

CHECKLIST



CHECKLIST FOR MUSIC ARTISTES TRAVELLING TO THE UNITED STATES OF AMERICA (U.S.A) FOR PERFORMANCES AT EVENTS AND NETWORKING

- Obtain an Invitation Letter from Show/Festival Organizer
- Obtain a Letter from Department of Creative Industries and/ or the Department of External Affairs in Saint Lucia to confirm artiste status
- Obtain applicable Entry Documentation/ Visa for Artistes/ Entertainers into the U.S.A.
- Review the Festival or Event's requirements as indicated on their webpage or otherwise by the organizer
- Obtain business cards, downloads cards, CDs and other promotional and sales items

1. Obtain an Invitation Letter from Show/Festival Organizer

The invitation letter must be addressed to the artiste indicating invitation to participate and must include the details of the event(s) including name of event, type of event, date, venue, etc., details of any expenses which will be covered by the organizer such as airfare, accommodation etc.

2. Obtain a letter from Department of Creative Industries and/or the Department of External Affairs in Saint Lucia to confirm artiste status

The Department of Creative Industries within the Ministry of Tourism, Information, Broadcasting, Culture and Creative Industries produces an endorsement letter to confirm that an artiste is active in the music industry in Saint Lucia. This letter is used to support the artiste's Visa application but does not guarantee that a Visa will be issued to the artiste.

To obtain such an endorsement an artiste must be registered with the Cultural Development Foundation (CDF) of Saint Lucia. Please find the link TO REGISTER here:
https://docs.google.com/forms/d/e/1FAIpQLScjwsvdziab3zN-4IGBIsJn6Or_ih719yiqHD21g09JKuGVyA/viewform

To receive a letter from the Department of External Affairs to assist with a Visa application, the agency supporting or paying for the artiste to travel to participate in the event should write a letter to the Department addressed to the Permanent Secretary informing of the artiste and event details and requesting the Department's assistance.

The letter from the agency should be forwarded with the following documents on behalf of the applicant:

- US visa confirmation page (form needs to be completed online and the confirmation page should be printed)
- Two (2) passport size photographs
- Passport (valid for at least 6 months)
- Invitation letter

Once these documents are received, then the Department can issue the applicant with a supporting letter.

3.

Obtain applicable Entry Documentation/ Visa for Artistes/Entertainers into the U.S.A.

Generally, a citizen of a foreign country who wishes to enter the United States must first obtain a visa, either a non immigrant visa for temporary stay, or an immigrant visa for permanent residence.

B1/ B2

These visas classes cannot be used where a citizen of a foreign country is travelling for work or for a performance where remuneration will be received.

Business Visitor Visas (B-1):

If the purpose of the planned travel is business related, for example, to consult with business associates, attend a scientific, educational, professional or business conference, settle an estate, or negotiate a contract, then, a business visitor visa (B-1) would be the appropriate type of visa for the travel.

Pleasure, Tourism, Medical Treatment - Visitor Visas (B-2):

If the purpose of the planned travel is recreational in nature, including tourism, visiting friends or relatives, rest, or is related to medical treatment, activities of a fraternal, social, or service nature, or participation by amateurs who will receive no remuneration in musical, sports and similar events or contests, then a visitor visa (B-2) would be the appropriate type of visa for the travel.

Persons planning to travel to the United States for a different purpose including students, temporary workers, crew members, or journalists, must apply for a different category of visa.[1]

[1] https://travel.state.gov/content/dam/visas/PDF-other/VisaFlyer_B1B2_March_2015.pdf

Work Visas- O1B/ P1B/ P1S/ P3

Temporary worker visas are for persons who want to enter the United States for employment lasting a fixed period of time, and are not considered permanent or indefinite.

Each of these visas requires the prospective employer (promoter or event organiser etc.) to first file a petition with U.S. Citizenship and Immigration Services (USCIS). An approved petition is required to apply for a work visa.

The petitioner must be a U.S. citizen or permanent resident, or a U.S. entity (such as a presenting arts organization, promoter or other event organiser), that submits the I-129 petition on behalf of an alien individual or performing arts group (known as the beneficiaries).

If the visiting artistes are performing at multiple events with multiple arts organizations, one of the organizations acts as the lead petitioner. With the assistance of the other arts organizations, the lead petitioner organizes the entire petition for the tour.

The application is submitted to the US Citizenship and Immigration Services (USCIS) for approval.

What visa types are available?

O1B – Individual artiste visa

- The artiste must demonstrate extraordinary ability as a reason to grant this visa
- Examples to support this extraordinary ability include press reviews, awards, grants

P1B – Performing group visa

- Must be a minimum of two people in the performing group
- The applicants must demonstrate international acclaim as a group
- At least 75% of the group must have worked together for at least one year

P1S – Essential support

- Includes technical and production staff (stage management, technical crews, tutors for touring performers)
- At least 75% of the essential support team must have worked with the related performing group for at least one year
- Spouses and other individuals traveling with the group, but who have not worked professionally with the artiste or group for at least a year are not eligible to apply for this Essential Support visa

P3 – Culturally unique

- Individuals or a group that present a performance that is unique to a particular country, society, class, ethnicity, religion, tribe, or other group of persons
- P3 performers are not required to have worked together as a group for any length of time
- The individuals or group must prove that their performance is culturally unique

The Artiste visa application (O1B/Individual Artiste or P1B/Performing Group) and the Essential support visa application (P1S) are submitted together to the US Citizenship and Immigration

<https://travel.state.gov/content/travel/en/us-visas/employment/temporary-worker-visas.html>

Services. However, they are processed as two separate petitions and are separated into two different review procedures.

How long a stay for performances can an artiste make using this visa?

If approved, the visa is valid for the length of the US tour, up to one year in length.

What information is required for a petition?

- Name as shown on passport, date of birth, home address, number of years affiliated with the performing group requesting a visa.
- Copy of each individual's passport
- Letters of recommendation
- Documents confirming that the petitioner and beneficiaries have the funds to finance the tour, including:
 - Government funding support
 - Formal support by sponsors
 - Any documents that can speak to the financial health and solvency of the tour to the United States
 - Budget for the US tour
 - Contract with the US presenter(s) or producer(s) preferably signed
 - Tour itinerary – Proof of payment for airfare and US accommodation
- Documents to support the individual's or group's claim of international acclaim, including:
 - Press packet, showing reviews and other press from your performances in other countries
 - All reviews and articles must be presented in their entirety, no excerpts or quotes allowed
 - Any material in a foreign language must be accompanied by a certified translation into English
 - Self-generated promotional material from the artiste's website is not permitted
 - Details of prior international performances
 - Awards
 - Details of prior tours
 - Countries where you have performed
- Which consulate do you need to go to (i.e., US consulate in which country) to receive your visa
- Cover letter to the USCIS
- Labor consultation "Letter of no objection"

What is a Labor Consultation letter?

Petitioners must obtain an advisory opinion from the appropriate labor union. This written opinion from the union is included in the petition to USCIS

Relevant performing arts unions from which a labor consultation may be required:

- AGMA – American Guild of Musical Artists
- AGVA – American Guild of Variety Artists
- IATSE – International Alliance of Theatrical Stage Employees
- SDC – Stage Directors and Choreographers Society
- Actors' Equity
- Each union charges a fee for this review and issuing an advisory letter in support of the artiste's application
- The union will reply directly to the petitioner

What is the review process?

- The Department of Homeland Security reviews the application and either sends you a Request for Evidence (RFE) or sends a visa approval letter (I-797), once all questions are satisfactorily answered
- Once cleared, the Department of Homeland Security sends a visa approval letter to the petitioner
- This visa approval letter I-797 means that the applicant is approved to request an appointment with the relevant US Consulate near where the beneficiary will be, to apply for a visa (Form DS160)
- DS160 requires that you apply for a visa, and be interviewed in person. Be sure to bring a hard copy of the I-797 visa approval letter to the interview
- For the last six weeks prior to your performing group's visit to the U.S., please be prepared to be available to the relevant US Consulate for your interview, and to be able to surrender your passport for up to two weeks to have the visa embossed into your passport

4. Review the Festival or Event's requirements as indicated on their webpage or otherwise by the organizer

An example is the WOMEX Festival which annually assembles a broad selection of artistes, DJs and music professionals worldwide. A Jury selects the artistes/ acts who will perform in front of one of the largest audiences anywhere. The audience comprises of dedicated international concert and festival bookers, tour promoters and venues, labels, distributors, journalists and industry professionals – everyone an artiste needs to help launch, re-launch, sustain and expand their career.

By, reviewing the Festival's website an artiste can determine the requirements for participation in the Festival. The Festival puts out a call for performing artistes as seen through the following link: https://www.womex.com/take_part/proposals/showcase#showcase

5. Obtain business cards, downloads cards, flash drives, CDs, merchandise and other promotional and sales items.

Promotional, sales and networking opportunities are an important part of any event. The artiste must therefore equip himself/herself with the necessary tools to be used for marketing and business development during the event and its fringe activities.

The above information is published as at March 2019. Information is subject to change from time to time by the various Immigration authorities.