

## • O-1 – Application •

### **OVERVIEW OF O-1**

The O nonimmigrant category is for the employment of persons who have achieved and sustained national or international acclaim for extraordinary ability in the sciences, arts, education, business, or athletics. To be considered eligible for O-1, the international applicant must have a job-offer from the University of Mississippi. Only the University of Mississippi may petition for the O-1 approval. Employment approval is granted through the U.S. Citizenship and Immigration Services and is job specific as well as employer and department specific. International applicants and employees who are subject to the 212(e) two-year home residency requirement may apply for O-1, but they must leave the U.S. and apply for the O-1 visa since they cannot change status to O-1 within the United States.

The O-1 status may be granted initially for up to a three-year period, thereafter O-1s can be extended one year at a time with no maximum limitation. Workers in the O-1 category can fill permanent positions, but must leave the country at the end of their authorized period of stay. A person in O-1 status is considered to have dual-intent with regards to immigration. This means that while in O-1 status, workers may file for a change to another immigration category such as Permanent Residency if they are not subject to the 212(e) 2-year home residency requirement.

O-1 is a category that is rarely used by the University of Mississippi because of the large amount of evidence necessary for approval of the O-1. The international applicant and the hiring department must consult with the Office of International Programs before pursuing the O-1. In many instances, H-1B is a much more appropriate employment category.

### **TIMING OF FILING – PLAN MORE THAN 1 YEAR IN ADVANCE**

At the earliest, the Office of International Programs may submit an O-1 petition to US Citizenship and Immigration Services 12 months before the intended beginning effective date of the O-1. The O-1 application process is very long and requires much documentation from both the department and applicant. It is recommended that departments begin any new O-1 application, extension, or amendment as close to 12 months in advance of the intended start date as possible.

If timing is a critical issue such as with a new professor hired in the summer months who must begin work at the beginning of the fall semester, departments have the option of filing for Premium Processing. Premium Processing guarantees a decision on an O-1 petition within 15 days of the receipt by US Citizenship and Immigration Services of the I-129, O-1 application. The cost of Premium Processing is \$1225 in addition to the regular \$325 application fee for O-1 applications.

### **FILING FEES**

As of November 23, 2010, all O-1 Applications require an I-129 filing fee of \$325. Because the sponsorship of the O-1 is by the University of Mississippi, the department which is sponsoring the O-1 application must pay the \$325 fee. Additionally, if Premium Processing is being sought for an expedited service, there is an additional filing fee of \$1225. Payment may be processed through UM Procurement Services. Alternately, someone in the department can write a personal check and then apply for normal reimbursement through Procurement Services.

## **ESTABLISHING EXTRAORDINARY ABILITY**

Any applicant for O-1 must meet three basic requirements:

1. The applicant has extraordinary ability within one of the five broad fields the sciences, arts, education, business, or athletics.
2. The applicant's ability has been demonstrated by sustained national or international acclaim.
3. The applicant is coming to the U.S. to continue working in his or her area of extraordinary ability.

Extraordinary ability is defined by the US Citizenship and Immigration Services as ability that shows a "person is one of the small percentage who have arisen to the very top of the field of endeavor."

## **ESTABLISHING EXTRAORDINARY ABILITY IN SCIENCE, EDUCATION, BUSINESS, & ATHLETICS:**

### **Basis A: Receipt of an award with the caliber of the Nobel Prize:**

Anyone who has received a major internationally recognized award such as the Nobel Prize (not just a nomination) will satisfy the requirement of evidence for establishing extraordinary ability.

### **Basis B: Documentation showing extraordinary ability:**

An O-1 applicant can also establish extraordinary ability by developing and submitting documentation in at least three (preferably four) of the categories listed below:

Receipt of major prizes or awards for outstanding achievement in the field of endeavor;

Membership in associations in the field in which the O-1 applicant claims extraordinary ability.

Membership must require their members to demonstrate outstanding achievements;

Published material in professional publications written by others about the alien's work in the field in which the O-1 applicant claims extraordinary ability;

Participation, either on a panel or individually, as a judge of the work of others in the same or allied field in which the O-1 applicant claims extraordinary ability;

Original scientific, scholarly, or business-related contributions in the field (as shown by letters of attestation and support from colleagues and other experts in the field);

Authorship of scholarly books or articles (in scholarly journals with international circulation) in the field or in other major media;

Evidence that the applicant has been employed in a critical or essential capacity for organizations and establishments that have a distinguished reputation;

Evidence that the applicant has either commanded a high salary or will command a high salary or other remuneration for services, as shown by contracts or letters of employment.

### **Additional Evidence from the Department:**

The University must also seek the advisory opinion of an appropriate U.S. peer group and obtain a written advisory opinion regarding the nature of the work to be done and the O-1 applicants qualifications for the position. The Office of International Programs will assist with meeting this requirement.

## **ESTABLISHING EXTRAORDINARY ABILITY IN THE ARTS:**

### **Basis A: Receipt of an award with the caliber of the Academy Award, Grammy, Emmy, or Director's Guild Award:**

Anyone who has received a major internationally recognized award such as the Academy Award, Grammy, Emmy, or Director's Guild Award (not just a nomination) will satisfy the requirement of evidence for establishing extraordinary ability.

### **Basis B: Documentation showing extraordinary ability:**

An O-1 applicant can also establish extraordinary ability by developing and submitting documentation in at least three of the categories listed below:

Evidence that the applicant has and will perform services as a lead or starring participant in productions which have a distinguished reputation;

Evidence that the applicant has and will perform in a lead, starring, or critical role for organizations and establishments that have a distinguished reputation;

Published material in major newspapers, trade journals, magazines, or other publications written by others about the applicant's achievements and national or international recognition;

Evidence of major or critically acclaimed successes as evidenced by such indicators as title, rating, standing in the field, box office receipts, motion picture or television ratings, and other occupational achievements reported in trade journals, major newspapers, or other publications;

Evidence that the applicant has received significant recognition for achievements from organizations, critics, government agencies, or other recognized experts in the field in which the applicant is engaged. (as shown by letters of attestation and support from colleagues and other experts in the field);

Evidence that the applicant has either commanded a high salary or will command a high salary or other remuneration for services, as shown by contracts or letters of employment.

### **Additional Evidence from the Department:**

The University must also seek the advisory opinion of an appropriate U.S. peer group and obtain a written advisory opinion regarding the nature of the work to be done and the O-1 applicants qualifications for the position. The Office of International Programs will assist with meeting this requirement

### **HIRING AN INTERNATIONAL WHO IS IN J-STATUS (J-1 OR J-2)**

If the O-1 applicant is currently in the U.S. in J-Visa status, it may be possible to petition for a change from J-Visa status to O-1. There is one important note when concerning applicants who are in J-Visa status - many J-Visa programs require the individual to complete a two-year home residency requirement [212(e) Rule] in the J-Visa holder's home country. If the J-Visa holder is subject to the 212(e) rule, the Office of International Programs can submit the O-1 application, but the J-Visa holder cannot change status to O-1 within the United States. Instead, they will have to leave the United States after the O-1 application has been approved and apply for the O-1 Visa at a U.S. Embassy or Consulate abroad. Even by applying for the O-1 Visa and reentering the U.S. in O-1 status, the 212(e) two-year home residency requirement will remain in effect.

Separately, it is possible to get a waiver of the two-year home residency requirement through the Department of State and apply for the change-of-status to O-1 within the United States, but the waiver process takes a long time and must be granted before the Office of International Programs can process an O-1 change-of-status. More information about the 212(e) waiver requirements and processes are on the U.S. Department of State website: [http://travel.state.gov/visa/temp/info/info\\_1296.html](http://travel.state.gov/visa/temp/info/info_1296.html). It is important to note that once a waiver of the 212(e) two-year home residency requirement has been approved, the J-Visa holder's DS-2019 cannot be transferred or extended at all.

### **HIRING AN INTERNATIONAL WHO IS CURRENTLY IN O-1 STATUS WITH ANOTHER EMPLOYER**

If the O-1 applicant is currently in the U.S. in O-1 status with another employer, it is NOT possible for the applicant to begin working for the University of Mississippi before the I-797, O-1 approval notice is received. According to 8 C.F.R. § 214.2(o)(iv)(c) non-immigrants currently in O-1 status with one employer (other than the University of Mississippi) can begin employment with the University of Mississippi only when the final I-797 O-1 Approval has been received from USCIS. The Office of International Programs will authorize employment to begin as soon as the I-797 approval notices arrives.

### **HIRING AN INTERNATIONAL WHO IS ON F-1 OPTIONAL PRACTICAL TRAINING (OPT)**

If the O-1 applicant's current work authorization is based on F-1 Optional Practical Training and the proposed job is in the applicant's major field of study, then employment with the University of Mississippi may begin and continue until the OPT expires. The O-1 application must be approved prior to the expiration of the OPT in order to avoid a lapse of work authorization.

***Employment must stop if the O-1 has not been approved and the practical training period expires.***

### **HIRING AN INTERNATIONAL WHO IS OUTSIDE OF THE UNITED STATES**

If the applicant is outside of the U.S. with no current visa status, the applicant must submit all documents requested in the Enclosure B section of this application to the Office of International Programs. When the O-1 is approved, the US Citizenship and Immigration Services (formerly INS) will cable the approval to the consular office abroad where the visa will be obtained by the applicant. The original approval notice for the O-1 will be sent to the Office of International Program

Prior to the applicant's interview with the consular office, the hiring department will be asked to send the O-1 applicant some information which is kept in the Office of International Programs, including the original approval notice for the O-1 and a copy of the entire O-1 application packet which was sent to USCIS.

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### **AMENDING O-1 STATUS FOR A CURRENT EMPLOYEE OF THE UNIVERSITY OF MISSISSIPPI**

When there is a change in the duties or terms and conditions of employment of an O-1 worker, an amended I-129, O-1 application may be needed. A major change would be increased supervisory duties of other employees. Minor changes in the conditions of employment do not require the filing of an amended O-1 petition. Though, minor changes should be noted in any future extension of O-1 status. Minor changes would include a change of job title with no or minimal changes in job duties or an unsubstantial salary increase.

*Amended O-1 applications must be filed before the proposed change in status goes into effect. A change of duties or salary will not be approved until the Office of International Programs receives the I-129 receipt notice (the official notice of application receipt from USCIS).*

### **EXTENDING O-1 STATUS FOR A CURRENT EMPLOYEE OF THE UNIVERSITY OF MISSISSIPPI**

According to 8 C.F.R. § 274a.12 (b) (20), if the O-1 applicant is currently in O-1 status with the University of Mississippi, it is possible for the applicant to continue working for the University of Mississippi for up to 240 days after the expiration of the current O-1 status as long as the O-1 extension was timely filed. Timely filing means that US Citizenship and Immigration Services must receive the I-129, O-1 application before the expiration of the current O-1. The Office of International Programs will authorize employment to continue as soon as the I-129 receipt notice (the official notice of application receipt from USCIS) arrives before the expiration of the current O-1.

The application process for an O-1 extension is exactly the same as it is for a new O-1 application.

*If the O-1 extension is not filed before the expiration of the current O-1 status, employment must stop until the O-1 is approved and the I-797 approval notice is received by the Office of International Programs.*

## **O-1 PROCESSING STEPS**

### **THE DEPARTMENT:**

- To begin the O-1 process, the department should complete **Enclosure A** section of this application.
- Department must provide an offer of employment letter. *See sample in Enclosure A section.* The letter must include statement that the department will pay the return trip cost if the department terminates employment of the O-1 employee before the expiration of O-1 status.
- According to 8 C.F.R. § 214.2 (o)(5)(i), the department must consult with an appropriate U.S. peer group and obtain a written advisory opinion regarding the nature of the work to be done and the O-1 applicants qualifications for the position. The Office of International Programs will assist with meeting this requirement.
- Department must pay the O-1 filing fee of \$325. The filing fee should be made out to “Department of Homeland Security,” ***but the check should be sent to The Office of International Programs.*** International Programs must include the check with the O-1 application. Additionally, if Premium Processing is being sought for an expedited service, there is an additional filing fee of \$1225. Payment may be processed through UM Procurement Services using the Request for Payment form (included in the Enclosure A section). Alternately, someone in the department can write a personal check and then apply for normal reimbursement through Procurement Services.
- Department must supply the Office of International Programs with either an orange departmental mail card for shipping the O-1 Petition to USCIS by Express Mail through the US Postal Service or provide International Programs with a FedEx Account Number for the overnight shipping of the package.

### **O-1 APPLICANT (INTERNATIONAL EMPLOYEE):**

- The international applicant must complete the **Enclosure B** section of this application.
- The international applicant must submit significant evidence of their extraordinary ability, detailed in the **Enclosure B** section of this application.
- O-1 applicants must submit all requested basic supporting documents:
  - One or two supporting letters or documents from colleagues or employers describing and attesting to the quality of applicant’s work (One letter of support is provided by the department automatically)
  - Curriculum Vita/ Resume which includes current address, home country address, statement of work history, and list of publications
  - Copy of all university-level academic degrees, diplomas, and transcripts/mark sheets.
    - Diplomas and transcripts/mark sheets do not have to be originals
    - On the back of each photocopy, sign a statement that says “This is a true photocopy and originals are available upon request.”
    - Documents not in English must be translated by someone competent to do so (See attached translation certificate sample)
    - Degrees issued by non-U.S. institutions will have to have a foreign credential evaluation processed by International Programs
  - Copies of 3 most recent pay stubs/ paycheck notifications if currently employed in the US
  - Copy of Passport Identification Pages (Full-page photocopies ONLY. Do not cut the photocopy to the shape of the passport) \*\*
  - Copies of current/ most recent Visa Stamp \*\*
  - Copies of I-94 Card (FRONT AND BACK) \*\*
  - Copies of all previous I-20’s, DS-2019’s, IAP-66’s, and O-1, O-3, or H-1B I-797 Approval Notices\*\*
  - Copy of Employment Authorization Card (i.e. F-1 OPT Card or J-2 EAD Card) if currently working on Employment Authorization I-612 waiver or completion of 212(e) Two-Year Home Residency Requirement if currently or previously on J-Visa\*\*

O-3 Application: If you have dependent family members who are already in the U.S. on another visa type, and you would like to change/extend their status as an H-4 dependent, include the following:

- Form I-539 (available on [www.uscis.gov](http://www.uscis.gov) site) and check for \$370 made payable to Department of Homeland Security
- Include the above starred (\*\*) items for your family members



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### **O-1 PROCESSING STEPS (continued)**

#### **OFFICE OF INTERNATIONAL PROGRAMS:**

- Once the Office of International Programs receives the Enclosure A section from the department as well as the Enclosure B section and documents from the applicant, the Office of International Programs can start processing the O-1 application.
- The Office of International Programs will evaluate all submitted materials for the O-1 Application.
- The Office of International Programs will create the I-129, O-1 Application Form.
  - The I-129 must be approved by the Director of Human Resources before it may be submitted to US Citizenship and Immigration Services.
- Once the I-129 has been approved by HR, the Office of International Programs will compile and send the O-1 application, including the filing fee and offer of employment from the department and copies of all documents supplied by the applicant.

#### **US CITIZENSHIP AND IMMIGRATION SERVICES:**

- Once the USCIS receives the complete O-1 application and filing fee, they will send the Office of International Programs an I-129 Receipt Notice, which is an official notice indicating the date that the application was received and giving the applicant a receipt number. With the receipt number, the status of the application may be tracked on the USCIS website: [www.uscis.gov](http://www.uscis.gov).
- When the O-1 petition is approved, USCIS will send the I-797 approval notice to the Office of International Programs. The applicant, the department, and Human Resources will be notified of the approval. Copies of the I-797 approval notice will be given to the applicant and Human Resources. The original approval notice will be kept in the Office of International Programs.

## • O-1 – Enclosure A Form: For the Department •

**Please submit the following information. Be sure to type or print clearly.**

**It is very important that you read the following carefully and not sign anything unless you are in total agreement.**

### PART 1: POSITION DESCRIPTION. TO BE COMPLETED BY DEPARTMENT CHAIR

PLEASE ENTER INFORMATION ABOUT POSITION REQUIREMENTS, NOT PROSPECTIVE EMPLOYEE'S QUALIFICATIONS

Hiring Department/ Unit: \_\_\_\_\_

School/ Division: \_\_\_\_\_

Position Title : \_\_\_\_\_

Position's minimum degree requirement: \_\_\_\_\_ Field(s) of study: \_\_\_\_\_

Position's minimum required training and experience (other than that which would or could have been obtained during the normal course of the degree program listed above) Please quantify required training and experience in number of years:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Description of basic job duties:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Proposed Salary: \_\_\_\_\_

Hours/ Range of hours per week: \_\_\_\_\_  Per year **or**  Per nine months

There are no additions nor deductions from each pay period, nor overtime. \_\_\_\_\_ (Check if true)

Benefits: (Check all that apply)

Position includes **NO** additional compensation or benefits

Position includes standard University of Mississippi employee benefits

Position includes additional compensation (specify) \_\_\_\_\_

with an estimated dollar value of (per year): \_\_\_\_\_

Number of employees applicant will supervise (other than students): \_\_\_\_\_

Dates of intended employment (3 years for initial O-1 petitions, 1 year per extension): From: \_\_\_\_\_ To: \_\_\_\_\_

Work location address: \_\_\_\_\_

Occupational title of person who will be employee's immediate supervisor: \_\_\_\_\_



**• O-1 – Enclosure A Form: For the Department •**

**PART 2: PROSPECTIVE EMPLOYEE CONTACT INFORMATION**

Current Mailing Address : \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

E-mail address: \_\_\_\_\_

Phone Number (with country and city code): \_\_\_\_\_

Fax Number (with country and city code): \_\_\_\_\_

**PART 3: LEGALLY BINDING EMPLOYER ATTESTATIONS**

**From US Immigration Service 8 CFR 214.2 (o)(16) & 8 CFR 214.2 (o)(14) (i-iii)**

**By signing below, I attest that the above information is true and that the University of Mississippi will comply with the following statements as required by the US Department of Homeland Security and Department of Labor.**

- 1) That the O-1 worker will also be paid for non-productive time unless contract is for a specified time period common to the industry such as 9 month academic appointments;
- 2) That the O-1 worker will be offered benefits on the same basis as similarly employed US workers;
- 3) That the employment of O-1 workers will not adversely affect the working conditions of workers similarly employed in the area of intended employment;
- 4) That on the date this form is signed and submitted, there is no strike, lockout or work stoppage in the course of a labor dispute in the occupation in which the O-1 worker will be employed at the place of employment;
- 5) That the reasonable cost of return transportation to the O-1's home country will be covered by the employer in the event employment is terminated prior to the ending date on the O-1 petition submitted to US Citizenship and Immigration Services. (See dates entered in part 1)

Required Signatures:

Department Chair: \_\_\_\_\_ Date: \_\_\_\_\_

Dean: \_\_\_\_\_ Date: \_\_\_\_\_

After completion of parts 1, 2, and 3, return to:  
Office of International Programs University of  
Mississippi  
331 Martindale  
University, MS 38677

## SAMPLE LETTER FROM DEPARTMENT/ PETITIONER

August 01, 2012

USCIS  
Vermont Service Center  
75 Lower Welden Street  
St. Albans, VT 05479

To Whom It May Concern:

The University of Mississippi wishes to support the O-1 Visa on behalf of Dr. Anne Nurmi, a Finnish national, to serve as Assistant Professor in the School of Engineering, Department of Electrical Engineering.

### The Petitioner

The University of Mississippi was established in 1848 and has 3,016 employees and an operating budget of \$245,008,363. The Department of Electrical Engineering has an undergraduate and graduate program which is active in externally funded research projects and industrial consulting.

### The Beneficiary

Dr. Nurmi graduated from the University of Iowa in August of 1991 with a Ph.D. in Electrical Engineering. She has specialized in advanced electrodynamics. Her research in this field has resulted in presentations of her research at international conferences in Geneva, 1990 and Chicago, 1991. Documentation of this research is enclosed.

Dr. Nurmi's credentials make her particularly well-suited for the current research project of vehicular antenna systems funded by the National Science Foundation.

### Terms of Employment

Dr. Nurmi is currently employed on an F-1 Practical Training Visa as an Assistant Professor of Electrical Engineering. We wish to continue her employment in O-1 status from August 21, 2006 until August 15, 2009 to conduct research, act as advisor to 4 Master's level students and 2 Ph.D. students, and to teach Electrical Engineering courses. She will be compensated at a rate of \$50,000 per year. We understand the temporary scope of the O-1 Visa and have informed Dr. Nurmi that in the event we are unable to continue her employment to its expiration date, we will pay the reasonable costs of Dr. Nurmi's transportation home to Finland.

Sincerely,

**The University of Mississippi  
Request for Payment**

To: Procurement Services  
From: \_\_\_\_\_  
e-mail \_\_\_\_\_  
Date: \_\_\_\_\_

Payment to: DEPARTMENT OF HOMELAND SECURITY  
\_\_\_\_\_  
USCIS – VERMONT SERVICE CENTER  
\_\_\_\_\_  
75 LOWER WELDEN STREET  
\_\_\_\_\_  
ST. ALBANS, VT 05479  
\_\_\_\_\_

<u>Cost Center/Internal Order</u>	<u>G/L Code</u>	<u>Amount</u>
_____	55760	\$460
_____	_____	_____
_____	_____	_____

Purpose: FILING FEE FOR O-1 PETITION. CHECK SHOULD BE SENT TO  
\_\_\_\_\_  
OFFICE OF INTERNATIONAL PROGRAMS, 331 MARTINDALE,  
\_\_\_\_\_  
ATTENTION TO CHARTER MORRIS.  
\_\_\_\_\_  
\_\_\_\_\_

Information to be included on check stub:

Reference: \_\_\_\_\_ (International Employee's Name)  
(Maximum of 16 characters)

Text: \_\_\_\_\_

Signatory Officer: \_\_\_\_\_ Document Number: \_\_\_\_\_

**NOTE: File separate requests for each filing fee so that separate checks will be processed.**



# The University of Mississippi

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## Interoffice Memorandum

### OFFICE OF INTERNATIONAL PROGRAMS

331 Martindale

University, MS 38677

Phone: (662) 915-7404 Fax: (662) 915-7486

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**TO:** Procurement Services

**FROM:** Tayla Burns, International Programs Advisor  
Office of International Programs

**DATE:** November 23, 2010

**SUBJECT:** O-1 Application Fees

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When filing for O-1 status on behalf of an intended employee, the University of Mississippi, must pay the Department of Homeland Security US Citizenship and Immigration Services filing fee for the related paperwork (USCIS form I-129).

There are two possible filing fees associated with an O-1 Petition. As of November 23, 2010, the filing fees are:

1. Standard filing fee for the I-129 (necessary for *all* O-1 Petitions) - **\$460**
2. Optional Premium Processing fee (for expedited processing) - **\$1225**

The following guidelines are given by the USCIS for payment preparation:

- All filing fees must be paid with separate checks or money orders.
- The check(s) or money order(s) must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency. Do not mail cash.
- Make the check(s) or money order(s) payable to:

**DEPARTMENT OF HOMELAND SECURITY  
USCIS – VERMONT SERVICE CENTER  
75 LOWER WELDEN STREET  
ST. ALBANS, VT 05479**

When the check or money order is ready, it should be returned to the Office of International Programs, NOT the USCIS. A check sent directly to the USCIS will be returned and will cause delays in the application process.



## • O-1 – Enclosure B Form: For the Applicant •

### IMMIGRATION INFORMATION

Passport # : _____	Passport Country: _____
Passport Issue Date (Month/ Day/ Year): _____ Passport Expiry Date (Month/ Day/ Year): _____ [Please note that passports must be renewed at least 6 months prior to their expiration date.]	
U.S. Social Security Number (If any): _____	
A # (If any. Alien number is listed on EAD Cards, OPT Cards, and on any I-140 or I-485 Notices) : _____	
At which consulate will you apply for your visa stamp?	
City (outside of the U.S.): _____	Country: _____
<b>FOR APPLICANTS CURRENTLY IN THE UNITED STATES ONLY</b>	
Current Non-Immigrant Visa Status (i.e. F-1, J-1, H-1B, etc.) : _____	
Date of Last Arrival (stamped on I-94 Card)	(Month/ Day/ Year): _____
Date Current Visa Status Expires	(Month/ Day/ Year): _____
I-94 # (Eleven Digit Number White Card in Passport): _____	
Are you currently on Optional Practical Training (OPT)? <input type="checkbox"/> YES or <input type="checkbox"/> NO.	
If YES, List dates of OPT: (Month/ Day/ Year): _____ through (Month/ Day/ Year): _____	
Do you have any dependents (spouse or children) who will file for O-3 status with this petition? <input type="checkbox"/> YES or <input type="checkbox"/> NO. If yes, how many?: _____	
Residential Address in the U.S. : _____ _____	
Phone Number: _____ Fax Number: _____	

### BASIC SUPPORTING DOCUMENTATION TO BE SUBMITTED TO INTERNATIONAL PROGRAMS

- One or two supporting letters or documents from colleagues or employers describing and attesting to the quality of applicant's work (One letter of support is provided by the department automatically)
- Curriculum Vita/ Resume which includes current address, home country address, statement of work history, and list of publications
- Copy of all university-level academic degrees, diplomas, and transcripts/mark sheets.
  - Diplomas and transcripts/mark sheets do not have to be originals
  - On the back of each photocopy, sign a statement that says "This is a true photocopy and originals are available upon request."
  - Documents not in English must be translated by someone competent to do so (See attached translation certificate sample)
  - Degrees issued by non-U.S. institutions will have to have a foreign credential evaluation processed by International Programs
- Copies of 3 most recent pay stubs/ paycheck notifications if currently employed in the US
- Copy of Passport Identification Pages (Full-page photocopies ONLY. Do not cut the photocopy to the shape of the passport) \*\*
- Copies of current/ most recent Visa Stamp \*\*
- Copies of I-94 Card (FRONT AND BACK) \*\*
- Copies of all previous I-20's, DS-2019's, IAP-66's, and O-1, O-3, or H-1B I-797 Approval Notices\*\*
- Copy of Employment Authorization Card (i.e. F-1 OPT Card or J-2 EAD Card) if currently working on Employment Authorization
- Proof of I-612 waiver or completion of 212(e) Two-Year Home Residency Requirement if currently or previously on J-Visa\*\*
- O-3 Application: If you have dependent family members who are already in the U.S. on another visa type, and you would like to change/extend their status as an O-3 dependent, include the following:
  - Form I-539 (available on [www.uscis.gov](http://www.uscis.gov) site) and check for \$290 made payable to **Department of Homeland Security**
  - Include the above starred (\*\*) items for your family members



• O-1 – Enclosure B Form: For the Applicant •

**EVIDENCE OF EXTRAORDINARY ABILITY: SCIENCES, EDUCATION, BUSINESS, & ATHLETICS**

**PLEASE INCLUDE THE FOLLOWING SUPPORTING DOCUMENTS AND RETURN TO OFFICE OF INTERNATIONAL PROGRAMS.**

**Basis A: Receipt of an award with the caliber of the Nobel Prize:**

Anyone who has received a major internationally recognized award such as the Nobel Prize (not just a nomination) will satisfy the requirement of evidence for establishing extraordinary ability.

**Basis B: Documentation showing extraordinary ability:**

An O-1 applicant can also establish extraordinary ability by developing and submitting documentation in at least three (preferably four) of the categories listed below:

- Receipt of major prizes or awards for outstanding achievement in the field of endeavor;
- Membership in associations in the field in which the O-1 applicant claims extraordinary ability. Membership must require their members to demonstrate outstanding achievements;
- Published material in professional publications written by others about the alien's work in the field in which the O-1 applicant claims extraordinary ability;
- Participation, either on a panel or individually, as a judge of the work of others in the same or allied field in which the O-1 applicant claims extraordinary ability;
- Original scientific, scholarly, or business-related contributions in the field (as shown by letters of attestation and support from colleagues and other experts in the field);
- Authorship of scholarly books or articles (in scholarly journals with international circulation) in the field or in other major media;
- Evidence that the applicant has been employed in a critical or essential capacity for organizations and establishments that have a distinguished reputation;
- Evidence that the applicant has either commanded a high salary or will command a high salary or other remuneration for services, as shown by contracts or letters of employment.

**EVIDENCE OF EXTRAORDINARY ABILITY: ARTS**

**PLEASE INCLUDE THE FOLLOWING SUPPORTING DOCUMENTS AND RETURN TO OFFICE OF INTERNATIONAL PROGRAMS.**

**Basis A: Receipt of an award with the caliber of the Academy Award, Grammy, Emmy, or Director's Guild Award:**

Anyone who has received a major internationally recognized award such as the Academy Award, Grammy, Emmy, or Director's Guild Award (not just a nomination) will satisfy the requirement of evidence for establishing extraordinary ability.

**Basis B: Documentation showing extraordinary ability:**

An O-1 applicant can also establish extraordinary ability by developing and submitting documentation in at least three of the categories listed below:

- Evidence that the applicant has and will perform services as a lead or starring participant in productions which have a distinguished reputation;
- Evidence that the applicant has and will perform in a lead, starring, or critical role for organizations and establishments that have a distinguished reputation;
- Published material in major newspapers, trade journals, magazines, or other publications written by others about the applicant's achievements and national or international recognition;
- Evidence of major or critically acclaimed successes as evidenced by such indicators as title, rating, standing in the field, box office receipts, motion picture or television ratings, and other occupational achievements reported in trade journals, major newspapers, or other publications;
- Evidence that the applicant has received significant recognition for achievements from organizations, critics, government agencies, or other recognized experts in the field in which the applicant is engaged. (as shown by letters of attestation and support from colleagues and other experts in the field);
- Evidence that the applicant has either commanded a high salary or will command a high salary or other remuneration for services, as shown by contracts or letters of employment.

**TRANSLATION CERTIFICATION  
OF FOREIGN LANGUAGE DOCUMENTS:**

**TRANSLATION MUST BE NOTARIZED**

DATE: \_\_\_\_\_

USCIS  
Vermont Service Center  
75 Lower Welden Street  
St. Albans, VT 05479

To Whom It May Concern:

I, \_\_\_\_\_, hereby certify that I am competent to translate this document from the  
\_\_\_\_\_ Language into English.

I also certify that the attached translation is an accurate translation of the original document.

SIGNATURE: \_\_\_\_\_

Full Name of Translator:

Translator's Job Title:

Mailing Address: \_\_\_\_\_

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