PHOENIX
IMMIGRATION CONSULTING SERVICES



O-1 Extraordinary Ability Visa: Temporary Work Visa for Top Talent (O-1A / O-1B)

# O-1

A U.S. work visa for people with extraordinary ability or achievement, with no annual cap or lottery, so petitions can be filed at any time of year.

| None | 3 years | 15 | 3 of 8 |
|---|---|---|---|
| Annual cap or lottery | Initial stay, then 1-year extensions | Business days for a premium decision | O-1A criteria, or one major award |

## Why the O-1

The O-1 visa is a temporary U.S. work visa for individuals with extraordinary ability or achievement. O-1A covers the sciences, education, business and athletics, while O-1B covers the arts and extraordinary achievement in film and television. There is no annual cap or lottery. A U.S. employer or agent files the petition, supported by strong evidence of recognition and an advisory opinion from a relevant peer or labor organization.

## Key benefits

**No cap, no lottery**
Petitions can be filed at any time of year.

**Fast decisions**
Premium processing is available for a USCIS decision within 15 business days.

**Multiple engagements**
A U.S. agent can petition for work with multiple employers or clients.

**Bridge to a green card**
Work in the U.S. while an EB-1A or EB-2 NIW green card is pending.

## At a glance

Visa type
**Temporary work visa (O-1A or O-1B)**

Petitioner
**U.S. employer or agent, Form I-129**

Cap / lottery
**None: file any time of year**

Length of stay
**Up to 3 years; 1-year extensions**

## Program overview

- Extensions in one-year increments for as long as the qualifying work continues
- Spouse and children under 21 can accompany you in O-3 status
- Evidence overlaps with EB-1A and EB-2 NIW, so both stages can be planned together

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## Qualifying criteria

Qualify under O-1A or O-1B, depending on your field, through a U.S. employer or agent.

**O-1A: major award**

### Major award

Sciences, education, business or athletics: a major internationally recognized award.

**O-1A: eight criteria**

### 3 of 8

Or 3 of 8: awards, selective memberships, media coverage, judging, original contributions, scholarly articles, critical roles, high salary.

**O-1B: arts**

### Distinction

Evidence of distinction in the arts.

**O-1B: film and TV**

### Achievement

Evidence of extraordinary achievement in film and television.

## Eligibility requirements

- A U.S. employer or agent to file Form I-129; the O-1 cannot be self-petitioned
- A written advisory opinion from an appropriate peer group, labor or management organization
- Contracts or an itinerary describing the U.S. work

Request the advisory opinion early.

### Good to know

- USCIS fee for Form I-129 (O petitions) is **$1,055**, or **$530** for small employers and nonprofits.
- A **$600** Asylum Program Fee applies (**$300** small employers, **$0** nonprofits); premium processing is **$2,965**.
- A U.S. agent can act as petitioner, which is useful for founders, consultants and performers with several engagements.

## Your application journey

**Evidence**

01 Profile review with Phoenix against O-1, EB-1A and NIW standards

02 Secure a U.S. employer or agent petitioner

03 Build the evidence package: criteria evidence, contracts and itinerary

04 Request the advisory opinion early

**Petition**

05 File Form I-129, optionally with premium processing

06 Interview preparation and consular stamping if applying from abroad

**Green card**

07 **Plan and file an EB-1A or EB-2 NIW green card petition in parallel**

## Talk to a Phoenix advisor

We assess your eligibility, compare the routes open to you and manage your application from first consultation to approval.

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## Book a free consultation

Scan to visit our website

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Program rules, government fees, processing times and visa-free access can change at any time. Figures are indicative as of November 2026; please confirm current terms with Phoenix Immigration Consulting Services before applying. This fact sheet is for general information and is not legal advice.