



O-1A Visa for Individuals with Extraordinary Ability

Insights

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The O-1A visa category is available to foreign nationals with extraordinary ability in the arts, sciences, education, business, or athletics who want to work in the United States. These individuals are a part of a small percentage of people who have risen to the very top in their respective fields of expertise.

To qualify for an O-1 visa, the foreign national must have sustained national or international recognition in his or her area of expertise and be coming to the United States to continue working in his or her area of extraordinary ability. Sustained national or international recognition is evidenced by the foreign national's receipt of a major, internationally-recognized award, such as a Nobel Prize or evidence of at least three of the following:

- Receipt of nationally or internationally-recognized prizes or awards in the field of expertise.
- Membership in associations in the field, which require outstanding achievements as a prerequisite for membership.
- Published material in professional or major trade publications, newspapers or other major media about the foreign national and the foreign national's work in the field.
- Original scientific, scholarly, or business-related contributions of major significance in the field.
- Authorship of scholarly articles in professional journals or other major media in the field.
- A high salary or other remuneration for services.
- Participation on a panel, or individually, as a judge of the work of others in the same or similar field in which the foreign national has extraordinary ability.
- Employment in a critical or essential capacity for organizations and establishments that have a distinguished reputation.

To apply for an O-1A visa, the prospective U.S. employer must file a Form I-129 petition with U.S. Citizenship and Immigration Services. The petition must contain information about the employer's specific need for the foreign national to work in the U.S. and a consultation from a peer group or labor organization in the field confirming the foreign national's extraordinary ability. The petition must also contain documentation evidencing that the foreign national meets the criteria outlined above.

Under the O-1A visa category, a foreign national may be admitted to the United States for a period up to three years and may be extended indefinitely. In order to qualify for an extension, the employer must demonstrate a continued need for the foreign national's employment. There is not a numerical limit on the number of O-1A visas available each year, so an employer may file for an O-1A visa at anytime.

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