

# COMMUNITY JOURNAL

YOUR IMMIGRATION SOLUTION



ATTY. ROBERT REEVES

## O AND P VISAS: Are You a Superstar?

acclaim” in the field of sciences, arts, education, business or athletics. While this can be shown through the receipt of a major international award such as the Nobel Prize, those who have not achieved this standard but who have still distinguished themselves in their field may also qualify for an O visa. The United States Citizenship and Immigration Services (USCIS) considers a variety of factors in deciding whether a foreign national qualifies for an O visa including, but not limited to, if the person received national or international awards, is a member of a promi-

of achievement in the field...” in which they specialize. This standard is generally easier to meet than the standard set forth under the O visa. However, while certain individual athletes may remain in the United States for up to five years under the P visa, most groups are limited to the time needed to participate in their event or complete their performance in the United States, not to exceed one year.

While a foreign national may not be an international film or sports star or a Nobel prize-winning scientist, if he has made significant achievements in the fields of athletics, the arts, entertainment, or various other fields, then the foreign national may still qualify for a work visa in the United States if there is a US employer willing to employ him in that field. Given the complex regulations involving O and P visas,

and the amount of documentation required to support such a petition, it is recommended that a foreign national seek consultation with an immigration attorney familiar with O and P visas to determine whether he might qualify for such a visa.

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The analysis and suggestions offered in this column do not create a lawyer-client relationship and are not a substitute for the personalized representation that is essential to every case.

(Advertising Supplement)

HOW do international film stars, professional athletes and Nobel-prize winning scientists who are citizens of foreign countries work in the United States? Despite their fame and international stature, like other foreign nationals they still require a visa to work in the United States. As a result, many of these “superstars” have at one time or another most likely applied for an O or P visa to allow them to do just that.

However, one does not necessarily need to be an international film or sports star, or have won the Nobel Prize, in order to obtain an O or P visa. O and P visas allow foreign nationals who may not qualify

*In order to qualify for an O visa, the foreign national must demonstrate “sustained national or international acclaim” in the field of sciences, arts, education, business or athletics.*

for other work visas to instead work in the United States in a field based on their national or international acclaim or talent. Typically, many artists, athletes, entertainers, chefs, business people lacking professional degrees and others who excel in their field of work can qualify for O or P visas. In fact, the O visa is sometimes the preferred alternative for workers who qualify for professional occupations under the H-1B visa because there is no minimum wage or education requirement, no limitation on the time spent in the United States, and no cap on the number of visas issued per year as there is under the H-1B visa.

However, in order to qualify for an O visa, the foreign national must demonstrate “sustained national or international

acclaim” in his field, or has been featured in published material such as newspaper or magazine articles. Once approved for an O visa, a foreign national can work in the United States for up to three years initially and renew his visa each year as needed.

A foreign national may also try to apply for a P visa. P visas differ from O visas in that they are generally limited to athletes and entertainers. These include individuals such as professional baseball and basketball players and circus acts or acting troupes visiting the United States. Under certain circumstances, culturally unique artists and entertainers may also qualify. In order to qualify for P visas, foreign nationals must show that they have accomplished “a high level



ATTY. RAY BULAON

## “5 Facts You Should Know About Bankruptcy”

### 1. Bankruptcy is not always your fault.

If you are overwhelmed with debt problems, you may feel alone, depressed, guilty or all of the above. In most cases, bankruptcy is caused by events beyond your control- job loss, sickness, disability, divorce, to name a few. In others, it is simply due to poor financial planning. Don't be too hard on yourself. Life is not perfect- and neither are you.

### 2. There is life after bankruptcy.

Some people have the mistaken belief that once they file, life will never be “normal” again and that their credit is ruined forever. The truth is that most people who file bankruptcy are able to rebuild credit very quickly only after a few years and buy a home like everyone else.

### 3. Bankruptcy provides immediate debt relief.

The day you file bankruptcy, creditors have no choice but to leave you alone. That means no more harassment from creditors, lawsuits, judgments or wage garnishments. The relief is immediate. Suddenly you can breathe better and feel like a human being again.

### 4. Most people who file bankruptcy keep everything and lose nothing.

Some people are worried that once they file, they will automatically lose everything that they have worked so hard for. The truth is that in most cases, you get to protect your home, car, bank account and all other assets. You lose nothing but your debts.

### 5. Choosing the right bankruptcy attorney to help you is essential.

Choose a lawyer who not only has the knowledge and experience to handle your case (the “legal side”) but also one who has your best interests at heart- someone who will take time to listen, answer your questions, and someone who understands the “human side” of bankruptcy.

(Important: None of the information herein is intended to give legal advice for any specific situation. Bankruptcy laws are often complex and situations vary. For a FREE LEGAL ANALYSIS of your situation, please call for an appointment.)

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