



The INS may be flexible with its definition of *international recognition* if the group in question has such an outstanding national reputation that it has now been asked to make its U.S. debut (in venues and/or events having a distinguished reputation).

It is important to note that for the P category, 75 percent of the group's members must have been with the group for at least one year. Full-time employment is not a requirement, but the members must be regularly employed by the group. The INS will waive the 75 percent rule if:

- someone in the group is replaced (at the time of the petition) due to illness or "exigent circumstances";
- the alien(s) is/are augmenting the group temporarily for a particular production/event;
- the alien(s) enter(s) the United States to perform in an integral and essential role as part of a nationally recognized circus act.

In general, the INS is somewhat flexible with this ruling for duos, trios and quartets — especially if they fully satisfy the P-1 requirements.

When requesting a waiver from either the international recognition or one-year relationship requirement, be sure to support your claim with documented evidence, even written expert opinions if necessary.

A P-1 visa is approved for a maximum of one year for a specific performance or tour. Extensions for continuing or completing the same activity must be requested on a new Form I-129 and may be approved in one-year increments.

Note: The State Department Web site states that there is a cap of only 25,000 P-1 visas granted per fiscal year, so you should apply as early as possible.

P-2

Participant(s) in a reciprocal exchange program

You qualify for a P-2 if you are entering the United States temporarily to perform as an artist or entertainer, individually or as part of a group, under a reciprocal exchange program between an organization in the United States and an organization in another country.

The sponsoring organization or employer in the United States must file the petition. In addition to materials described in "The Petition," the P-2 petition must include:

1. written consultation with the appropriate labour organization(s);
2. a copy of the formal reciprocal exchange agreement between the U.S. organization(s) sponsoring the aliens and the organization(s) in a foreign country that will receive the U.S. artists;
3. a statement from the sponsoring organization describing the reciprocal exchange, including the name of the receiving organization abroad, names and occupations of U.S. artists or entertainers being sent abroad, the length of their stay, activities in which they will be engaged and the terms and conditions of their employment;
4. evidence that the aliens and the U.S. artists are experienced artists with comparable skills and that the terms and conditions of employment are similar.