

## **NIW I-140 Cases Approved in January 2011**

In January 2011, Liu & Associates had eleven (11) NIW, EB-1A, and EB-1B I-140 cases approved by the USCIS. Among the approved I-140 cases, Five (5) were NIW, three (3) were EB-1A, and three (3) were EB-1B cases.

As we reported before, since the summer of 2010, USCIS adjudication of I-140 cases has been significantly slowing down. As a result, we had fewer I-140 cases approved in January 2011 than in a regular month before the summer of 2010. Also, as a result, a large number of I-140 cases have been pending over seven (7) months - the USCIS posted processing time for I-140 petitions.

Recently we have received numerous inquiries in regard to the USCIS Interim Memorandum following Kazarian and whether USCIS has raised the bar for EB-1A, EB-1B and NIW petitions. So far, we have not seen a clear trend of change or USCIS policy shift regarding EB-1A, EB-1B and NIW adjudication. However, in wake of Kazarian, USCIS has adjusted its adjudication guidance of EB-1A and EB-1B, which have caused confusion and inconsistency of adjudication standards among the USCIS adjudicators. As a result, we have seen more Requests for Evidence (RFE) and Notices of Intent to Deny (NOID) in the past three months.

This report includes five (5) NIW I-140 cases filed by Liu & Associates and approved by the USCIS in January 2011. We list the basic credentials of each case and hope our readers find the information helpful. For confidentiality purpose, a numeric number is assigned to replace the petitioner/beneficiary's name in each case. It is our firm's policy to hold client's information strictly confidential.

Compiled and briefed by Tiffany Smith, Certified Legal Assistant at Liu & Associates, PLLC.

### **Case #1**

Case Type: Eb-2 NIW I-140  
Field of Research: Physics  
Current Position: Senior research associate at a university  
Major Credentials: Ph.D. from a US university  
Published 10+ journal papers  
Cited approximately 90+ times by other researchers  
Supporting Letters: 6 including 3 independent experts  
Filing Date: July 22, 2010  
Approval Date: January 20, 2011

### **Case #2**

Case Type: Eb-2 NIW I-140  
Field of Research: Chemistry

Current Position: Senior Scientist at a pharmaceutical company  
Major Credentials: Ph.D. from a US university  
Published 20 journal papers  
Cited approximately 270+ times by other researchers  
Supporting Letters: 6 including 3 independent experts  
Filing Date: February 15, 2010  
Approval Date: January 19, 2011

### **Case #3**

Case Type: Eb-2 NIW I-140  
Field of Research: Neuroscience  
Current Position: Research fellow at a national institute  
Major Credentials: Ph.D. from a foreign university  
Published 10+ journal and conference papers  
Cited approximately 70+ times by other researchers  
Supporting Letters: 6 including 5 independent experts  
Filing Date: August 5, 2010  
Approval Date: January 26, 2011

### **Case #4**

Case Type: Eb-2 NIW I-140  
Field of Research: Biological Science  
Current Position: Senior fellow at a university  
Major Credentials: Ph.D. from a US university  
Published 6 journal papers  
Cited approximately 70+ times by other researchers  
Supporting Letters: 6 including 1 independent experts  
Filing Date: August 2, 2010  
Approval Date: January 3, 2011

### **Case #5**

Case Type: Eb-2 NIW I-140  
Field of Research: Electrical Engineering  
Current Position: Software Engineer at the private company  
Major Credentials: Ph.D. from a US university  
Published 10+ journal and conference papers  
Cited approximately 80+ times by other researchers  
Supporting Letters: 6 including 3 independent experts  
Filing Date: June 29, 2010  
Approval Date: January 19, 2011

For more approved cases, please see <http://www.niwus.com/Approvals.html>.