Provided By:
Law Offices of Rajiv S. Khanna, PC
http://www.immigration.com

Office of Communications

U.S. Citizenship and Immigration Services

USCIS Update

Oct. 7, 2009

USCIS CLARIFIES REQUIREMENTS FOR AGENTS FILING AS PETITIONERS FOR THE O and P VISA CLASSICATION

WASHINGTON—U.S. Citizenship and Immigration Services (USCIS) issued guidance today to clarify for performing arts associations and their members the regulatory requirements for agents who file as petitioners for the O and P visa classification.

O and P visas apply to non-immigrants with extraordinary ability in the sciences, arts, education, business or athletics, or in the motion picture and television field. O and P petitions may only be filed by a U.S. employer, a U.S. agent, or a foreign employer through a U.S. agent.

USCIS has received numerous inquiries and filings involving petitions that name multiple employers, but are filed by one of those employers on behalf of the other employers. USCIS does not consider such filings to be permissible under the regulations where the petitioner does not establish that it is "in business" as an agent.

A fact sheet is attached to this Update that describes filing requirements and will help avoid unnecessary denials of individual petitions that may be otherwise approvable.

For more information on USCIS and its programs, visit www.uscis.gov.

– USCIS –