



in Canada first so you are prepared at the border. In many circumstances, you will be able to obtain a waiver of ineligibility (Form I-192) from the nearest office of the USINS. The waiver can take up to six months to process. If you need to cross the border frequently to perform, ask for a border crossing card along with your waiver. Please note that a Canadian pardon does not apply for U.S. immigration purposes.

Extension of Stay

Generally, an artist applies for an Extension of Stay when additional dates have been added to a tour. If you are already on tour with a proper non-immigrant visa that is still valid and the petitioner remains the same (and you have not committed any crimes that would make you ineligible), the application for an Extension of Stay for an O or P classification requires:

- letter from the petitioner explaining the request (additional tour dates, media work following tour, etc.);
- Form I-129, its supplements and any addendum and proper fee(s);
- copy of the front and back of each Form I-94 (if applicable);
- copy of the original I-797 Approval Notice (front and back);
- copy of the original labour consultation(s);
- beneficiary list (if more than one beneficiary);
- copy of new contracts (or Letters of Agreement);
- new itinerary.

You must apply to extend your status if you wish to stay longer than the date indicated in the lower right-hand corner of your INS Form I-94 (Arrival-Departure Record). *Please note: you must submit the application for an Extension of Stay BEFORE your current authorized stay expires.* You must also keep your passport valid for your entire stay in the United States.

If dependents are travelling with the beneficiary, they must submit the following to the INS:

- brief letter explaining the request;
- INS Form I-539 with the applicable fee;
- copy of dependent's Form I-94 (front and back);
- proof of prior filing for the principal alien with whom dependent is travelling (I-797 Approval Notice).

Additions or Replacements to an Already Approved Petition

This is a major problem and one to be avoided if at all possible. Know who your personnel will be for a performance or tour when making the original application. Keep company personnel healthy and happy. A replacement or addition 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 a company member not being able to make the tour, replace him/her before filing the original petition. Or, if possible, include alternative personnel in your petition (no need to single them out — list them with all the others). If in the end they are not needed, they simply do not accompany the rest of the group.