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Chapter 2 - Eligibility for O Classification

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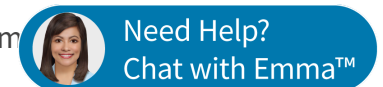
A. General

The O nonimmigrant classification allows the following [noncitizens](#) to enter the United States or change status from another nonimmigrant category:

- Nonimmigrants of extraordinary ability in the sciences, arts, education, business, or athletics (O-1 nonimmigrants);
- Nonimmigrants of extraordinary achievement in the motion picture or television industry (O-1 nonimmigrants); and
- Certain nonimmigrants accompanying and assisting an O-1 nonimmigrant (O-2 nonimmigrants).

B. Eligibility Requirements

In general, the beneficiary of a petition for O nonimmigrant classification must meet the following requirements, among others, as applicable:



O-1 Extraordinary Ability in Sciences, Education, Business, or Athletics (commonly referred to as O-1A)

- The beneficiary has extraordinary ability in the sciences, education, business, or athletics, which has been demonstrated by sustained national or international acclaim; and
- The beneficiary seeks to enter the United States to continue work in the area of extraordinary ability.^[1]

O-1 Extraordinary Ability in Arts (commonly referred to as O-1B (Arts))

- The beneficiary has extraordinary ability in the arts, which has been demonstrated by sustained national or international acclaim; and
- The beneficiary seeks to enter the United States to continue work in the area of extraordinary ability.^[2]

O-1 Extraordinary Achievement in Motion Picture or Television Industry (commonly referred to as O-1B (MPTV))

- The beneficiary has a demonstrated record of extraordinary achievement in motion picture or television productions; and
- The beneficiary seeks to enter the United States to continue work in the area of extraordinary achievement.^[3]

O-2 Accompanying Principal O-1 Beneficiary (Essential Support Personnel)

- The O-2 beneficiary seeks to enter the United States temporarily and solely for the purpose of accompanying and assisting in the artistic or athletic performance by an O-1 beneficiary who is admitted for a specific event or events;
- Is an integral part of such actual performance(s) or event(s);
- Has critical skills and experience with the O-1 beneficiary, which are not of a general nature and are not possessed by a U.S. worker; and
- Has a foreign residence which the O-2 has no intention of abandoning.

In cases involving a motion picture or television production, the O-2 beneficiary must also have skills and experience with the O-1 beneficiary that are not of a general nature and are critical either:

- Based on a pre-existing longstanding working relationship; or

- With respect to a specific production because significant production (including pre- and post-production work) will take place both inside and outside the United States and the continuing participation of the O-2 beneficiary is essential to the successful completion of the production.^[4]

Footnotes

^[^1] See [INA 101\(a\)\(15\)\(O\)\(i\)](#). See [8 CFR 214.2\(o\)\(1\)\(ii\)\(A\)\(1\)](#).

^[^2] See [INA 101\(a\)\(15\)\(O\)\(i\)](#). See [8 CFR 214.2\(o\)\(1\)\(ii\)\(A\)\(1\)](#).

^[^3] See [INA 101\(a\)\(15\)\(O\)\(i\)](#). See [8 CFR 214.2\(o\)\(1\)\(ii\)\(A\)\(2\)](#).

^[^4] See [INA 101\(a\)\(15\)\(O\)\(ii\)](#). See [8 CFR 214.2\(o\)\(1\)\(ii\)\(B\)](#).

Current as of August 27, 2024
