



Artists from Abroad

Complete guide to immigration
and tax requirements

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Sample Cover Letter

[Business Letterhead if available]

Date

VIA AIR COURIER

[Premium Processing Service, *if applicable*]

USCIS Texas Service Center

ATTN: I-129 [*include non-immigrant classification, such as "O-1B"*]

[street address]

Re: I-129/O-1B Arts Petition of the Lyric Opera of Tenafly for Peter Clemenza

Dear Sir or Madam:

Below we list the **contents** of the accompanying petitions, then address any **special considerations**, after which we discuss the petition and supporting evidence.

I. Contents.

O-1B Petition: Enclosed in duplicate, please find:

1. I-907 with attached premium processing fee [if premium processing];
2. I-129 with attached [TBD] filing fee [*list the appropriate amount depending on petitioner status and classification being sought*];
3. **Copy of petitioner's IRS determination letter proving 501(c)(3) status or most recent IRS Form 941 or Employer's Quarterly Federal Return [for petitioners seeking a reduced filing and/or Asylum Processing fee]**
4. Labor consultation from [TBD], the appropriate labor organization for [*type of artist*] (*optional*: and peer consultation from [*appropriate peer organization*]);
5. Passport biographical data page to facilitate security check;
6. Supporting documentation, beginning with an explanation as to which regulatory criteria for proving extraordinary ability are being addressed and what evidence supports each criterion:

Tab A. Background information on the petitioner;

Tab B. Bio and discography of the beneficiary, with covers of some of artist's CD recordings and documentation of special awards, certificates, or commendations conferred upon the beneficiary along with explanations of their significance, as required;

- Tab C. A selection of reviews of the beneficiary, including complete translations of any foreign language articles and certificate of translation;
- Tab D. A selection of playbills and other PR materials relating to the beneficiary;
- Tab E. Copies of the beneficiary's prior O-1B approval notices or prior O-1B visas;
- Tab F. Contract with the beneficiary.

II. Special Considerations.

[In this section, raise any special issues you wish to draw to the attention of the USCIS examiner. First, and foremost, would be any timing considerations you wish to bring to the attention of the Premium Processing unit. Also, speak up here if you are relying on the O-1B exception to the requirement of a new labor consultation because you are providing one obtained for similar services within 2 years of the proposed entry date. Other issues you might wish to address here are requests for waivers of the labor consultation requirement if there is no appropriate labor organization. explanation of gaps in the itinerary during which the beneficiary will be performing outside the U.S., explanation of why the requested validity dates may extend beyond the duration/term of the contract, etc. Recently, some petitioners are reiterating in this section if it is a nonprofit 501(c)(3) or small employer and thus eligible to access a reduced filing fee. For any petitioners that are doing so, be sure to include a physical copy of the necessary proof of either 501(c)(3) or small employer status as directed by USCIS]

III. Discussion.

[In this section, be sure to spend more time detailing the top accomplishments of the beneficiary and providing narrative detail that articles alone may lack, such as explaining the prestige and reputation of venues, media sources, prizes, and the like. Recent processing trends are indicating USCIS adjudicators may not be reading enclosed evidence thoroughly and relying increasingly on the cover letter to provide the evidence they seek, so it is advisable to make this letter as detailed and thorough as possible, quoting from sources liberally – with attribution – and making sure to identify very clearly which criteria you as the petitioner are setting out to fulfill and outlining which submitted evidence corresponds to and fulfills with criteria. The items below are a suggested framework but petitioners should expand each paragraph below to include much more information and line up the evidence here, noting that back-up material is all enclosed.]

The Lyric Opera of Tenafly, founded in 1978, organizes and presents each year an opera season generally consisting of four productions, four performances per production, at the Tenafly Opera Hall, in Tenafly, New Jersey. Additional background on our organization and current opera season is attached at Tab A. You will note that the season's brochure highlights the appearance of Mr. Clemenza, in the tenor role of Don Basilio, in *The Marriage of Figaro*.

The beneficiary, Mr. Clemenza, an Italian national, is an acclaimed tenor who sings principal roles in classical grand operas. At Tab B, please find an extensive bio of Mr. Clemenza, listing his many career credits to date on opera stages throughout the world. Tab B also contains his discography, followed by copies of the CD covers from his two most recent releases.

At Tab C, we attach a selection of media reviews of Mr. Clemenza, from various performances over the years. For instance, the *New York Times* said of Mr. Clemenza's performance as Don Ottavio, "his voice unmasked a great deal more than Don Giovanni." And, *The Times of London* said of his performance as Squeak in *Billy Budd*, "he hung on every phrase." We have provided certified, complete translations of any foreign language articles.

Tab D contains copies of various Playbills and other public relations materials relating to the performances of Mr. Clemenza over the past several years. An active performer who generally sings at least five leading roles in different opera productions each year, Mr. Clemenza is in demand throughout the opera world.

Tab E contains copies of O-1B approval notices received by Mr. Clemenza for prior performances in the U.S. Where we have been unable to obtain a copy of the prior I-797 notice, we include instead a copy of the associated O-1B visa.

Finally, at Tab F, we enclose a copy of our contract with Mr. Clemenza. It calls for him to receive a total of \$10,000 in compensation for the four performances and associated rehearsals. In addition, we will pay for his transportation, hotel and meals, at an estimated cost of \$4000.

Thank you for your time and attention.

Sincerely,

Emilio Barzini, President