

Artist Visas Statement of Concern

May 21, 2026

Operational changes at U.S. Citizenship and Immigration Services (USCIS) have resulted in escalating challenges for U.S.-based petitioners to secure nonimmigrant employment-based artist visas. This growing crisis not only causes artistic, reputational, and financial harm to artists and arts organization, but it is harming audiences, the public, and broader U.S. economy. **The arts sector urgently requires processing times for I-129 O and P arts petitions to return to the 2 to 3-month timeframe typically experienced and seeks further steps to meet the target mandated by statute.**

Thousands of U.S.-based arts organizations and businesses from all regions of the country and in communities of all sizes are commercial, nonprofit, and educational organizations that present, represent, or otherwise support featured artists, performers accompanying U.S.-based groups, and entire international ensembles in multiple disciplines of the arts. These international arts workers require O or P non-immigrant employment-based visas, but the system is reaching a near-breaking point.

USCIS Processing Delays are Requiring Arts Groups to Pay for Expensive Premium Processing; USCIS Needs to Reduce Processing Times

The need for a reliable and affordable visa process has been a long-standing concern for American companies and organizations, and recent delays and increased costs have reached a crisis point as U.S. entities are unable to program sought-after international artists. Due to the uniquely time-sensitive nature of arts engagements, meaningful change is needed. One solution could be that USCIS provide a waiver of the Premium Processing Fee for all regularly-filed O and P arts petitions that it fails to adjudicate in a timely manner.

1) Delays Average up to 12 Months for Processing Artist Visas

While the current statute calls for USCIS to process O and P artist petitions within 14 days, historically regular processing times have ranged from two to three months. Processing began slowing in May 2024, and over the course of the last six months average processing times for non-expedited O and P visas [as reported by USCIS](#) exceed 10 months, which is unworkable for the time-sensitive nature of performances. In fact, as of May 2026, 80% of O visas are completed within 12 months and 80% of P visas are completed within 10.5 months. Applications for O and P visas may only be initiated as early as 12 months in advance of a planned performance.

2) Processing Delays Force Payment of Premium Processing Fees

Delays are forcing American entities to either pay the additional \$2,965 Premium fee per petition or face the financial loss from canceled or rescheduled events.

In January 2023, USCIS proposed a fee rule that would increase immigration fees for business visas by 150 to 330 percent and added an additional asylum fee of \$600 per

petition. Arts organizations and the Office of Advocacy wrote comment letters expressing concern that these increased costs would have a disproportionate negative impact on small arts businesses and nonprofit organizations. In January 2024, USCIS released a final rule that adopted lower petition fees and asylum fees for certain small businesses and nonprofits in recognition of the need for regulatory alternatives to minimize the economic impact to vulnerable operations.

Current USCIS processing delays that exceed 10 months have required arts petitioners to pay for expensive premium processing fees; these fees are even more damaging than the proposed fee rule and negate any cost savings obtained from the fee rule alternatives. USCIS must again adopt alternatives to minimize the economic impact of the current situation for small arts companies and nonprofits.

3) Substantial New Costs to U.S. Entities

The impact of increased visa-related costs to U.S. organizations is a severe and unsustainable burden on American businesses. The following examples illustrate the scale of the direct economic harm of increased fees.

The USCIS filing fee for O and P petitions filed by 501(c)(3) nonprofit organizations, small entities, and NAICS 813930 labor unions range from \$510 to \$830. For larger, for-profit petitioners, O and P filing fees are \$1,655 and \$1,615, respectively. Due to extreme processing delays, Premium Processing Service adds an additional \$2,965 per petition, and this fee is scheduled to increase biennially. Typical direct cost impacts of being forced to pay the Premium Process Fee for a sampling of arts petitioners are as follows:

- **Nonprofit Performing Arts Organization A** applies for O-1B visas for 18 international guest soloists for the artistic season. The regular fees total \$9,540; Premium Processing **incurs \$53,370 in additional fees** for a total of \$62,910 – a **559% cost increase**.
- **Small Venue A** applies for O-1B visas for each of 13 international guest solo artists and P-1B visas for each of 3 small international ensembles. Regular filing fees for soloists total \$6,890; with Premium Fees the new total is \$45,435. The regular filing fees for ensembles total \$1,530; with Premium fees the new total is \$10,425. The grand total of fees is \$55,860 compared to \$8,420 – this is **\$47,440 in new costs, a 563% cost increase**.
- **Small For-Profit Arts Agency A** serves as an independent booking agency, linking musicians and audiences. In one year, the agency typically books 21 international artists, each requiring an O-1B visa. The regular fees for small for-profit arts petitioners total \$17,430; with Premium fees those costs are \$79,695, **an additional \$62,265 expense, a 357% cost increase**.

- **Talent Agency A** is a larger for-profit entity, employing more than 25 full-time workers, and represents numerous artists that regularly perform in the U.S. in venues of all sizes. The regular fee for two individual O-1B petitions for the artists and two O-2 petitions for support personnel total \$6,620; with Premium Processing the new total is \$18,480. **The additional cost required to request premium processing is \$11,860, a 179% cost increase.**
- **Nonprofit Arts Venue B** presents 8 international ensembles in one season, filing a P-1B petition for each ensemble. Half of the ensembles exceed the new 25-beneficiary cap per petition and will require three additional petitions per ensemble. Additionally, 4 ensembles each require filing a P-1S petition for support personnel. This venue already pays substantially more for regular filing - \$14,790 compared to \$6,120 without the new beneficiary limit. Adding Premium Processing results in a new grand total of \$77,055, **an additional \$62,265 in expenses, a 421% cost increase.**

4) Economic and Reputational Harm

Increased costs, delays, and unpredictability in the visa process create high economic risks for U.S. businesses and organizations, as well as the local economies they support. In the past 25 years, nothing beyond the global pandemic has had more adverse repercussions on the number of international artists performing in the U.S. The downstream impact includes:

- Lost U.S. jobs and business for venues and related entertainment industries (including artists, agents, record labels, publishers, managers, etc.)
- Declines in tourism, tax revenue, and expenditure on parking, dining, and other services.
- Reputational harm to U.S. business that cannot deliver promised artists to ticket-buying audiences.
- Reduced access to emerging acts essential to the economic and cultural vitality of the arts sector as costs render tours economically unfeasible.
- Many who once viewed the U.S. as a crucial market now describe it as prohibitively expensive and unpredictable and are increasingly focusing their efforts elsewhere.
- CoveyLaw, a U.S. immigration law firm that on average files approximately 1,000 I-129 petitions for O and P artist visas annually, has seen a 30% drop in artist petitions filed from September 2025 through December 2025, as compared to that same period in 2024.
- Comparing a six-month period in 2019/20 to 2025/26, the number of CoveyLaw's regular processing approvals dropped by 94%, from 220 to a mere 13 "regular processing" petitions approved.
- Substantial costs stem from recasting, canceled engagements, and significant staff time spent on recruitment processes that ultimately could not be realized due to visa complications and border entry denials.

- A nonprofit opera company has incurred an estimated \$104,000 in losses tied to international artist disruptions, compounded by visa delays, representing 9% of the organization's operating budget.
- A nonprofit U.S. orchestra incurred a 20% increase in artistic costs when forced to engage a substitute conductor to perform concerts after the original conductor's visa was significantly delayed.

Conclusion

The arts sector has long partnered with federal agencies to advance improvements to the U.S. artist visa system. In addition to reducing regular processing times, steps can be taken under current statute to improve the consistency of adjudication procedures for O and P petitions. The U.S. arts sector must obtain immediate relief from delayed processing times which have caused devastating interruptions to the live performing arts. U.S. entities and audiences.

Signed,

American Circus Alliance
American Federation of Musicians of the United States and Canada
Association of Performing Arts Professionals (APAP)
Carnegie Hall
Chorus America
Creative West (formerly WESTAF)
Dance/USA
Elsie Management
Folk Alliance International
Georgia Music Partners
League of American Orchestras
Marauder
Music Export Memphis
Music Managers Forum-US
National Independent Talent Organization
National Independent Venue Association
North American Performing Arts Managers and Agents (NAPAMA)
OPERA America
Recording Academy
Tamizdat
Theatre Communications Group
Tulsa Office of Film, Music, Arts & Culture