

## **File “P” & “O” Visa Petitions a Year in Advance**

Often times, foreign athletes and entertainers seek to enter the U.S. to participate in sporting events and concerts tours. Also, foreign persons with extraordinary ability in the arts, sciences or athletics wish to travel to the U.S. to work in a capacity that would further their careers and benefit the U.S. economy and society.

In many cases, such individuals must plan well in advance before embarking upon a tour or accepting a job in the U.S. However, if the correct visas have not been secured in time, these athletes, entertainers, professors, scientists, artists, actors, writers, etc. cannot properly prepare for their overseas travel and employment.

In the past, people seeking “P” or “O” visas were only permitted to file their petitions up to six months in advance of their proposed arrival in the U.S., employment, or commencement of the U.S. event. Such a small window within which to file not only made it difficult to secure the visa in time, but also added undue delay and pressure on other individuals and businesses relying upon the securing of the visa for such an athlete, entertainer, professor, etc. For example, on occasion some Filipino performers have been forced to postpone or cancel their concert tours in the U.S. because of delays in visa issuance.

Recently, on April 16, 2007, U.S. Citizenship and Immigration Services (“USCIS”) effected a positive change in U.S. immigration law procedure. Beginning May 16, 2007, individuals seeking either “P” visa or “O” visa status in the U.S. may file their petitions up to one year in advance of the proposed arrival, scheduled event, concert, etc. in the U.S.

We often complain that USCIS fails to make positive and effective changes in its procedures. But, in this instance, USCIS got it right.

Frequently, athlete and entertainer clients have clamored to file their petitions well in advance of their scheduled U.S. tournament, event or concert. Their concerns are legitimate and justified. It takes a great deal of time to plan and set up certain events. Also, a great deal of money is often invested. Indeed, many people’s livelihoods rely on such events taking place.

Hopefully, now, straightforward “P” and “O” visa petitions will be decided well in advance of scheduled events, and fewer foreigners will miss their opportunities here in the U.S. Moreover, maybe now, even the more challenging “P” and “O” visa petitions – which traditionally may have taken well over six months to adjudicate – will be decided by USCIS before the athlete, entertainer or other individual must arrive in the U.S.

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