

O-1 EXTRAORDINARY ABILITY VISA

The O-1 Evidence Matrix

The eight O-1A criteria from 8 CFR 214.2(o)(3)(iii), what tends to satisfy each one, and the consultation no petition can skip.



Prepared by the Ellis Porter content team. This matrix has not been reviewed by an attorney for your specific situation. It is general information and a self-assessment aid, not legal advice and not a prediction of any outcome.

HOW THE STANDARD WORKS

Two routes, and you only need one

For an O-1A (sciences, education, business, or athletics), 8 CFR 214.2(o)(3)(iii) gives two ways to meet the evidence standard: a single major, internationally recognized award at the level of a Nobel Prize, or at least three of the eight criteria below. Almost everyone uses the second route. You are not trying to hit all eight; you are looking for the three where your record is genuinely strong. Tick the box only where you can point to real documentation today.

CRITERION	WHAT TENDS TO SATISFY IT	HAVE IT
1 Recognized awards	Prizes or awards for excellence in your field. What matters is the recognition the award carries, not just its name, so evidence usually explains who grants it, the selection criteria, and how competitive it is.	☐
2 Exclusive memberships	Membership in associations that require outstanding achievement, judged by recognized experts. A membership anyone can buy does not count. The evidence should show the admission standard and who evaluates candidates.	☐
3 Published material about you	Articles or other published material about you and your work in professional publications or major media. The focus is coverage about you, not merely articles you wrote, and the outlet's reach and reputation matter.	☐
4 Judging the work of others	Participation, individually or on a panel, as a judge of the work of others in your field. Peer review, competition judging, grant panels, and editorial review boards are common examples, documented with invitations and confirmation of your role.	☐

CRITERION	WHAT TENDS TO SATISFY IT	HAVE IT
5 Original contributions of major significance	Original scientific, scholarly, or business-related contributions of major significance. Often the most important and most contested criterion. Strong evidence shows impact: adoption of your work by others, letters from independent experts explaining the significance, and results traceable to what you did.	☐
6 Scholarly articles	Authorship of scholarly articles in your field, in professional journals or major media. Citation records and the standing of the publications help show the work is recognized, not just published.	☐
7 Critical role, distinguished organization	Employment in a critical or essential capacity for organizations with a distinguished reputation. Establish both the organization's reputation and that your specific role was critical, usually through letters from people who can speak to what you did and why it mattered.	☐
8 High salary or remuneration	A high salary or other remuneration for services, shown by contracts or other reliable documentation, and ideally compared against wage data for your field so the figure reads as high in context.	☐

If the criteria do not fit your work. Under 8 CFR 214.2(o)(3)(iii)(C), if these criteria do not readily apply to your occupation, the petitioner may submit comparable evidence instead. That is what makes the O-1A workable for founders and nontraditional roles, and framing that evidence well is where experienced drafting matters most.

Three boxes is the threshold, not the finish line. USCIS evaluates the evidence as a whole to decide whether it shows sustained national or international acclaim and that you are among the small percentage at the very top of your field. A petition that technically checks three boxes with thin evidence can still be denied; quality and context beat box-checking.

Working in the arts, film, or television? The eight criteria above are the O-1A list. O-1B uses a different, arts-specific set of criteria under 8 CFR 214.2(o)(3)(iv), with its own standard (distinction, for the arts).

Two requirements first-time petitioners miss

1 The advisory opinion (consultation).

Under 8 CFR 214.2(o)(5), a written advisory opinion from an appropriate US peer group (which can include a person with expertise in the field) or a labor or management organization is mandatory before an O-1 petition can be approved. Turnaround varies, and for newer or interdisciplinary fields identifying the right body is itself a step, so line it up early.

2 Someone else files for you.

You cannot file an O-1 for yourself. Under 8 CFR 214.2(o)(2), the petition is filed on Form I-129 by a US employer, a US agent, or a foreign employer through a US agent. The agent route is what lets founders and artists with several engagements use the O-1 without a single traditional employer.

Your strongest three (or more)

List the criteria you ticked and the single best piece of evidence for each. Thin spots here are what a consultation should focus on.

Building an O-1 case?

See how Ellis Porter prepares O-1 petitions, from the criteria to the consultation to filing:

ellisporter.com/services/o-1

Prepared by the Ellis Porter content team. This document is general information, not legal advice, and reading it does not create an attorney-client relationship. Whether a specific record meets the extraordinary ability standard is case-specific; no matrix can predict a result. Criteria: 8 CFR 214.2(o)(3)(iii); consultation: 8 CFR 214.2(o)(5); petitioners: 8 CFR 214.2(o)(2).