

# New Bill May Speed U.S. Visas for Artists

THE NEW YORK TIMES

April 3, 2008

By FELICIA R. LEE

When it comes to artists trying to obtain visas, notorious performers like Amy Winehouse usually get the headlines. That British soul singer's application to come to the United States for the Grammy Awards in February was initially denied, with speculation that the refusal was because of her alleged use of illegal drugs.

But as the House of Representatives voted this week to speed up the visa approval process for some foreign artists and entertainers, the heads of arts organization said attention was finally being paid to the real problem: the time, money and complexity involved in getting visas for lower-profile artists, including dancers, singers, musicians and actors.

"It has become a huge burden," said Nigel Redden, director of the Lincoln Center Festival, the renowned arts showcase that this summer will bring together 57 performances and events from nine countries.

"We hire someone in January whose only job is to do visas," he said. Once, when the festival sought to bring in a cast of Chinese acrobats and soloists, a "visa wrangler" in China asked for \$75,000 to smooth the way for the group to travel to the embassy and get the necessary papers in order.

"We're turning the United States into fortress America," Mr. Redden said. "It turns everyone into an enemy. It loses us friends around the world and respect around the world."

Now, those seeking entry must run a bureaucratic gantlet that can include having to establish their artistic credentials, hire a lawyer, pay visa fees and visit a United States embassy or consulate.

All of that requires money and time, said Jonathan Ginsburg, an immigration lawyer in Fairfax, Va., with the firm of Fettmann, Tolchin & Majors. An entertainer from London who has an arrest record, for example, would need a report from Scotland Yard, which can cause more delays.

Once the application is made, the Homeland Security Department is supposed to act within two weeks, but recently it almost never has; in the worst cases, getting an answer takes as long as six months, arts organizations said. So-called premium processing is available to expedite an application, at a cost of \$1,000 for each petitioner.

The House bill, approved on Tuesday, extends the processing time to 30 days from two weeks. If the deadline is not met, the department is required to provide free expedited processing. The bill, which applies only to visa applications made by nonprofit arts groups, still needs the Senate's approval.

Heather Noonan, the vice president for advocacy for the League of American Orchestras, called the bill an important step.

"We're very pleased to see Congress support opportunities for international cultural exchange this way and particularly happy to see such broad bipartisan support for the measure," Ms. Noonan said.

Sandra Gibson, the president and chief executive of the Association of Performing Arts Presenters, said: "We've been watching this issue for 10 years. The premium-processing fee meant the nonprofit community would not be served."

A task force on visas was formed in 2001, she said, when premium processing began. But the Sept. 11 attacks slowed everything down. "There were delays in interviews, inability to get interviews," Ms. Gibson said. On applications, problems like inverted birth dates and misspelled last names made problems snowball. Around the world, the embassies and consulates that were part of the process were staffed at different levels. "In China and India it can take 100 days to get an interview," she said.

With the value of the dollar waning, more and more artists have decided to stay home, Ms. Gibson said, echoing other officials. And fewer of the presenters, she said, are willing to go through the contortions of bringing in foreign artists.

Cyril M. Ferenchak, a spokesman for the Bureau of Consular Affairs at the State Department, said in an e-mail message that the government had worked hard to make the visa application easier and more efficient.

"Over 570 new consular positions have been created to handle a growing visa demand and the added security measure in our visa adjudication process," Mr. Ferenchak wrote, adding that embassy Web sites provide information on things like required documents to demystify the visa process.

Matthew Covey, executive director of Tamizdat, a nonprofit group that helps artists get visas, said the House bill was a step in the right direction. Emerging artists without much money or the organizational skills to get together a visa application are the ones especially hurt by the visa labyrinth.

"An awful lot of musicians don't make a lot of money," he said. "They are looking to break even, to promote their work. Most musicians need to expedite their visas because many clubs book six to eight weeks in advance."

And American audiences may never know what they are missing.