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How Rising Visa Fees Could Stifle New Music Discovery in the U.S.: 'It's Grossly Unfair'

Higher fees starting next month represent a "significant extra burden" for "emerging acts that operate on the tightest of margins," says UK Music's Tom Kiehl.

By [Richard Smirke](#), [Steve Knopper](#)



Wyldest Tom Gaiger

After excitedly booking her showcase at this week's South by Southwest music festival, **Zoë Mead**, the British shoegaze artist known as [Wyldest \(https://wyldest.bandcamp.com/\)](https://wyldest.bandcamp.com/), tried to land other U.S. club and festival gigs to offset her already-high travel expenses.

To do all this legally, she learned, required getting a temporary work visa costing \$460 plus another \$2,800 for faster processing. Hiring a lawyer or

immigration specialist to file the application would have added another thousand dollars minimum to the bill. “It’s just too risky,” she says. “You have to reject a hell of a lot of things, which is really frustrating.”

And beginning April 1, immigration and visa entry costs for international artists playing festivals, concerts or label events in the U.S. are set to rise even higher.

The fees for filing “O” and “P” visa petitions — the former covers “individuals who possess extraordinary ability,” the latter “internationally renowned performing groups” and music ensembles of up to 25 people — will increase from \$460 to maximum costs of \$1,655 and \$1,615, respectively. That price includes a \$600 Asylum Program Fee, which the U.S. Citizenship and Immigration Services (USCIS) will use to offset the costs of adjudicating cases of immigrants seeking asylum from persecution and violence — a process unrelated to the music business.

There are, however, reduced rates for visa applications backed by a promoter, agency, festival or record company (the so-called petitioner) with less than 25 full-time employees. For those companies, the new fee is capped at \$830 (including a \$300 asylum levy). For non-profit petitioners, the total fee is capped at \$530. (Crews and traveling production staff also require either an appropriate O or P visa to work in the U.S., while artists invited to perform at official showcase events like SXSW, such as Mead, maybe able to enter the U.S. using an ESTA/Visa Waiver, which costs \$21).

USCIS representatives say the increased fees will cover rising business costs and reduce processing backlogs. They also contend the pricing surge will not affect musicians because promoters, club owners and labels will be paying the fees.

It's cold comfort for international acts — especially those starting their live careers — who fear those costs will ultimately be passed on to them, making it too expensive for all but established artists to play U.S. dates. “It's going to have a chilling effect,” says **Rita Sostrin**, a Los Angeles-based immigration attorney who represents many international acts. “I'm certainly hearing a lot of displeasure from my clients for these higher fees.”

The fear among international artists, especially those at the start of their live careers, is that the extra costs will ultimately be passed onto them, making it too expensive for all but established international acts to play American concert venues and festivals. “That burden of applying for and paying for the visas is shared across the artists, managers, promoters and venues,” says **Neeta Ragoowanski**, president of the Music Managers Forum U.S., which opposes the fee increases. “It's going to affect artists' decisions on how these tours go,” she says.

Last year, USCIS temporarily paused its plans to increase fees following strong opposition from artist and music-industry advocacy groups such as the National Independent Venue Association and UK Music.

The new fees being introduced April 1 are nominally lower than the non-tiered rises first proposed by USCIS, but still represent “a significant extra burden for touring U.K. bands and artists, particularly for emerging acts that operate on the tightest of margins,” says UK Music interim chief executive **Tom Kiehl**.

Those margins are being squeezed tighter by the majority of international artists needing to pay out for “premium” visa processing, says **Andy Corrigan**, owner of U.K.-based Viva La Visa, which specializes in immigration services for music acts and has recently work on U.S. touring arrangement for **[The Damned](https://www.billboard.com/music/rock/the-damned-)**

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[darkadelic-album-punk-1235316798/](https://www.billboard.com/artist/darkadelic-album-punk-1235316798/)) and former [Spice Girl](https://billboard.com/artist/spice-girls) (<https://billboard.com/artist/spice-girls>) [Melanie C](https://www.billboard.com/artist/melanie-c/) (<https://www.billboard.com/artist/melanie-c/>). Premium

processing fees rose in February from \$2,500 to \$2,805 with the time for processing applications increasing from 15 calendar days to 15 business days.

“Almost every band that we deal with has to use premium because the standard processing is so uncertain,” he says. “The whole system is loaded against new and emerging artists. It’s grossly unfair.”

Corrigan says he has lowered his company’s visa fees following the price rises “to try and mitigate the increase in costs for everybody,” but fears that some artists will be tempted to enter the U.S. illegally, without the proper visa documentation in place, as a result of the extra financial burden being placed on them.

“People have got to take a longer-term view and recognize the value of cultural exchange and music, and not just think that they can squeeze every dollar out of the sector,” says **Jon Collins**, chief executive of U.K. industry trade group LIVE. He calls USCIS’s January sudden announcement of the rise in visa fees — following a period of consultation — a “fait accompli” that will have a detrimental impact on the health of the U.K. and U.S. grass roots music industry.

“It just feels like you’re constantly being slapped in the face,” says Mead, who had to turn down an invitation to play a pre-SXSW festival, New Colossus, in New York earlier this month. “It was already expensive, and they put it up even more, and it’s like, ‘how?’”



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