



Support personnel include stage technicians, sound and light technicians, road managers, stage managers, costume persons, etc.

The INS designates support petitions as P-1S, P-2S or P-3S respectively.

Unlike the O-2, the INS does not require that P support personnel have prior experience with the particular alien or group.

H-2B

Musicians to be employed within 50 miles of the Canadian border

If you are a musician and are going to perform within 50 miles (80 km) of the Canada-U.S. border, you have the option of applying under a less stringent visa classification rather than under the various O and P categories. The H-2B classification is intended for temporary workers entering the United States "to engage in non-agricultural employment which is seasonal, intermittent, to meet a peak load or need, or a one-time occurrence."

However, the U.S. Department of Labor made special allowances for **Canadian musicians** by pre-certifying that qualified persons are unavailable along the Canada-U.S. border, and that the admission of Canadian musicians would not adversely affect the wages and working conditions of Americans who are similarly employed.

Just as for the other visa classifications, the petition must be filed by your presenter in the United States using Form I-129 and must be accompanied by documented evidence of your standing as a musician. Your presenter should:

1. complete and clearly indicate on the I-129 Form that you are requesting the H-2B classification;
2. fill out and include the related H supplement;
3. submit documented evidence (which you should furnish to your presenter) along with your petition outlining your, or your group's, credentials and all other pertinent information (copy of the contract, itinerary, advertisements, list of band members, etc.).

No union consultation is required for the H-2B category.

The H-2B classification is ideal for promising Canadian musicians (including essential support personnel) who wish to showcase their talent in the United States but do not yet qualify for O or P entry.

Note: There is a cap of 66,000 individual H-2B visas granted per fiscal year, so you should apply as early as possible. Furthermore, H-2B admission is limited to 30 days. If your services are required for a longer period, your employer must file with the U.S. Department of Labor for the required labour certification before filing the petition.

Spouses and Dependents

The spouse and unmarried children accompanying an O-1, O-2, P-1, P-2 or P-3 performing artist or essential support person may qualify for an O-3 or P-4 visa (depending on the related performer's visa classification). Accompanying dependents must provide evidence of their relationship to the

TIP

Avoid spouse/dependent(s) joining the principal beneficiary after he/she is in the United States. Obtain visas for spouse and dependents at the same time as for the principal beneficiary.