally recognized prizes or awards for excellence

- Evidence of your membership in associations in the field which demand outstanding achievement of their members
- Evidence of published material about you in professional or major trade publications or other major media
- Evidence that you have been asked to judge the work of others, either individually or on a panel
- Evidence of your original scientific, scholarly, artistic, athletic, or business-related contributions of major significance to the field
- Evidence of your authorship of scholarly articles in professional or major trade publications or other major media
- Evidence that your work has been displayed at artistic exhibitions or showcases
- Evidence of your performance of a leading or critical role in distinguished organizations
- Evidence that you command a high salary or other significantly high remuneration in relation to others in the field
- Evidence of your commercial successes in the performing arts

For more information on Extraordinary Ability, read our policy in Volume 6, Part F, Chapter 2, of the USCIS Policy Manual.

Examples of Documentary Evidence That a Person is an Outstanding Professor or Researcher

In order to demonstrate you are an outstanding professor or researcher, you must include evidence of 2 of the 6 listed criteria below (or comparable evidence if any of the criteria do not readily apply):

- Evidence of receipt of major prizes or awards for outstanding achievement
- Evidence of membership in associations that require their members to demonstrate outstanding achievement
- Evidence of published material in professional publications written by others about the noncitizen's work in the academic field
- Evidence of participation, either on a panel or individually, as a judge of the work of others in the same or allied academic field
- Evidence of original scientific or scholarly research contributions in the field
- Evidence of authorship of scholarly books or articles (in scholarly journals with international circulation) in the field

For more information on Outstanding Professors and Researchers, read our policy in Volume 6, Part F, Chapter 3, of the USCIS Policy Manual.

For more information on Multinational Executives or Managers, read our policy in Volume 6, Part F, Chapter 4, of the USCIS Policy Manual.

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