

Where to Start

You cannot file a "petition" (visa application) on your own behalf. This task must be done by your "presenter" (called your "petitioner" in the Act), that is, your employer, agent or sponsor located in the United States — a person, corporation or entity with a U.S. address and an IRS tax number.

It is up to you, the artist, to furnish your petitioner with the documents required to establish to the satisfaction of U.S. Immigration officials that:

1. you will, in fact, perform in the United States;
2. you meet the standards that apply to the visa classification you are requesting; and
3. your performance is of "distinction" or "recognized internationally" as "culturally unique." With this in mind, as soon as your performance or tour is confirmed, you and your U.S. presenter should begin immediately to put together a file that includes:
 - all documents showing the nature and terms of your performance, including a copy of the contract, the itinerary with exact dates and locations (venues), local advertisements for the performance(s), etc.;
 - all documents that provide evidence that you meet the applicable standards (see "Visa Classifications for Performing Artists," below); and
 - personal information, including your date and place of birth, citizenship status, current residence, and passport number and expiry date.

With this documentation, your presenter should be able to handle the remainder of the petitioning process. This includes obtaining:

- a written advisory opinion from a U.S. labour union (see "Consultation Requirement," below); and
- a Petition for a Nonimmigrant Worker (Form I-129) with related O and P Supplement from the nearest USINS Center in the United States (see addresses in "Where to File Your Petition," below).

The completed petition, support documentation and appropriate fees (see "Visa Classifications for Performing Artists" and "Basic and Supplementary Fees," below) should be filed by your presenter up to six months, and never less than 45 days, before the scheduled date of the performance. It will be filed at the USINS Center with jurisdiction over the location of your event.