

Rt. Hon. Kemi Badenoch MP  
Secretary of State for Business and Trade  
House of Commons  
London  
SW1A 0AA

1 March 2023

Dear Secretary of State,

We are writing to you to ask for your support in halting a proposed rise by US authorities in the fees for certain US visas. These plans would have a devastating impact on the ability of UK artists, musicians, and crew to tour the USA, and the music industry is united in its opposition to them.

The USA is the world's largest music market and is the second largest market for touring UK artists (after the EU). Breaking into this market can be integral to a musician or band's career. The UK has a proud history of many artists from these shores going on to have great success in the USA. Such success stories range from the initial "British Invasion" of the mid-60s when the likes of the Beatles and the Rolling Stones broke America, to more recent success from artists like Harry Styles, Adele, and Ed Sheeran. Last year, the UK's overseas earnings from recorded music exports in the US was £228.7m – this was up 10.4% on the previous year and made-up 38.7% of all UK recorded music exports.

But the process for UK musicians applying for a US work visa is already long, complex, and prohibitively expensive. The administration of the process acts as a significant barrier to a musician's trade. The costs involved in obtaining a US visa are often high due to the requirement to use a legal representative, which ensures the process is dealt with professionally as the petition needs to be legally lodged in the US.

On January 4, 2023, the US Department of Homeland Security (DHS) announced a proposed increase in filing/petition fees for certain types of touring visa fees for non-US citizens. The proposals mean that petition fees for the P visa – used for acts to perform temporarily in the US – will increase by 251% from \$460 (£385) to \$1,615 (£1,352). Meanwhile, the O visa – used for a longer-term working visit – would climb by 260% from \$460 (£385) to \$1,655 (£1,375). In both cases, these fees would each include a \$600 (£499) surcharge to support the US asylum process. It is inherently unfair that musicians in the UK are being burdened with the bill for US immigration policy.

Moreover, the total number of individuals on a single petition 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 six visa petitions rather than two.

Finally, the proposal will, if passed, increase the time allotted for Premium Processing from 15 calendar days to 15 working days, without a decrease in costs, for a service

that already costs \$2500 (£2,080). This will create further delays for UK artists touring the US.

The impact of these changes is huge. With the ongoing cost of living crisis and the live sector still recovering from the impacts of COVID-19, such increases would make it unaffordable for many British acts to work and perform in the world's biggest music market. The success of British recorded music is intrinsically linked to the ability of these acts to tour their music in the biggest markets. British songwriters and composers will also be negatively impacted by reduced royalties from overseas performances.

Music is a vital global export for the UK and has a cultural impact that underpins the UK's status as a soft power superpower. The UK is the largest exporter of music in the world after the USA and one of only three net exporters of music. Around 1 in 10 of all tracks streamed globally are by a British artist. The UK's global market share of recorded music has declined from 17% in 2015 to 12% last year, and these proposals further threaten the UK industry's international standing.

The negative consequences will be felt by the US-side too. Fee increases will stifle international cultural activity, put US-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 this exorbitant premium fee or forgo engaging international artists altogether.

The Music Managers Forum (MMF) and Featured Artists Coalition (FAC), through the LetTheMusicMove campaign, have run a survey of artists, managers, and other touring musicians about this issue. 70% of those surveyed said that the increased costs associated with these visa changes meant they would no longer be able to tour the USA. For those still able to find a way to tour, the new visa costs are estimated to wipe out more than a third of profits they might make.

According to the Musicians' Union, 96% of their members surveyed said that increased fees will impact the feasibility of future touring, and 23% noted that they will now make a loss on their tours because of this. Data from LIVE shows that these proposals will put 50% of all UK tours of the USA under threat.

We were disappointed to see recent comments on this issue by Minister for Media, Data and Digital Infrastructure, Julia Lopez MP. She noted: "The UK Government cannot interfere in another country's processes and must respect their systems, just as we expect them to respect the UK's processes".

While we recognise that the Government cannot interfere in another country's processes, to suggest the UK Government cannot work with the US to resolve this issue undermines the UK's current approach to conducting state-level deals as a potential precursor to a UK-US free trade agreement.

**Example costs:**

If a major orchestra or ensemble with 80 members wanted to tour the US, it would need to file four petitions at a total cost of \$6460 (£5,408) in US Citizenship and Immigration Services (USCIS) filing fees (four petitions x \$1,615 [£1,352]). If they needed support staff (managers, stage crew, etc.), that would require an additional petition at a cost of an additional \$1,615 (£1,352). If premium processing were required, that would cost an additional \$12,500 (£10,400); five petitions x \$2500 (£2,080).

If a single artist wanted to enter with an accompanist, band, company members, or crew, that would require O-1 and O-2 petitions at a cost of \$3310 (£2,750); two petitions x \$1655 (£2750).

The DHS and the US Citizenship and Immigration Service's comment period on this issue runs until Monday March 6, 2023.

The US is one of our oldest allies, a nation with which we share values, share a language, and share a proud history of vibrant cultural exchange. That two-way exchange has brought huge social, cultural, and economic benefits to both our great countries – and ensuring that creative professionals can continue to travel between our two countries as easily as possible is integral to the special relationship we enjoy. We are therefore calling on the UK Government to work with their US counterparts as a matter of urgency to avoid what would be a mutually damaging outcome for both countries.

We would be grateful for the opportunity to speak further with you on this important issue.

Yours Sincerely,

**Association of British Orchestras  
(ABO)**



**Association of Independent Music  
(AIM)**



British Phonographic Industry (BPI)



Creative UK



Featured Artists Coalition



Independent Society of Musicians (ISM)



Ivors Academy



LIVE



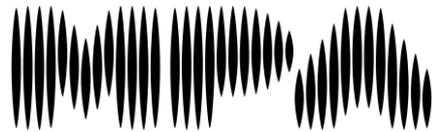
Musicians' Union



Music Managers Forum (MMF)



**Music Publishers Association (MPA)**



**Music Publishers Association**

**Music Producers Guild (MPG)**



**PPL**



**PRS Foundation**



**PRS for Music**



**UK Music**



**CC:**

Rt, Hon. James Cleverly MP, Secretary of State for Foreign, Commonwealth and Development Affairs.

Rt, Hon. Lucy Frazer MP, Secretary of State for Culture, Media, and Sport.