You may be eligible for an employment-based, first-preference visa if you are a noncitizen of extraordinary ability, are an outstanding professor or researcher, or are a certain multinational executive or manager. Each occupational category has certain requirements that must be met:

|  |  |  |
| --- | --- | --- |
| Categories | Description | Evidence |

|  |  |  |
| --- | --- | --- |
| Extraordinary Ability | You must be able to demonstrate extraordinary ability in the sciences, arts, education, business, or athletics through sustained national or international acclaim. | You must meet at least 3 of the 10 criteria\* below, or provide evidence of a one-time achievement (i.e., Pulitzer, Oscar, Olympic Medal) as well as evidence showing that you will be continuing to work in the area of your expertise. No offer of employment or labor certification is required. |

|  |  |  |
| --- | --- | --- |
| Outstanding professors and researchers | You must demonstrate international recognition for your outstanding achievements in a particular academic field. You must have at least 3 years experience in teaching or research in that academic area. You must be entering the United States in order to pursue tenure or tenure track teaching or a comparable research position at a university, institution of higher education, or private employer. | You must meet at least 2 of the 6 criteria listed below\*\* and provide an offer of employment from the prospective U.S. employer. The private employer must show documented accomplishments and that it employs at least 3 full-time researchers. No labor certification is required. |

|  |  |  |
| --- | --- | --- |
| Certain  Multinational manager or executive | You must have been employed outside the United States for at least 1 year in the 3 years preceding the petition or the most recent lawful nonimmigrant admission if you are already working for the U.S. petitioning employer. The U.S. petitioner must have been doing business for at least 1 year, have a qualifying relationship to the entity you worked for outside the U.S., and intend to employ you in a managerial or executive capacity. | Your petitioning employer must be a U.S. employer and intend to employ you in a managerial or executive capacity. The petitioner must have been doing business in the U.S. for at least 1 year, as a legal entity with a qualifying relationship to the entity that employed you abroad in a managerial or executive capacity.  No labor certification is required. |

Certain  
 Multinational manager or executive

No labor certification is required.

## \* Criteria for Demonstrating Extraordinary Ability

In order to demonstrate you have sustained national or international acclaim and that your achievements have been recognized in your field of expertise, you must either include evidence of a one-time achievement (major internationally-recognized award) or 3 of the 10 listed criteria below (or comparable evidence if any of the criteria do not readily apply):

* Evidence of receipt of lesser nationally or internationally recognized prizes or awards for excellence
* Evidence of your membership in associations in the field which demand outstanding achievement of their members
* Evidence of published material about you in professional or major trade publications or other major media
* Evidence that you have been asked to judge the work of others, either individually or on a panel
* Evidence of your original scientific, scholarly, artistic, athletic, or business-related contributions of major significance to the field
* Evidence of your authorship of scholarly articles in professional or major trade publications or other major media
* Evidence that your work has been displayed at artistic exhibitions or showcases
* Evidence of your performance of a leading or critical role in distinguished organizations
* Evidence that you command a high salary or other significantly high remuneration in relation to others in the field
* Evidence of your commercial successes in the performing arts

For more information on Extraordinary Ability, read our policy in Volume 6, Part F, Chapter 2, of the USCIS Policy Manual.

## \*\* Examples of Documentary Evidence That a Person is an Outstanding Professor or Researcher

In order to demonstrate you are an outstanding professor or researcher, you must include evidence of 2 of the 6 listed criteria below (or comparable evidence if any of the criteria do not readily apply):

* Evidence of receipt of major prizes or awards for outstanding achievement
* Evidence of membership in associations that require their members to demonstrate outstanding achievement
* Evidence of published material in professional publications written by others about the noncitizen's work in the academic field
* Evidence of participation, either on a panel or individually, as a judge of the work of others in the same or allied academic field
* Evidence of original scientific or scholarly research contributions in the field
* Evidence of authorship of scholarly books or articles (in scholarly journals with international circulation) in the field

For more information on Outstanding Professors and Researchers, read our policy in Volume 6, Part F, Chapter 3, of the USCIS Policy Manual.

For more information on Multinational Executives or Managers, read our policy in Volume 6, Part F, Chapter 4, of the USCIS Policy Manual.

## Application Process

* Extraordinary Ability: You may apply for yourself by filing a Form I-140, Petition for Alien Worker.
* Outstanding Professors and Researchers: Your U.S. employer must file a Form I-140, Petition for Alien Worker. As part of the application process, your employer must be able to demonstrate a continuing ability to pay the offered wage as of the priority date. Your employer may use an annual report, federal income tax return, or audited financial statement to demonstrate a continuing ability to pay your wage.
* Multinational Manager or Executive: Your U.S. employer must file USCIS Form I-140, Petition for Alien Worker. As part of the application process, your employer must be able to demonstrate a continuing ability to pay the offered wage as of the priority date. Your employer may use an annual report, federal income tax return, or audited financial statement to demonstrate a continuing ability to pay your wage.
* For more information on filing fees, see File My Application Online

## Family of EB-1 Visa Holders

* If your I-140 petition is approved, your spouse and unmarried children under the age of 21 may be eligible to apply for admission to the United States in E-14 or E-15 immigrant status, respectively.

## More Information

* Health Care Worker Certification
* TITLE 8 CODE OF FEDERAL REGULATIONS (8 CFR)