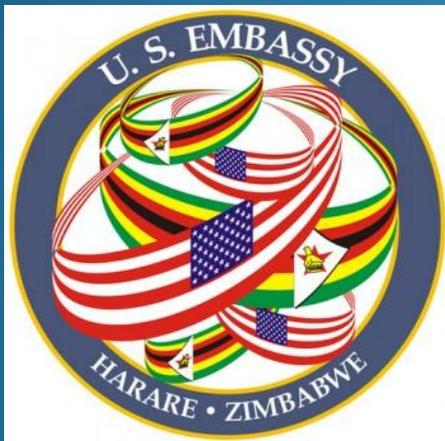


VISAS for ARTISTS and PERFORMERS



U.S. Embassy
Harare, Zimbabwe

Today's Talk

- To inform Zimbabweans about their rights and opportunities in the US.
- Promote cross-cultural exchange between the people of Zimbabwe and the people of the United States.
- Clarify immigration law and visa holder duties and responsibilities.

O, P and B visas

O visas allow people of extraordinary ability in the sciences, arts, education, business, or athletics, or motion picture and television field to live and work in the US for up to 3 years.

The employer or agent files an I-129, petition for nonimmigrant worker with USCIS.

The O visa is rare. Most Zimbabwean performers and artists will qualify for a P visa

P 1 visa

The P visa may be issued to:

- Teams or individuals for internationally recognized athletic competitions;
- An internationally recognized entertainment group.

Internationally Recognized

“having a high level of achievement in a field evidenced by a degree of skill and recognition above that ordinarily encountered, to the extent that such achievement is renowned, leading, or well-known in more than one country”

P1 for entertainers

- The group must have been together for at least 1 year, and at least 75% of the members must have been in the group for at least a year.
- In most circumstances, individual entertainers cannot obtain a P-1 visa. Also, individual entertainers may not perform separate and apart from their group under this P-1 visa classification.

P-3 visa for artists who are culturally unique

This visa is for:

- Artists and entertainers coming to the US to develop or teach a unique or traditional ethnic, folk, cultural, musical, theatrical, or artistic performance or presentation, and
- Coming to participate in a cultural event or events.

P visa additional facts

- Admission for a period of up to 1 year.
- Spouse and children can qualify for P-4 dependent visa.
- U.S. Sponsor must petition for you!

P-4 Visa for Dependents of P-1, P-2, P-3 Visa Holders

- The Spouse and children under the age of 21 of P-1, P-2 and P-3 visa holders may be eligible to apply for a P-4 nonimmigrant visa.
- Dependents with P-4 visas may not work in the US but may engage in full or part time study.

Petition and non-petition based visas

O and P visas require petitions
B visas do NOT require petitions

Visas for artists, performers, and athletes

- O – Extraordinary ability
- P-1 Internationally recognized performance groups
Internationally recognized athletes or teams
- P-3 Culturally unique artists or performers
- B-1 (Business) Perform for per-diem and travel expenses.
Compete for prize money
To exhibit work and take orders
- B-2 (Tourism) To compete in competitions as an amateur
Perform at unpaid venues for free

B-1 (Business) visa for artists, performers, and athletes

- On a B-1, an artist or performer may attend an art exhibition or perform at a concert for per diem and travel expenses ONLY.
- You may participate in a cultural program sponsored by the sending country before a nonpaying audience.
- You may participate in a competition that has no remuneration other than a prize and expenses.

B-1 to Participate in exhibitions

- You can travel on a business visa to the U.S. to participate in exhibitions and set up exhibition booths. You can display samples, sign contracts, and take orders for merchandise delivered from outside the U.S.
- You can not sell your Zimbabwean merchandise that you brought with you, or take orders for merchandise produced in the U.S.

B-2 visa for tourism

For Athletes and Entertainers

- Athletes and performers may participate in unpaid sports competitions and unpaid arts and entertainment events on a B-2 visa.

B1/B2 THINGS TO KNOW

- You may NOT start conducting business in the USA.
- You may NOT work for an American employer.
- You may NOT earn money from a US source.
- You may NOT participate as a professional in entertainment or sporting events for salary.

P visas need a US sponsor

Art fair

Concert venue

University

Music producer

Art gallery

Trade show

Museum

Business

Talent agency

Church

Craft show

Petition based visas

STEP 1

- Your U.S. employer or sponsoring organization must submit Form I-129, Petition for a Non-Immigrant Worker, to USCIS in the US.

STEP 2

- Once the petition is approved, the beneficiary must apply for a non-immigrant visa.

P visas start in the US

Your US sponsor must file the I-129 with USICS

- Your Form I-129 must include the following documents:
- Written consultation from an appropriate labor organization.
- A copy of the contract.
- An explanation of the event and itinerary.
- Affidavits, attesting to the authenticity of your or your group's skills in performing; **OR** documentation that your or your group's performance is culturally unique.
- Documentation that all of the performances or presentations will be culturally unique events.

The interview process

- P and B1 visa applicants go online and fill out a DS-160 online application form.
- Schedule a visa appointment online.
- Fees are paid at the time of the interview.
- Comprehensive application instructions are on the US Embassy Harare website

At the Interview

- Print the complete, approved I-129 petition (for P and O)
- Bring evidence of your artistic skill and ability.
- Bring a comprehensive, signed contract with the employer.
- Proof of past adherence to US immigration, tax, and labor laws.

Evidence of uniqueness and ability

- Reviews or articles in newspapers, magazines, or journals.
- Affidavits, testimonials, or letters from recognized experts attesting to the authenticity of the individual's or the group's skills in performing, presenting, coaching or teaching the unique or traditional art form.

Selling Goods in the U.S.

- Non-residents cannot sell goods in the U.S.

Adhere to the LAW!

Prove that you have followed
US customs, labor, and tax
laws!

1040 tax returns
Customer receipts
Plane tickets
Shipping invoices
Catalogs and brochures
Bank statements
Wire transfers

Agencies to Know

USCIS

www.uscis.gov

State Department

www.travel.state.gov

Customs and Border Protection www.cbp.gov

<http://www.cbp.gov/linkhandler/cgov/newsroom/publications/trade/iius.ctt/iius.pdf>

Internal Revenue Service

www.irs.gov

U.S. Embassy Harare

<http://harare.usembassy.gov>