



January 23, 2023

DHS Proposes New Fees: Includes Steep Increases for Artist Visas, Harmful Policy Changes

The U.S. Department of Homeland Security (DHS) has issued a [proposed rule](#) that would impose very steep increases to some of its filing fees, including for [O and P artist visas applications](#) filed by U.S. petitioners. The comment period is open until March 6, 2023, and DHS and U.S. Citizenship and Immigration Services (USCIS) expect to take several months to review public feedback and consider adjustments. The proposed rule would revive and worsen many elements from a [2019 DHS proposal](#) that was ultimately enjoined and prevented from going into effect. This new rule proposes:

- Filing fees for regularly-processed **O visa petitions would increase by 260% from \$460 to \$1,655 per petition** (this would include a \$600 surcharge to fund the Asylum Program Fee).
- Filing fees for regularly-processed **P visa petitions would increase by 251% from \$460 to \$1,615 per petition** (this would include a \$600 surcharge to fund the Asylum Program Fee).
- The total number of individuals on a single petition, including O and P arts petitions, would be **capped at 25 beneficiaries**. This would require numerous petitions for [larger ensembles](#). For example, a visiting orchestra comprising 110 musicians, plus a handful of accompanying [support staff](#) would require 6 visa petitions rather than 2.
- The [Premium Processing Service](#) (unaffordable to most organizations at a current cost of \$2,500) would take longer with USCIS redefining the timeframe from 15 calendar days to 15 business days (federal working days) in order to complete processing.

Joint comments are being prepared by the League in partnership with national arts stakeholders in response to specific changes outlined in this proposal, pointing out the severe economic harm these proposals would inflict upon a sector that is still recovering from the effects of COVID-19. Members of the public are also invited to respond, and **this is an important time for arts stakeholders to speak up to describe the artistic and economic impact of these proposals.**

Points to emphasize in your comments might include:

- USCIS should take immediate action to make the artist visa process more efficient and reliable.
- Arts stakeholders in all parts of the U.S. engage international artists and do not have the ability to pay these proposed fees.
- Drastic fee increases will stifle international cultural activity, put U.S.-based jobs at risk, and have a negative economic ripple effect on communities supported by arts events.
- Delays in processing are already forcing some petitioners to pay the unaffordable Premium fee, or forgo engaging international artists.

USCIS is seeking feedback on the ability of petitioners to pay increased fees, so specific examples of the financial impact are most helpful! Also, please remember that any comments submitted through the Federal Register portal will be viewable by the public. **Comments can be filed online through the Federal Register portal by the deadline of March 6, 2023.** We recommend you **forward a copy of your comments** to your U.S. Senators and member of the U.S. House of Representatives. Thank you for your advocacy! For background on the U.S. artist visa process, please see the League's dedicated website, [Artists from Abroad](#), where news and updates are posted.

Please direct any related questions to Heather Noonan, Vice President for Advocacy, hnoonan@americanorchestras.org or Najean Lee, Director, Government Affairs & Education Advocacy, nlee@americanorchestras.org.