



Office of Communications
U.S. Citizenship
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Press Release

USCIS Announces Extension of Filing Time for Two Nonimmigrant Petitions

Employers May Now Request “O” and “P” Workers Up To One Year in Advance

WASHINGTON—U.S. Citizenship and Immigration Services (USCIS) is giving employers and agents more time to bring foreign workers with extraordinary abilities to the United States. Petitioners can now file “O” and “P” nonimmigrant petitions under normal processing procedures up to one year before a scheduled event, competition or performance. USCIS is making the change through a final rule that was transmitted to the [Federal Register](#) today for publication on April 16, 2007.

Before the change, employers and agents were only allowed to file petitions six months in advance of their events. The short filing period often meant that case processing wasn’t completed until on or after the date the individual was needed. Many petitioners seeking alien performers or athletes must schedule and plan for events a year in advance.

The “O” nonimmigrant visa provides admission to persons with extraordinary ability in the arts, sciences, education, business or athletics, or those persons with extraordinary achievement in motion picture or television production. The “P” nonimmigrant visa provides admission to persons who are internationally recognized as athletes or entertainers, and those who perform as artists or entertainers in culturally unique programs.

The decision to extend the timeline results from comments received after USCIS first proposed the rule in April 2005. Those comments, from performing arts organizations, educational institutions, the sports industry, members of Congress and the general public, overwhelmingly supported the proposal to extend the petition filing time from six months to a year.

The final rule, effective May 16, 2007, does not revise any other requirements related to the Form I-129, [Petition for a Nonimmigrant Worker](#), or the evidentiary standards that establish eligibility for the “O” or “P” nonimmigrant classifications. This rule does not change the filing timeframes for other nonimmigrant classifications that use Form I-129.

For more information about the “O” and “P” nonimmigrant worker classifications and for general immigration information, visit the USCIS Web site at www.uscis.gov.