

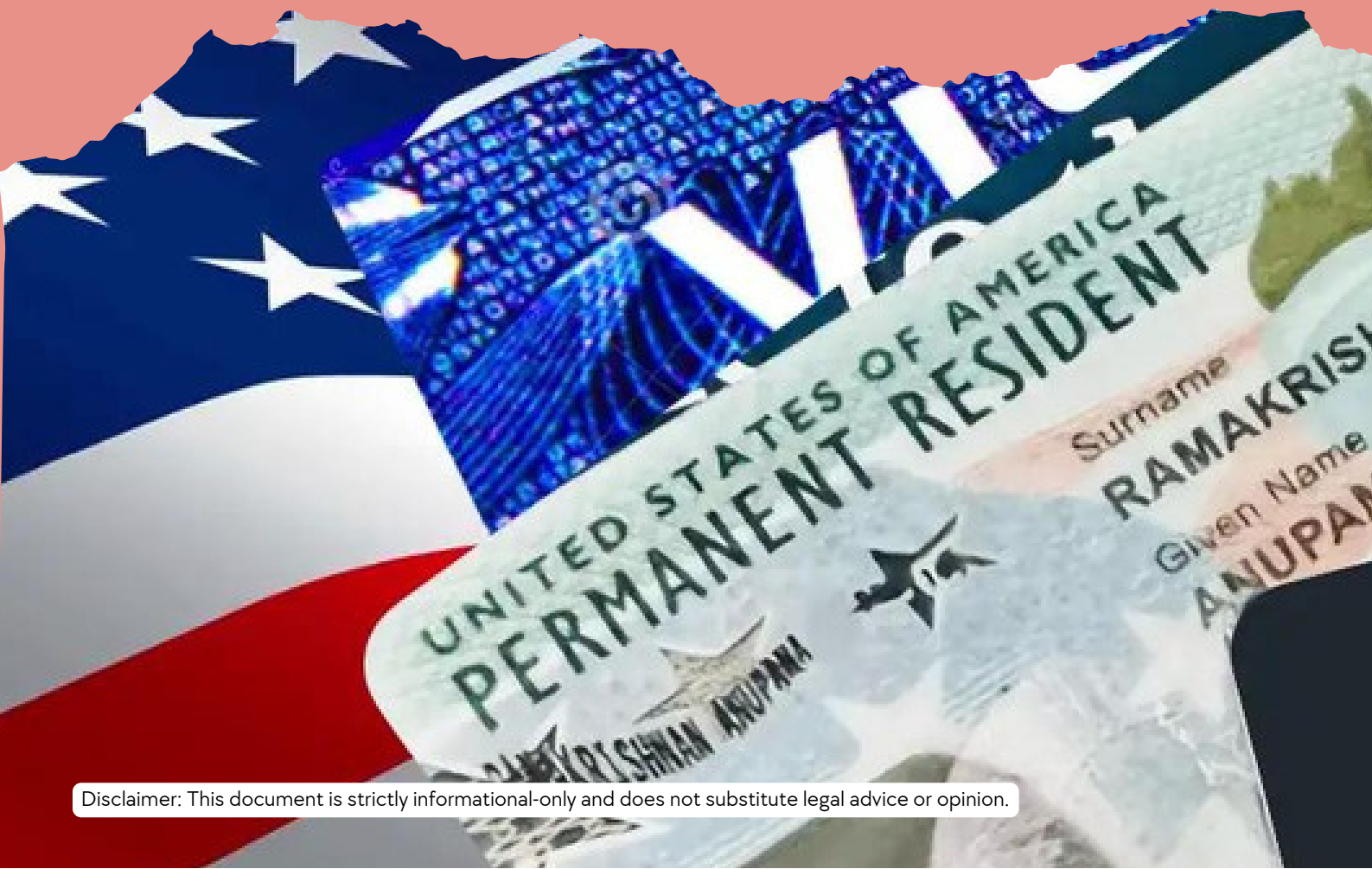


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allthingsanu.com

Demystifying the EB1A Green Card

An exhaustive guide to the EB1A Green Card
based on an everyday industry professional's own
learnings and experiences.



Disclaimer: This document is strictly informational-only and does not substitute legal advice or opinion.

Epilogue

Welcome, your future is bright!

Congratulations, you've taken your first step towards immigration freedom. You've likely come from a place of frustration with the long wait times to a green card, endless visa transfers and renewals, and are keen to find a path out. I totally hear you - I was right there in your shoes just a few years ago feeling exhausted and stifled, but still very determined. And I'm here to tell you that with the right mindset, some serious perseverance, and this guide to help you along the way, you can conquer this quest too!

Why I wrote this handbook

I was determined to give back to the immigration community and share my learnings, experiences and lessons to hopefully inspire other deserving candidates to follow this path. I began this journey by writing an article on Medium, and by offering "ask me anything" style calls for a small fee and the response was overwhelming! Through the process of speaking with over 300 individuals like me and demystifying the EB1A process, I have put together key topics and strategies from the most commonly asked questions in this handbook with the goal of helping individuals determine what this path entails.

How you should use this handbook

Treat this handbook like your starting point. If you have limited knowledge or experience about the EB1A path, this handbook will break it down for you step-by-step and walk through everything that this path entails (from my perspective). If you've already done your homework and think you have a solid profile already, you can use this handbook to further refine your strategies based on my learnings and experiences to make a strong case.

Disclaimer

The information provided in this article does not, and is not intended to, constitute legal advice; instead, all information, content, and materials in this article are for general informational purposes only. This handbook does not and is not intended to provide any legal or immigration benefit.

Why consider this path?

The dreaded *priority dates*

It's fair to assume that many of you who are reading this are born in India or China, which means that your average wait time to a green card (assuming usual paths like the EB2 and EB3) is ridiculously high and may never happen in this lifetime. While EB1 priority dates have also been retrogressing as of when this handbook was written, there's still a much higher likelihood of your priority date already being or becoming current in the immediate future.

Other employment-based avenues

I often get asked about how the EB1B and EB1C green cards compare to the EB1A. While the bar is definitely lower in comparison, they do have some "minimum requirement" to apply, which in my opinion are harder to pursue from scratch. For example, the EB1B path is reserved for researchers (with a PhD and active pursuit of research). It's rather difficult for an established industry professional to pursue a PhD/research track just for the sake of immigration. The EB1C green card requires you to serve in the capacity of a people manager outside of the U.S. for a minimum of two years to be eligible. A lot of stars need to align for this to happen - like working in a company where the opportunity to do this presents itself, uprooting your home and family to a different country, waiting the course of time to be eligible, etc. With some hardwork, strategy and with some of the resources in this handbook, you could likely work on a strong EB1A profile in a much shorter time than it would take to be eligible for the EB1B and C.

Success stories

Examples speak for themselves. While not every industry professional is not guaranteed to make a great EB1A case, there are many noteworthy examples of people who have been able to achieve this simply by excelling at work and building professional assets outside of work. So if they can do it, so can you.

About the author

Allow me to introduce myself and briefly talk about my EB1A journey. I'm a product management professional in the health technology & digital therapeutics industry with experience leading tech-enabled healthcare products at startups and Fortune 100 enterprises alike. I've worked across various healthcare product verticals including medical devices, wearables, consumer apps and big Pharma. I have an undergraduate degree in Bioengineering from the University of Washington, and a Master's in Engineering Management from Dartmouth College.



I've written more about my EB1A journey online (links below), but I was motivated to pursue the EB1A path after experiencing an impending layoff right after I returned from my brief maternity leave. I had lived in the U.S. for a decade at that point with no permanent residency in sight. I was determined to remove the dependency my career had on my visa status, and began seriously exploring the EB1A path. At the time of applying, I had 6 years of full-time experience, a majority of which was in Product Management and I applied for the EB1A claiming national expertise in **Digital Healthcare Product Management** and was awarded U.S. permanent residency in 2021.

Over the past 6 months (as of when this handbook was written), I have provided informational consultations for 100+ EB1A aspirants through my coaching journey in the past year and was motivated to create this handbook to help answer many of the frequently asked questions and themes that emerged during my conversations. While this handbook is by no means exhaustive, I help breakdown the EB1A petition section by section, as well as have included many resources on getting started on building a case.

If you'd like to talk further and get personalized coaching on your EB1A, please schedule a discovery session here: bit.ly/anu-eb1a

Best Regards,

Anu Ramakrishnan

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 linkedin.com/in/anupamaram

 allthingsanu.com/eb1a-consult

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Components of the EB1A application

The key attributes that make your case.

An EB1A petition typically comprises of the following key components. These are the particular elements you will need to build upon and showcase to make a complete case. When you work with a legal team, they will typically collect evidences from you for each of these to build a petition (i.e. application) for you. Bear in mind that an average EB1A petition runs anywhere from **200-500 pages!**



01 | Introduction & Acclaim

You will need to clearly state what you're claiming expertise in, with clear definition of your ***function, industry or domain*** and your ***"acclaim"*** or in other words, your claim to fame.



02 | At least 3 criteria of demonstrated expertise

In order to demonstrate you "meet the bar" for the expertise you claim, you will need to prove, through elaborate evidence, that you meet at least 3 out of 10 criteria determined by the USCIS for evidence of the "extraordinary abilities" they're looking for.



03 | Final Merits Determination

In addition to proving that you meet at least 3 out of the 10 criteria, you also have to prove that you are indeed worthy of your claims *in totality*. Within this section, you will need to provide ***an intent letter, justify why your work benefits the US economy*** and ***show letters of recommendations from other experts in the field***, in addition to any of your other merits not covered in the section above.

01 | Introduction & Acclaim

Finding your niche + positioning it cleverly.

This is perhaps the most strategic yet most important part of your EB1A application, which also shapes the remaining components of your case. This chapter will walk you through what, in my opinion, USCIS is looking for and how you can position your profile to meet the bar.

At the very start of your petition, your legal team will typically call out the following to explicitly state what your expertise is in. These will typically manifest in a cover letter to your petition. In my opinion, you should consider this as equivalent to a "first impression". If you can make this really interesting and unique to the reviewer, you are already on a great start.

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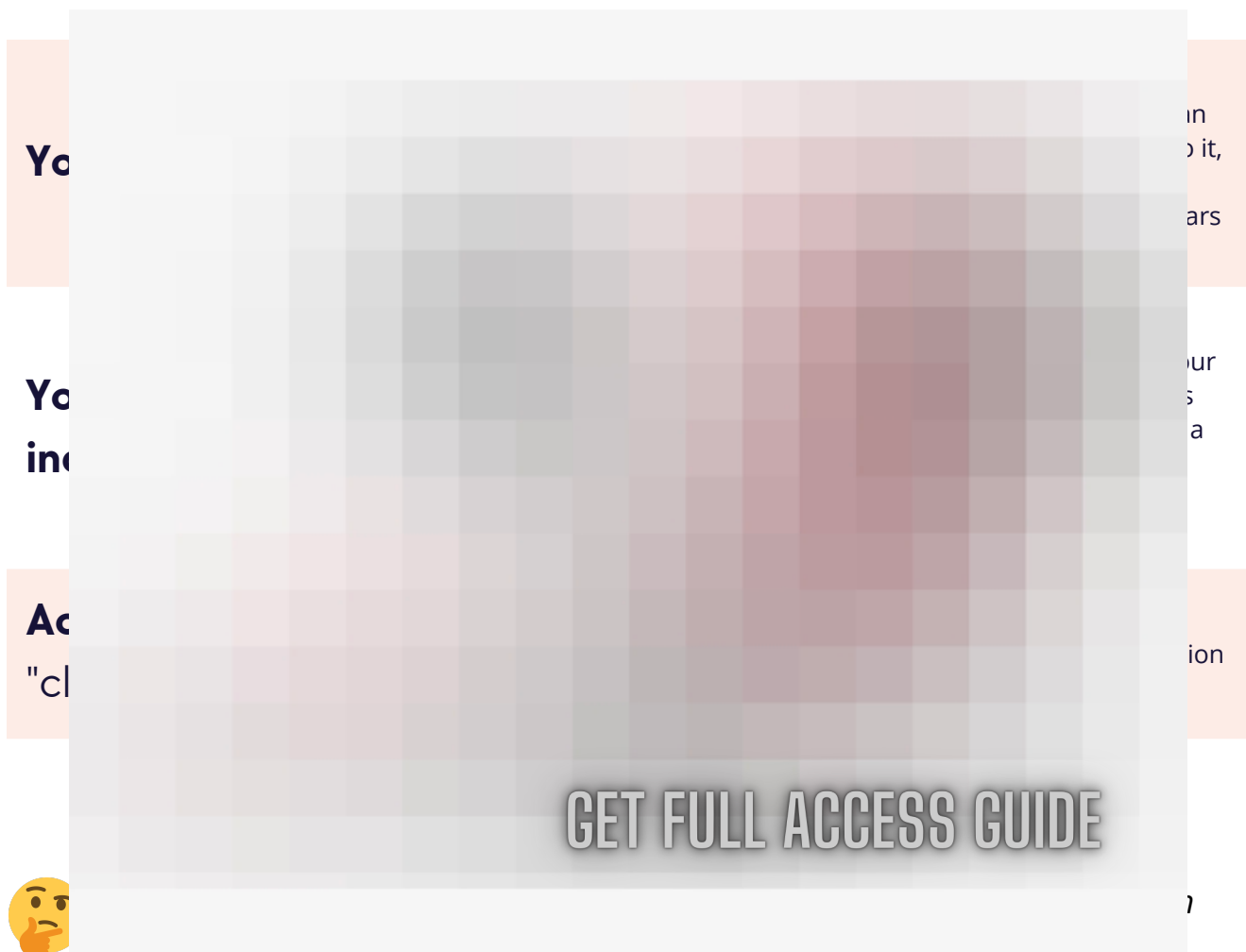
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Crafting your "Acclaim" for the EB1A

In my opinion, the most challenging yet critical task is to craft your acclaim. You can think of this as your elevator pitch - as if you're pitching your profile & expertise as a startup and the immigration officer is the "investor".



How might you craft an acclaim that adequately summarizes your expertise but is (ideally) something USCIS hasn't seen a lot of?

Primary considerations for your acclaim

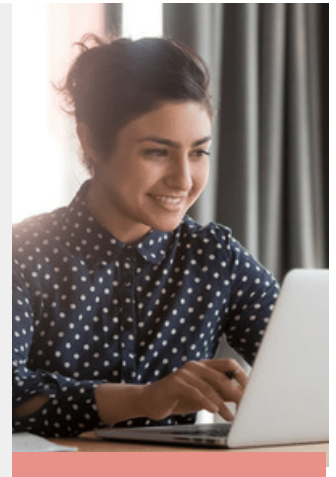
To help you arrive at your "acclaim", think through the following 3 attributes and ensure that your acclaim adequately encompasses them all. If you don't believe you already have a strong pitch that covers all of these, then this should hopefully give you a sense of where the gaps are and what you need to spend more time developing.

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Case Scenario

Let's review an example of a (fictitious) candidate profile below and determine how we can converge on an "acclaim" that may adequately position her for the EB1A based on her prior experiences and the considerations on tenure, benefit and novelty above.

Anita Sharma



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Conclusion : Introduction & Acclaim

In my opinion, crafting your acclaim and positioning your profile adequately is 50% of the heavy-lifting for a good EB1A application, so if you can be really tactful about this, you'd be making the rest of your evidence development much more focused and relevant.

In what proportion are you aligned on what's written there about you.

Some other notes and things to consider when defining your acclaim



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2.1 | Leading or Critical Role

Based on my experience, this category often forms the crux of your EB1A application particularly if you're an industry professional who's considering this path exclusively based on your current and prior work experience. It's likely that you're thinking of this path probably because you already believe you play an important role in your organization and team, and that you think that should be worth something.

In this chapter, I'll walk you through the following to help you understand how you can position your work experiences to meet the requirements for this role.



1

Defining the "leading" and "critical" role
+ busting some myths

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Choosing the right projects

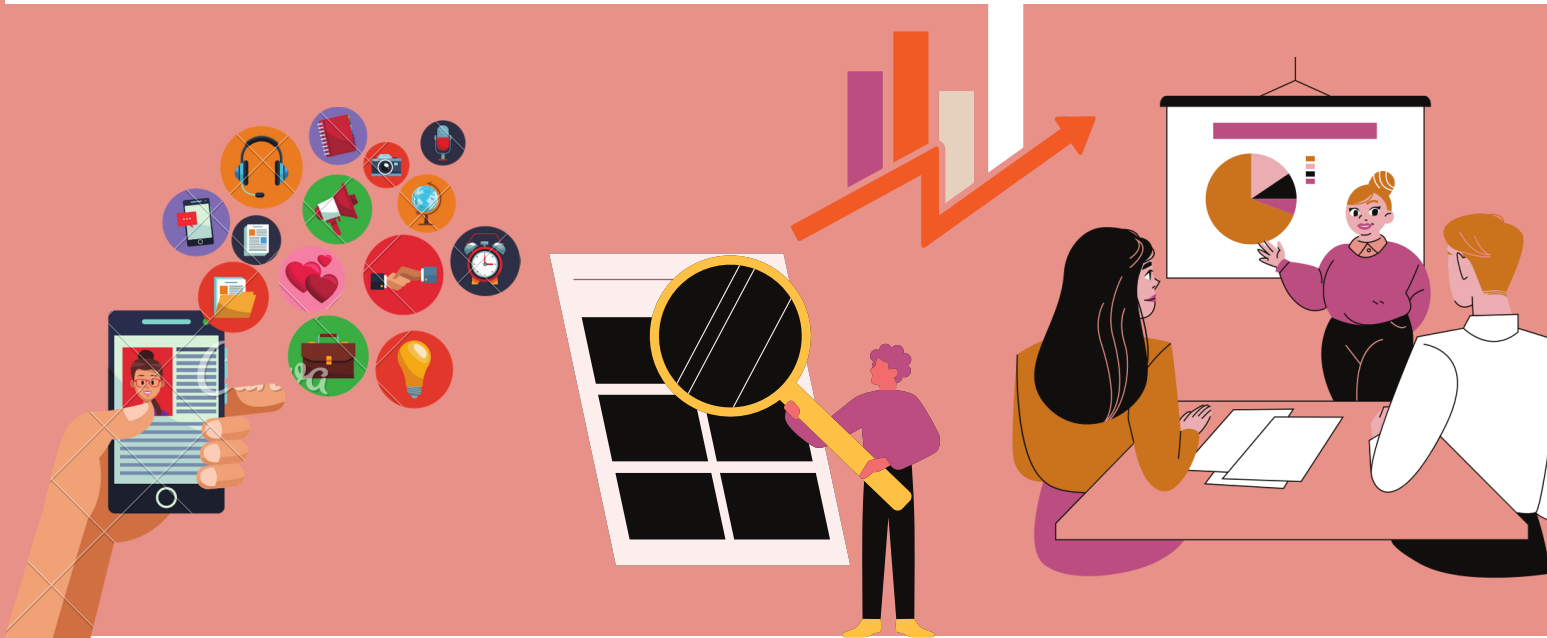
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Selecting your authors

4

Letter Format & Suggested Content

How do I know if my role is leading or critical?



The key attributes of a leading role



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The key attributes of a critical role



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Defining Function & Criticality



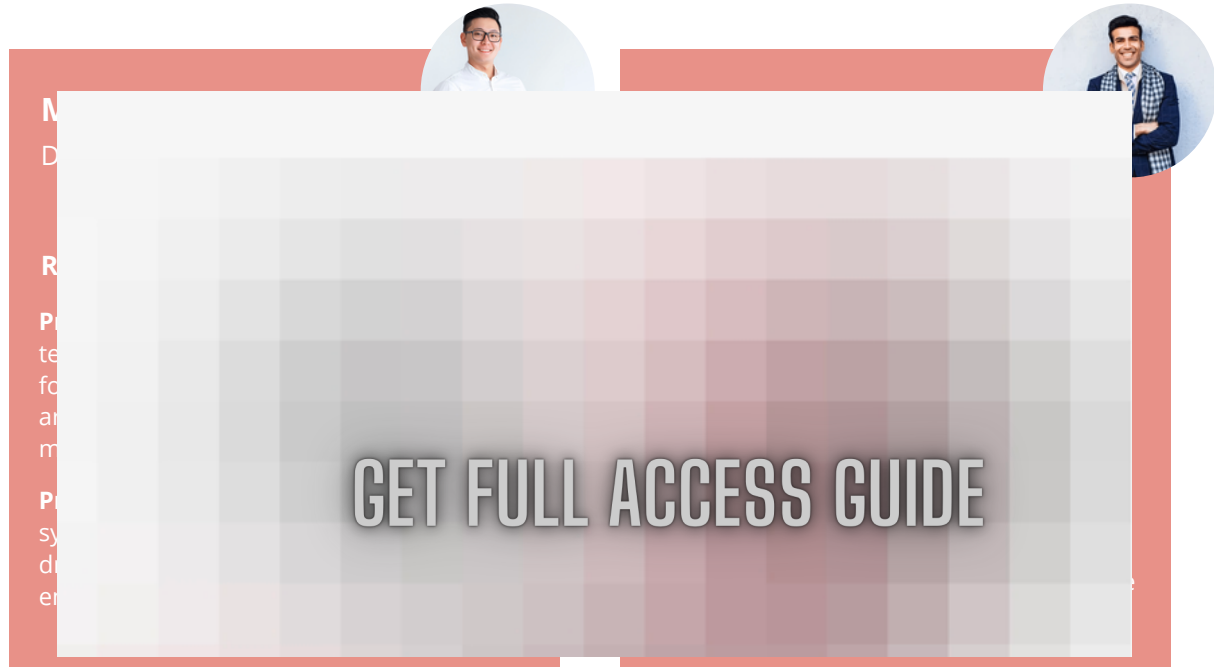
How might you determine if your current or prior roles meet the definition of functionality and criticality from an EB1A perspective?

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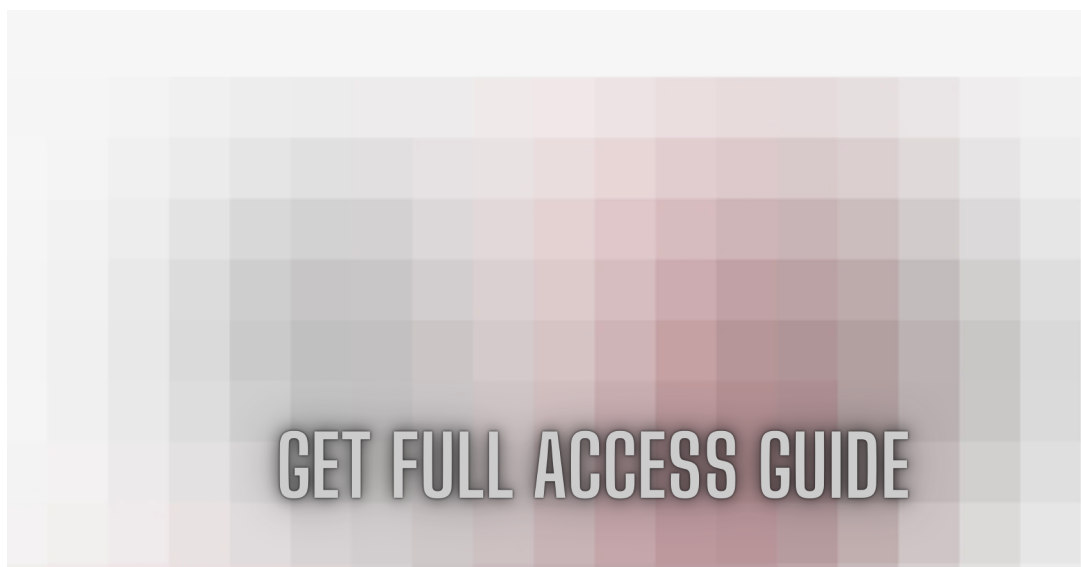
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The projects can be from the same role you've held within a company, or from multiple roles you've held across multiple jobs. For example, either of these would be considered "acceptable" project types for an EB1A leading and critical role determination. Of course, the more "diversity" you can show in your projects across companies, the better it looks from an overall candidacy perspective, but that's not a hard requirement.



Choosing the right projects

If you're relatively early-career, you may not have the luxury to be able to pick and choose projects from your career as there may not be very many, but if you do indeed have the ability to choose, you might want to find projects that check at least some of these boxes.



Selecting your authors

The role of the author



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Letter Format & Suggested Content

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Sample: Leading & Critical Role Letter

This is a redacted (and greatly improvised) sample letter authored by an expert in the consumer technology & payments industry for an EB1A applicant to validate that they indeed played a leading a critical role in a distinguished organization. Note that [placeholders] have been created as recommendations on where you could expect to put information specific to your profile and case.

[Date]

TO: United States Citizenship & Immigration Services

RE: Leading & Critical Role Letter

For: [Applicant Name]

Position: [Title/Function]

Dear Sir or Madam,

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technology product development in the consumer & enterprise technology industry

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Building evidence for scholarly articles

If you're starting to build evidence for this category, keep in mind that this is one of those categories where the more effort you put in, the stronger your evidence will be. In this section, I'll walk you through a few strategies on identifying and

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Getting your articles published

The process for getting your articles published depends greatly on **how high a bar** the online media has for accepting content from contributors and **how much work** you're willing to put into it. Some sources like Medium, while having a high viewership count, have a pretty low barrier to entry, while media like Forbes and Harvard Business Review have a very high bar to entry - i.e. getting your work featured in places with a high acceptance bar could reflect very strongly on your application.

Let's review some of the popular sources we saw earlier in the tech-business field and the process to getting your articles published in them.

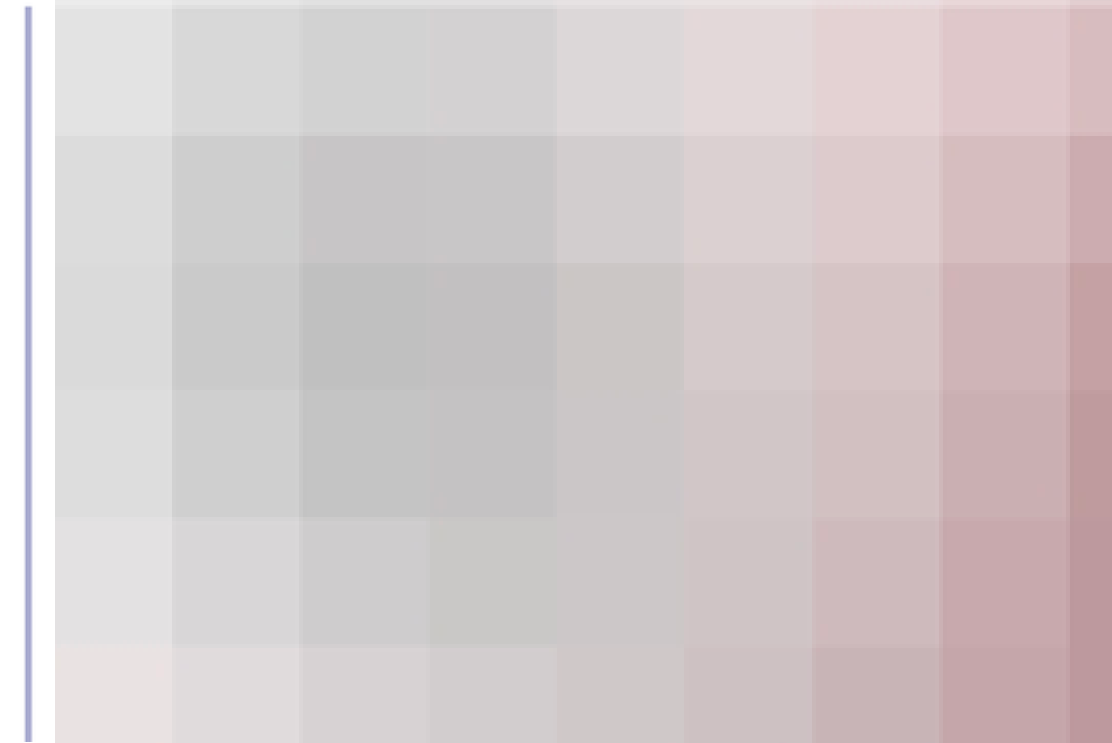


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Review data on Wages

Once you've identified a set of SOC codes, review the information on Wages and Employment by SOC code. Both are available in the "Geography" section of the data.



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Hiring Legal Firms:

Strategies & Recommendations



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Attorney Recommendations

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