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USCIS Now Accepting Copies of Negative O Visa Consultations Directly from Labor Unions

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Submitted by Chief Editor on Sep 15th 2018

Effective immediately, USCIS will begin accepting copies of negative consultation letters directly from labor unions relating to a current or future O nonimmigrant visa petition request. O-1 and O-2 nonimmigrant visas are available to individuals with extraordinary ability in science, education, business, athletics, or the arts, and individuals with extraordinary achievement in the motion picture or television industry, and certain essential support personnel. A consultation letter from a U.S. peer group, labor organization, and/or management organization is generally required for petitions in the O visa classification.

Typically, a petitioner submits the necessary O visa consultation with the petition, and that process requirement remains unchanged. Director L. Francis Cissna recently met with several labor unions to discuss concerns they had with the consultation process for O visa petitions, in particular that some advisory opinions may be falsified by petitioners and submitted to USCIS as no-objections or favorable consultations, when in fact these were negative. The labor unions will now be able to send a copy of a negative consultation letter to USCIS so that it can be compared to the consultation letter submitted to USCIS by the petitioner.

Labor unions should send copies of negative O nonimmigrant consultation letters to UnionConsultationMailbox@uscis.dhs.gov [2]. To make sure USCIS matches the letters to the correct petitions, labor unions should include the last five digits of each beneficiary's passport number in the consultation letters. Note that only copies of negative consultation letters should be sent to USCIS in the manner described above for O petitions.

After six months USCIS will analyze the data collected to identify areas for improvement in the consultation process. Additional information on O nonimmigrant visas is available on the [O-1 Visa: Individuals with Extraordinary Ability or Achievement](#) [3] page.

Team Notes:

Nonimmigrant Visas:

[O-1 Visa](#) [4]

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