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- humanitarian situation;
 - Department of Defense or national interest situation;
 - INS error.

One of my artists or technicians is sick — what do I do?

This is a major problem to be avoided at all costs. Keep company personnel healthy and happy. A replacement must file a separate petition with all the same materials, fees and deadlines. A new union consultation is not necessary. If you are worried about the possibility of company personnel not being able to make the tour, include possible alternative personnel in your petition (no need to single them out — list them with all the others). If they are not needed, they simply do not accompany the rest of the group, although you may want to mention their absence at the port of entry, pre-flight inspection or consulate.

I have received my I-797 Approval Notice and the tour has begun, but I need to add personnel. What do I do?

As in the question above, this is a situation to be avoided. The advice from one service center (Vermont) is that you must file a new I-129 petition for everyone so that the additional person(s) is listed together with the others. In your cover letter to the INS, explain that you are filing an Amended Petition and give the reasons for the additional personnel. This situation will, of course, necessitate using the Premium Processing Service.

Is my I-797 Approval Notice my visa?

Yes and no. If you are a **Canadian** citizen, you are not required to apply for a visa. The I-797 will suffice at the port of entry or pre-flight inspection. If you are not a Canadian citizen, the I-797 is permission for you to now apply for your visa at a U.S. embassy or consulate.

What is the maximum amount of time one can apply for?

This depends on the classification. The maximum for an O visa is three years; for a P visa it is one year.

How much time should be allowed to file a petition?

The process of gathering petition materials should begin when booking the dates. Once all materials are gathered, allow a full day to prepare the petition and make the necessary copies. Allow 2 to 10 days for the union consultation. Allow 120 days for INS processing — unless using the PPS, in which case allow 15 days.

I've been denied — what do I do?

This, of course, is the worst-case scenario. The normal procedure is to refile the petition with additional documentation to support the classification you are seeking. However, there is never enough time for this. It is best to call in any and all contacts the petitioner may have, from congressional representatives and senators to mayors or an immigration lawyer.