

## **INTERNATIONAL FACULTY & SCHOLARS**

Global Center, Room 142  
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[www.global.arizona.edu/ifs](http://www.global.arizona.edu/ifs)

# **O-1 ALIEN OF EXTRAORDINARY ABILITY**

## **INTRODUCTION**

International Faculty & Scholars (IFS) at The University of Arizona (UA) has prepared this packet of information to assist sponsoring departments and FNs at UA with the process of submitting a PR petition for adjudication by U.S. Citizenship & Immigration Services (USCIS).

The process is lengthy and complex, involving various state and federal government agencies. In order to ensure that everything goes smoothly, it is extremely important that you read the materials in this packet very carefully, in its entirety, and that you follow the instructions. This will avoid delays in the preparation of the petition for submission to USCIS.

Please be advised, however, that any estimated processing times referenced in this packet are subject to change without notice due to changes in the regulations and/or backlogs within a particular government agency. IFS cannot control delays of this nature and therefore cannot guarantee an adjudication date. Please see [www.uscis.gov](http://www.uscis.gov) for the most current published processing times. Moreover, IFS cannot and will not guarantee favorable adjudication of any petitions.

If you have any questions or need additional information, please call 520-626-6289 to speak to a qualified staff member who can assist you.

## O-1 CRITERIA OVERVIEW

### Alien of Extraordinary Ability:

*Is the FN an Alien of Extraordinary Ability?*

“Extraordinary ability in the field of science, education, business, or athletics means a level of expertise indicating that the person is one of the small percentage who has arisen to the very top of their field of endeavor.”

### Advisory Opinion from a Peer Group:

*Can the FN obtain an Advisory Opinion from a peer group?*

A peer group is a person with expertise in the FN’s field or a group/organization composed of practitioners in the FN’s occupation/field of extraordinary ability.

An acceptable Advisory Opinion describes the alien’s ability/achievements in field, duties to be performed & whether the position requires someone of extraordinary ability.

*Can the FN document national or international acclaim in their field?*

The FN must be able to provide substantial evidence demonstrating their extraordinary ability in the sciences, education, business or athletics. Required substantial evidence is listed below. The FN must be able to present evidence that they satisfy at least three (3) of the required eight (8) criteria in addition to being either nationally or internationally recognized in their field.

### National OR International Acclaim

To show national or international acclaim as an O-1 Alien of Extraordinary Ability the FN must present evidence of at least three (3) of the eight (8) criteria listed below.

1. Receipt of nationally or internationally recognized prizes or awards;
2. Memberships requiring outstanding achievements;
3. Published material about the alien, relating to the alien’s work. Includes title, date, author and any translations;
4. Participation as a judge of the work of others in the same/allied field, i.e.: referee, reviewer, etc.;
5. Original scientific, scholarly, ... contributions of major significance in the field (6-10 expert letters);
6. Authorship of scholarly articles in the field, in professional journals, or other major media;
7. Employed in a critical or essential capacity for organizations or establishments that have a distinguished reputation; and/or
8. Commanded or will command a high salary or other remuneration for services, evidenced by contracts or other reliable evidence.

## O-1 EXTENSION OF STATUS

If the FN needs to extend their O-1 status, and the department still supports the petition, IFS can seek to extend the FN's O-1 status in one (1) year increments. The extension must be "to continue or complete the same activities or events specified in the original petition." Additionally, "A petition extension may be filed only if the validity of the original petition has not expired." 8CRF§214.2(o)(11). Therefore, the petition to extend O-1 status must be filed before the FN's current status expires. Please initiate the extension process at least three (3) months in advance.

## O-1 EMPLOYEE CHECKLIST

Please submit this page with the following documentation to IFS. If any evidence is in a language other than English, it must be translated. Evidence not translated will not be accepted.

If requesting an O-1 Extension you only need to provide evidence that is marked with a "\*".

- \*Form I-129. Portions related to you, not The University of Arizona.
- \*\$460 USCIS fee. Check made payable to US Department of Homeland Security.
- \*\$1,440 Premium Processing fee. Check made payable to US Department of Homeland Security. This is an optional fee for expedited processing by USCIS. If this service is chosen, CIS guarantees the adjudication of the petition within fifteen (15) days.
- \*\$3,500 (new) or \$3,000 (extensions) IFS fee. eDoc from department or money order from FN made payable to "The University of Arizona"
- \*\$350 IFS Premium Processing fee. eDoc from department or money order made payable to "The University of Arizona".
- \*Immigration paperwork: Include copies of I-94 (front & back), all passport pages, visa, and all previous approval notices.
- \*Department Letter of Support (template included).
- \*Department Letter of Return Trip (template included).
- Diploma and transcripts if specific field is not listed on diploma. If degree is not in English, you must provide translations. If degree was received from a foreign university, you must also submit an academic evaluation.
- \*Curriculum Vitae – spell everything out fully – no abbreviations.
- Advisory Opinion from a peer group.
- \*Copy of written contract between The University of Arizona and the Beneficiary/FN.
- Six (6) – ten (10) national or international expert letters. Must include CV's of experts. Submitted letters must be signed originals on letterhead. Templates are not provided for these letters as they should not mimic one another. Do not send these letters to USCIS directly.

- Authorship in books or journals: copies of publication cover, first three (3) and last three (3) pages of article/publication. Highlight your name wherever it appears. You must also provide information about the journals. Satisfactory information includes submitting print-outs from the journals website stating whether the journal is peer-reviewed, internationally circulated and the circulation frequency. Include impact factors.
- Copies of others work written about you. Same evidence as authorship required.
- Copies of citations to your work. Same evidence as authorship required.
- Evidence of participation as the judge of the work of others. Include evidence that you actually served as the judge/referee/reviewer. Invitations alone are not enough. Highlight your name wherever it appears.
- Evidence of memberships. Include copies of membership cards, payment of dues and information about the association/organization (selection criteria, tiers/categories of membership, etc.).
- Evidence of awards or major prizes. Include copies of the award/prize and information about the award/prize as well as the association/organization giving the award. Highlight your name wherever it appears.

## O-1 DEPARTMENT CHECKLIST

**Send all of the following documentation together to IFS:**

- Department Letter of Support (Template included).
- Department Letter of Return Trip (Template included).

**Employer AND/OR Beneficiary**

Payment of fees is to be negotiated between the sponsoring department and the beneficiary/FN. Either the department or the beneficiary may pay the fees for O-1 status.

- \$460** USCIS fee. Check made payable to US Department of Homeland Security.
- \$1,440** Premium Processing fee. Check made payable to US Department of Homeland Security. This is an optional fee for expedited processing by USCIS. If you chose to request Premium Processing, USCIS will adjudicate the filed case within fifteen (15) calendar days.
- \$3,500** (new) or **\$3,000** (extensions) IFS fee. eDoc from department or money order from FN made payable to “The University of Arizona.”
- \$350** IFS Premium Processing fee. eDoc from department or money order from FN made payable to “The University of Arizona.”

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*\*\*Department Letter of Support O-1 template, edit as needed print on department letterhead\*\**

[Date]

U.S. Citizenship & Immigration Services  
California Service Center  
24000 Avila Rd., Rm. 2302  
Laguna Niguel, California 92677

RE: I-129 petition on behalf of [EMPLOYEE'S NAME], (Ph.D., M.D., B.A), DOB mm/dd/yyyy.

Dear Adjudicating Officer:

This letter is submitted in support of the petition of the University of Arizona, to classify [EMPLOYEE'S NAME], a citizen of [COUNTRY OF CITIZENSHIP] as an O-1 Nonimmigrant of distinguished merit and ability, to serve as a [UNIVERSITY TITLE] for our university on a temporary basis.

### **The Petitioner**

Founded in 1885, the University of Arizona is now the nation's 18<sup>th</sup>-ranked research institution, with an enrollment of 45,217, faculty and staff of 16,271 and a 391-acre campus. The University of Arizona is a land grant institution, one of a number of federally funded universities created to support colleges of agriculture and conduct research for the public good. In that tradition, the University of Arizona links its educational, research, and public service programs to needs at the local, state, national, and international levels.

The University of Arizona has come to be known as having ivy-league opportunities at a public university price tag: a state institution which offers nationally ranked research, top ranked professors, over 122 majors, and a full range of support services.

The University of Arizona balances a strong research component with an emphasis on teaching—faculty rolls include Nobel and Pulitzer Prize winners. Its academic reputation is a drawing card for top students. To the wealth of academic choices, add a progressive campus atmosphere, conference winning basketball and football teams, and myriad recreation opportunities.

The [DEPT NAME] at the University of Arizona in Tucson, Arizona is one the largest research and extension departments in the College of XXXX and is the primary unit on campus offering

undergraduate teaching programs in the applied and basic plant sciences. It is also unique because of the diversity of faculty specialties not normally found in a single academic unit (for the latest News and Semester Updates see the [DEPT NAME] Newsletter). Faculty activities encompass a broad spectrum including agronomy, horticulture, physiology, biochemistry, genetics, and cellular and molecular biology.

The overall goal of the [DEPT NAME] is to help sustain the economic production of plants as used by humans for food, fiber, and improving the quality of life in landscapes and natural environments. Our faculty discovers new knowledge and develops technologies that are of importance to agriculture and the life sciences; and that are taught to students, growers, other researchers, and the general public.

### **The Position**

The University of Arizona, College of XXXX, [DEPT NAME], is offering the position of Associate Professor to [EMPLOYEE'S NAME], a nationally/internationally known and respected [researcher or professor] in the field of XXXX, who will bring extraordinary skills and research experience to this position.

[Include a paragraph or two detailing the job duties more specifically]

### **The Beneficiary**

Dr. [EMPLOYEE'S NAME], a citizen of [COUNTRY], received his undergraduate training and beginning research in Chemical Engineering (CE) at The University of \_\_\_\_\_, [COUNTRY], on \_\_\_\_\_. From there, *s/he* proceeded to obtain his advance degrees – M.Sc. and Ph.D. in Chemical Engineering from the University of \_\_\_\_\_. During those years *s/he* served as a research assistant and associate. Following the completion of his Ph.D. in [MONTH, YEAR], *s/he* moved on to serve as visiting research associate in the [DEPT NAME]. Upon completion of the experience in [YEAR], *s/he* returned to his home country to apply his knowledge and skills at his alma mater, where *s/he* remained until [YEAR]. As outlined in his enclosed curriculum vitae, [EMPLOYEE'S NAME], has been awarded for his excellence in research from his undergraduate days in T\_\_\_\_\_, to his graduate studies in S\_\_\_\_\_ and beyond. Continuing to expand his research base internationally, *s/he* was awarded the \_\_\_\_\_ Fellowship in [YEAR] by the European Community for a year of sabbatical work on the [DEPT NAME] at the University of \_\_\_\_\_, in the UK. In [YEAR] *s/he* returned to the US for a period as a visiting scholar.

One of the key indicators of [EMPLOYEE'S NAME], extraordinary contributions in the field of XXXX came when *s/he* was awarded the \_\_\_\_\_ Award in [YEAR] by the internationally known \_\_\_\_\_. This award, which was in the field of Applications of Science and

Technology, is one of the highest honors bestowed upon a Latin American Technological Researcher.

International respect of [EMPLOYEE'S NAME], professional opinion can be seen in several letters related to the review of others' work in various international professional journals.

Throughout the last few years [EMPLOYEE'S NAME], has been extraordinarily prolific in his research writing, having 52 articles published in international, peer-reviewed journals and books, as well as 53 articles included in conference proceedings, and 7 more works submitted for publication. In addition, *s/he* has made 53 presentations throughout the world and has submitted 5 more works for presentation internationally.

### **Terms of Employment**

Based on Dr. [NAME]'s professional credentials, the [DEPT NAME] wishes to employ *him/her* for a temporary period of [NUMBER OF YEARS] as a [UNIVERSITY TITLE]. We understand the temporary nature of the O-1 status we seek for [EMPLOYEE'S NAME], and assuming our O-1 petition is approved, we fully intend to comply with all of the regulations regarding employment of individual in O-1 status. [EMPLOYEE'S NAME] will be compensated at the rate of \$[SALARY] per year.

If [EMPLOYEE'S NAME] is dismissed during the validity of *his/her* O-1 status, we will be responsible for the reasonable cost of his return trip home.

Thank you for your courtesy and attention to the processing of this petition.

Sincerely,

[Signature]

[Name]

[Title]

[Department Name]



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*\*\*Department Letter of Return Trip for O-1 template, edit as needed and print on department letterhead\*\**

[Date]

U.S. Citizenship & Immigration Services  
California Service Center  
24000 Avila Rd., Rm. 2302  
Laguna Niguel, California 92677

Dear Adjudicating Officer:

The Department of [DEPT NAME] hereby accepts responsibility for [EMPLOYEE'S NAME] return transportation abroad should s/he be dismissed prior to the expiration of her/his petitions validity.

We understand that [EMPLOYEE'S NAME] continuous employment is contingent upon annual renewal, satisfactory performance, the availability of funding, and the ability to receive work authorization and maintain legal status according to the requirements of the visa category while they are in the United States.

Sincerely,

[Signature]

[Name]

[Title]

[Department Name]