



Extraordinary Achievement/Ability (O-1) Visa

The O visa is intended for individuals who have “extraordinary ability in the sciences, arts, education, business, or athletics, or who ha[ve] a demonstrated record of extraordinary achievement in the motion picture or television industry.” A spouse and dependant children may accompany the primary visa holder under the O-3, and an assistant to the O-1 visa holder may also enter the United States under the O-2 visa. The duration of an O visa may not exceed three years, with extensions of up to one year each.

Requirements

- Extraordinary ability in the sciences, arts, education, or athletics, as evidenced by sustained national or international acclaim, or a demonstrated record of extraordinary achievement in television or motion pictures;
- The applicant must be entering the United States to continue work in the area of extraordinary ability or achievement;
- The entry must be for a temporary period;
- The applicant must complete mandatory 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”

Although the requirements are few, extraordinary ability or achievement can only be demonstrated with significant documentation (outlined in general below) which clearly demonstrates that the applicant is truly in the top of his or her field. Under certain circumstances the consultation requirement may be waived.

Documentation Required

In order to apply for the O-1 visa we would require copies of the following documents (please do not send original documents, as the INS accepts photocopies)

- Passport
- Complete resume, providing detail as to the applicant’s qualifications and achievements in the area of extraordinary ability/achievement, listing any recognition, awards, publications, or other facts relevant to determining the scope of the applicant’s achievements

- Description of the applicant's employer
- Detailed description of the work activities the applicant will be engaged in (i.e., a research project, the performance of a play, an exhibition) and the duration of those activities along with any announcements, press releases, web site addresses, contracts, or other sources of documentation showing the nature and length of the activities
- If the activities will take place in numerous locations in the United States, a detailed itinerary or schedule of those activities
- Evidence of extraordinary ability, which can include copies of national or international awards; evidence of membership in merit or performance-based organizations; articles or publications in national or international periodicals written by or about the applicant; other evidence of recognition from peers, peer groups, scholars, or other experts in the field; and evidence of significant monetary compensation in keeping with the applicant's status in the field.
- Educational credentials, if relevant to the area of extraordinary ability

Generally, the applicant will need to show at least three of the above types of evidence demonstrating extraordinary ability, although a truly significant, internationally renowned honor (Oscar, Nobel Prize) may suffice.

Procedure

The application is generally filed with the United States Immigration and Naturalization Service ("INS") here in the United States, and usually takes between one and three months to process. Please note that INS processing times can vary significantly, so it is impossible to accurately predict approval times.

Once the approval is given, a visa application is submitted at a consulate in the parent company's home country. Again, processing times vary considerably.