

## ***Your P2 Work Permit Has Been Approved!***



The accompanying document is your Approval Notice (*Form I-797B*). It is not your Work Permit (*I-94 Departure Record*), which you will obtain when you first enter the United States. Keep the Approval Notice handy during your travels in the United States, and retain it for your records.

**ENTERING THE UNITED STATES BY LAND:** On your Date of Entry into the United States, arrive at the Port of Entry early with your Approval Notice and your valid passport (*your passport should be valid for at least 6 months after your P2 will expire*). An Officer will review these documents and, if satisfied, will issue your P2 Work Permit, represented by an I-94 Departure Record, which is stapled into your passport. You must exit the United States on or before the departure date listed on the I-94 Departure Record. You will be charged a fee at the border for the issuing of the I-94 (\$6 - \$15 USD per person). The I-94 card will remain in your passport for the duration of your P2 Work Permit validity. Do not relinquish the I-94 Departure Record until your final exit date. When you are leaving the United States for the final time, you must relinquish your I-94 Departure Record.

**ENTERING THE UNITED STATES BY AIR OR SEA:** Arrive at the airport or terminal early with your Approval Notice and your valid passport (*your passport should be valid for at least six months after your P2 will expire*). These documents will be reviewed by an Officer, who will issue your P2 Work Permit if satisfied. At air and sea ports, you will no longer be issued a paper I-94 Departure Record. Instead, you will receive an admission stamp in your passport which indicates your visa classification and the date by which you must depart the United States. After entering the United States, you must obtain your I-94 information via an online portal: [www.cbp.gov/I94](http://www.cbp.gov/I94). It is strongly recommended that you print out your I-94 information and keep it with you.

**ENTERING THE UNITED STATES BY CONSULATE:** Advance Consular processing (i.e. pre-authorized entry) is required for non-Resident/non-Citizens. The Consulate to be named on the application would be the Consulate nearest to the individual's place of residence. Please review "Information for Permanent Residents".

**You must exit the United States on or before the departure date on the admission stamp.** The carrier will report your departure to U.S. Customs and Border Protection.

**MEDICAL INSURANCE:** The AFM offers access to Emergency Medical Travel Insurance at preferred rates. Members under 55 may purchase an 18-day multi-trip annual plan for \$90.00 CDN on a guaranteed-issue basis. This program is administered by CanAm Insurance in collaboration with HUB International. Coverage is underwritten by Manulife Financial. Please call **(877) 292-0081** to make inquiries and to purchase a plan.

**CROSSING THE BORDER WITH INSTRUMENTS/GEAR:** Musicians crossing the border with instruments/gear are encouraged to apply for an ATA Carnet, a document which enables professionals to bring the tools of their trade across borders easily and without hassle, duties or border fees. Learn more about the ATA Carnet from the Canadian Chamber of Commerce: [www.chamber.ca/carnet](http://www.chamber.ca/carnet). Otherwise, prepare a list of all instruments/gear, include serial numbers and make/model of instruments. If your instrument was purchased outside of Canada, bring the original bill of sale.

### **WITHHOLDING TAX:**

1. Canadian musicians are required to have either a U.S. Individual Tax Identification Number (ITIN) or a Social Security Number (SSN) when working/performing in the United States. If musicians do not have

either, then they will need to apply for an SSN within five (5) days of entering the US – or by the time of the 5<sup>th</sup> entry into the US under the current, multi-entry permit.

2. Unless all musicians in the group have a [individual] \*Central Withholding Agreement (CWA) to avoid Directed Withholding, the proper process is for the engager to withhold 30% toward U.S. taxes. In most situations, musicians will receive a 100% return of all taxes withheld, provided they have not earned more than \$15,000 USD, being the individual earning exemption amount. Musicians must ensure they are provided an official receipt from the engager when tax has been withheld. For general information on withholding, visit: <http://www.artistsfromabroad.org/tax-requirements/>, or contact Robert Baird, Baird Artist Management [www.bairdartists.com](http://www.bairdartists.com) and/or Frank Page, CWA Management <http://www.cwamanagement.com/>.

3. Musicians are required to file a US tax return (the 1040NR or 1040NRS) as soon as they earn income in the U.S. These forms are very easy to complete, but you may want to have the first one done for you professionally (referrals above).

4. Effective **October 1, 2018** artists will only be able to qualify for a \*CWA if they individually earn \$10,000 or more in gross income within the calendar year. This threshold also applies to groups, in that each individual member applying for a CWA must accrue at least \$10,000 (including per diems). Any musician who does not qualify for a CWA is subject to 30% withholding. The change is reflected in the [IRS Instructions for Form 13930](#), as well as on the [IRS webpage on CWAs](#).

5. Musicians may also be subject to state and local income taxes for income earned within a particular state – absent federal income tax liability, state income tax liability may still exist, and even if the income is exempt from tax as a result of an income tax treaty. It is recommended that musicians refer to specific state tax laws [via State websites] or seek the assistance of a tax professional to determine applicable state tax requirements, including the necessity to file a state income tax return.

**BRINGING MERCHANDISE INTO THE UNITED STATES:** If you are planning to sell or distribute merchandise in the United States, the easiest way to go about it is to have the merchandise produced and paid for within the United States. If you are bringing merchandise into the United States from Canada, you must declare the items and an inspector will determine the amount of duty owed, then refer you to the cashier to make payment by cash, certified cheque, or, at larger airports by credit card.

Procedures for bringing merchandise into the United States differ depending on the value and quantity of the goods. Merchandise valued \$2,500 or less (retail) can be processed at your Port of Entry when you enter the U.S. (*informal entry of merchandise*): [https://help.cbp.gov/app/answers/detail/a\\_id/535/~/%20requirements-for-clearing-goods-brought-by-an-individual-for-commercial-purposes](https://help.cbp.gov/app/answers/detail/a_id/535/~/%20requirements-for-clearing-goods-brought-by-an-individual-for-commercial-purposes).

However, CBP cautions travelers that may require any item being imported for commercial purposes to be entered as a formal entry. For merchandise valued at over \$2,500, you will need to engage a U.S. broker to help you import the goods into the United States.

In all cases, merchandise must be clearly labeled with a description of the goods, the quantity in each box, the cost per item and your selling price. You should also bring a comprehensive list of all items; indicating what your wholesale costs, your planned retail (selling) price, material(s) the products are made from, where the products were produced and by whom. It is also a good idea to bring the receipts or invoices for the production of the merchandise. Do not seal boxes of merchandise, as Border Officials may want to inspect their contents.

When bringing in product for promotional distribution, please ensure that you clearly label each item: “**for promotional distribution only/not for resale**”. Promotional items should be kept to a maximum of 1,000 pieces of product.

Contact your specific Port of Entry for more information on bringing merchandise across the border. Phone numbers for the various Ports of Entry can be found here: [www.cbp.gov/contact/port](http://www.cbp.gov/contact/port).