



counted on to fall within the traditional 30-60 days, depending on the service center. There are now two tiers of adjudication — with and without PPS.

For petitions filed **WITH the PPS**: The INS guarantees adjudication (approval, denial or request for additional information) within 15 calendar days for an additional fee of US\$1,000 per petition. If they fail to adjudicate in 15 days, they return your US\$1,000 and the petition is placed in the general pool of “standard processing” petitions.

For petitions filed **WITHOUT the PPS**: It is advisable at this time to plan on 120 days, regardless of the service center used. Indications since June 1, 2001, are that the four service centers need the maximum time possible to process non-PPS petitions. **However, petitions cannot be filed more than six months in advance.**

To avoid the PPS fee, you need to start your paperwork earlier and move up your usual timetables (for hiring personnel, finalizing tour details, etc.) accordingly. Determining your proposed classification and gathering materials must begin when the booking process itself starts.

Note: In theory, one can submit a Form I-907 for the Premium Processing Service after filing a “standard processing” petition.

*Clarification:* Many have interpreted the INS rulings on the Premium Processing Service to mean that petitioners that are non-profit organizations are exempt from the US\$1,000 PPS fee. While non-profit petitioners are indeed exempt from the fee, this does not mean they can file a Form I-907 and receive its benefits. They must pursue the traditional expedite process, based on five criteria:

- severe financial loss to a company or individual;
- extreme emergent situation;
- humanitarian situation;
- Department of Defense or national interest situation;
- INS error.

The first is the simplest to prove in most cases; however, the INS will ask why the petition(s) was not filed sooner. Non-profit organizations are the only ones that can utilize the old expedite processing procedures.

**Fees**

INS fees that pertain to the performing arts include the following:

- I-129 petition.....US\$110 per petition (regardless of the number of beneficiaries)
- I-907 Premium Processing Service fee .....US\$1,000 per petition
- I-824 application .....US\$120 per application (request for additional copies of I-797)
- I-539 application .....US\$120 per application (for extension/change of stay for a spouse and/or dependent)

**TIP**

When writing cheques to the INS, be sure to spell it out: Immigration and Naturalization Service. The cheque for the I-129 is to be attached to the I-129. A *separate* cheque must be written for an I-907 PPS and attached to the I-907.