

A Few Points About Entering the US by Attorney Matthew Covey

Linus Lassus 18. december 2015



Matthew Covey is partner and attorney at [CoveyLaw](#), a US law firm focused on serving the legal needs of foreign artists living, working, touring, or performing in the United States. Matthew is also the director of [Tamizdat](#), a non-profit organization for facilitating cultural exchange to the US, founded in 1998. Tamizdat Artists Services provides different visa related services for artists going to tour in the US, as for example a telephone hotline for artists experiencing problems during their visa application process.

Being an entertainment business lawyer, Matthew knows what he's talking about and he also has years of experience in handling visa applications in reality. Due to his long experience, he also has insight into how best-practices have changed over the years.

Matthew has a few points regarding entering the US that we thought we would share here, especially since [SXSW is coming up in March next year](#). He recommends [Artists From Abroad](#) for people who want to get more info about US visa procedures and stay up to date with best-practices.

"One basic rule is that as soon as you get paid for performing, you need a visa," says Matthew. "However this *doesn't* mean that if you don't get paid you don't need a visa. Visas are there to protect US labour. Basically performing for free is even 'worse' for US labour than playing for a fee, so that's important to remember."

One reason why the visa procedures and legislation might seem confusing, is because ultimately, it's the US border officer who decides whether you're allowed to enter the country or not.

"Even if you've done everything according to the protocol, if the US officer has any reason to doubt your story or intentions, he might deny you entry to the US. That's possible to clear up of course, but it takes time. Therefore, always bring extra papers to prove your intentions."

Matthew also shares a few tricks: "The head of the JFK airport is a huge music fan, and the staff there is used to dealing with musicians and artists. Entering there might be smoother than at other airports. Also,

always travel on weekdays and during work hours – the more experienced staff is more likely to be on duty then, which usually means less hassle.”

SXSW is one of the biggest music events in the US, and the event has gained a special position also among the US officials. “A few year's back there was a dispute that resulted in SXSW gaining a clear status as a showcase festival, which technically means you don't need a visa for playing there. That only applies for the official shows though. Remember that it takes a US officer only a few searches on Google to find out whether you're planning to play additional shows, and if you haven't got a visa then, well, you've got a problem.”

The points above were made by Matthew Covey in 2015. In 2010, The New York Times wrote an article on Tamizdat and Matthew. [Read it here.](#)

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