

## The O-1 Visa for Extraordinary Ability

A non-immigrant visa classification for individuals of "extraordinary ability" in the Sciences, Education or Business, many of whom would also qualify for the [H-1B visa classification](#). The O Visa status may be valid for the amount of time needed to accomplish the event or activity in the US, but is not to exceed 3 years. An extension of stay may be authorized in increments of up to 1 year to continue or complete the same event or activity for which the individual was admitted.

If the individual will work concurrently for more than one employer within the same time period, each employer must file a separate petition with the USCIS.

If the job offered in the US requires the individual to work in more than one location, then an itinerary with the dates and locations of work must be filed with the O-1 petition.

### Requirements

The individual must be of extraordinary ability. For O-1 visa purposes, extraordinary ability in the field of science, education, or business means a level of expertise indicating that the person is one of the small percentage who have arisen to the very top of their field of endeavor. In order to qualify for the O-1 visa, the individual must demonstrate sustained national or international acclaim and recognition for achievements in the field of expertise by providing evidence of:

- Receipt of a major, internationally recognized award, such as the Nobel Prize; or

At least three of the following forms of documentation:

- Documentation of the individual's receipt of nationally or internationally recognized prizes or awards for excellence in the field of endeavor;
- Documentation of the individual's membership in associations in the field for which classification is sought, which require outstanding achievements of their members, as judged by recognized national or international experts in their disciplines or fields;
- Published material in professional or major trade publications or major media about the individual, relating to the individual's work in the field for which classification is sought, which shall include the title, date, and author of such published material, and any necessary translation;
- Evidence of the individual's participation on a panel, or individually, as a judge of the work of others in the same or in an allied field of specialization to that for which classification is sought;
- Evidence of the individual's original scientific, scholarly, or business- related contributions of major significance in the field;
- Evidence of the individual's authorship of scholarly articles in the field, in professional journals, or other major media;
- Evidence that the individual has been employed in a critical or essential capacity for organizations and establishments that have a distinguished reputation;

- Evidence that the individual has either commanded a high salary or will command a high salary or other remuneration for services, evidenced by contracts or other reliable evidence; or

If the above criteria do not readily apply to the individual's occupation, you may submit comparable evidence in order to establish eligibility.

**The job offered must require extraordinary ability.** Only jobs utilizing the individual's extraordinary ability will qualify to support an O-1 visa petition. Furthermore, the USCIS will request copies of any written contracts between the proposed employer and the individual.

**Confirmation of Extraordinary Ability.** Consultation with an appropriate U.S. peer group (which could include a person or persons with expertise in the field), labor and/or management organization regarding the nature of the work to be done and the alien's qualifications is mandatory before an O-1 petition can be approved.

#### **The O-3 Visa for Family Members**

The spouse and unmarried children under the age of twenty-one may apply for O-3 visa status in order to accompany the O-1 visa holder to the US. O-3 visa status does not confer authorization for employment in the US.