

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 prominent association or organization in his field, or has been featured in published material such as newspaper or

“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. ”

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 accom-

plished “a high level 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.

Atty. Reeves has represented clients in numerous landmark immigration cases that have set new policies regarding INS action and immigrants’ rights. His offices are located in Pasadena, San Francisco, Las Vegas and Makati City.
Telephone: (800) 795-8009
E-mail: immigration@rreeves.com
Website: www.rreeves.com.

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)

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