



Practice Pointer

Tips for Filing O-1 and P-1 Petitions at VSC **By the Vermont Service Center Liaison Committee**

At the most recent Stakeholder meeting at the Vermont Service Center (September 18, 2015), VSC offered the following tips, based on recent observations, for submitting O-1 and P-1 petitions.

1. Submit an attorney cover letter that clearly outlines how the beneficiary qualifies for the requested classification. The letter should address how the evidence submitted is connected to the beneficiary and how it fits into one or more of the criteria set forth in the O-1 or P-1 regulations. Be sure to cite the correct regulations. The VSC has observed a number of instances where the incorrect regulations have been cited in the cover letter. This may lead to an RFE.
2. Include a table of contents for the evidence submitted with the application.
3. If you are unable to obtain a consultation letter when required, provide documentation of your request for a consultation letter.
4. For O-1 petitions in the motion picture/television industry, the regulations require a consultation from a labor union **and** a management organization; both must be submitted with the application. If you are unable to provide one or both of the consultations, provide documentation of your request(s).
5. Testimonial letters should:
 - a. Describe how the author is aware of the beneficiary's skills and abilities.
 - b. Explain how the author has the authority to assess the beneficiary's expertise.
 - c. Explain how and when the author worked with the beneficiary, or if they have never worked together, how the author is aware of the beneficiary's skills.
 - d. Describe the beneficiary's strengths and/or talents that are of O-1 or P-1 caliber.
6. When filing an application for an extension, submit the full body of evidence to show that the beneficiary continues to meet the standard. Although this is not required by the regulations, the officer does not have access to the original file (it will be in storage), so failure to do so could result in an RFE.
7. When filing a petition with multiple beneficiaries, such as a P-1 group, or for O-2 or P-1S support staff, all beneficiaries must ask for the same action on the given petition. For example, all must seek a change of status or all must seek consular notification.
8. If submitting an application that asks for a start date or end date earlier/later than the date indicated on the contract(s) submitted with the application, provide an explanation of why the beneficiary needs to be in the U.S. earlier than the start date or leave the U.S. later than the end date.



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9. If a contract is not legible because it has been faxed or scanned several times, submit an original unsigned contract along with a copy of the signed illegible version.