

SXSW Says It Will Drop Controversial Clause About Alerting Immigration Authorities in 2018

[Andy Cush](#) | March 7, 2017 - 3:13 pm

Share < br />this article:

Email

Share

Tweet

Reddit

The SXSW logo is displayed in white on a black background. The letters 'S', 'X', 'S', and 'W' are in a bold, sans-serif font. The 'X' is formed by two overlapping 'S' shapes. The 'W' is formed by two overlapping 'S' shapes. A registered trademark symbol (®) is located to the right of the 'W'. To the right of the 'W' is a stylized white arrow pointing downwards and to the right.

Following [several days of controversy](#), South By Southwest has announced that it will [remove a clause from its agreement](#) with artists that was criticized as anti-immigrant. “With the announcement of President Trump’s latest Travel Ban, SXSW would like to reaffirm its public opposition to these executive orders and provide ongoing support to the artists traveling from foreign countries to our event,” the statement reads in part.

Last week, [dozens of artists signed an open letter](#) to the Austin festival demanding that it remove two clauses from its contract with performing artists: one that gives SXSW the option to “notify the appropriate U.S. immigration authorities” about artists that act “in ways that adversely impacts the viability of Artist’s official SXSW showcase,” and another that informs artists that they could face deportation if they perform at unofficial SXSW showcases.

The first of these clauses has real teeth, spelling out the option for SXSW to directly contact ICE or an equivalent agency if it deems an international artist behaved inappropriately, which [SXSW director Roland Swenson described in an earlier statement](#) as “something really horrific, like disobey[ing] rules about pyrotechnics, starting a brawl, or if [an artist] killed somebody.” The statement released today asserts that the festival will drop that clause in future iterations of its contract, but does not directly address the second clause, which simply warns artists about actions the government might take if they break the agreed-upon terms of their

entry into the U.S. without any notification from the festival. Previously, SXSW [stated that it would review and amend](#) the controversial language.

Later, the statement takes a somewhat aggrieved tone about the criticism that SXSW has received. “There are no ‘deportation clauses’ in our current performance agreements. There will be no ‘deportation clauses’ in our future participant agreements,” it reads. “SXSW does not ‘collude with’ any immigration agencies including ICE, CBP or USCIS to deport anyone.”

In statement provided to SPIN [for a previous piece about the controversy](#), Matthew Covey, an attorney who specializes in securing visas for foreign artists performing in the U.S., speculated that the language was meant to convey SXSW’s seriousness about ensuring that the large number of international artists that play each year are following immigration laws, in case the government were to crack down on the festival in the future. Still, “SXSW is not under any legal obligation to rat out foreign artists in the U.S. on the showcase exception for playing unauthorized showcases...and in the current climate any concern SXSW may have regarding the abuse of the showcase exception could be better addressed in other ways,” Covey wrote. “The passage seems pointlessly threatening, and—importantly—it is counter the trend of progressive organizations creating ‘sanctuary’ spaces. As such, I can’t see a reason to keep the passage in the invitation, and there are certainly very good reasons to remove it.”