

107TH CONGRESS
2D SESSION

H. R. 5618

To amend the Immigration and Nationality Act to improve procedures for the processing of visas for “O” and “P” nonimmigrant artists.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 10, 2002

Ms. HART introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to improve procedures for the processing of visas for “O” and “P” nonimmigrant artists.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. IMPROVED PROCEDURES FOR PROCESSING**
4 **VISAS FOR “O” AND “P” NONIMMIGRANT ART-**
5 **ISTS.**

6 Section 214(c)(6) of the Immigration and Nationality

7 Act (8 U.S.C. 1184(c)(6)) is amended—

8 (1) in subparagraph (D)—

9 (A) by inserting “(i)” immediately after
10 “(D)”; and

1 (B) by adding at the end the following:

2 “(ii) In the case of petitions described in subparagraph
3 graph (A), with respect to nonimmigrant artists and de-
4 scribed in section 101(a)(15)(P)(ii), the Attorney General
5 shall adjudicate such petition in not later than 30 days
6 after (A) the date the petitioner submits the petition with
7 a written advisory opinion, letter of no objection, or re-
8 quest for a waiver, or (B) the date the 15-day period has
9 expired and the petitioner has had an opportunity, where
10 appropriate, to supply rebuttal evidence.

11 “(iii) If a petition described in subparagraph (D)(ii)
12 is not adjudicated within the 30-day period described in
13 clause (ii) and if the petitioner is a qualified nonprofit or-
14 ganization, or an individual or entity petitioning help pri-
15 marily on behalf of a qualified nonprofit organization, the
16 Attorney General shall adjudicate such a petition by the
17 premium-processing service, described in section 286(u),
18 without fee.”; and

19 (2) by amending subparagraph (E)(i) to read as
20 follows:

21 “(E)(i) Notwithstanding subparagraph (D), the At-
22 torney General shall implement expedited adjudication
23 procedures in the case of any petitions described in sub-
24 paragraph (A) with respect to nonimmigrant artists and
25 described in section 101(a)(15)(P)(ii) based upon any of

1 the following: possible severe financial loss to an organiza-
2 tion or individual, an extreme emergency situation, an ex-
3 treme humanitarian situation, the petitioning organiza-
4 tion's nonprofit status in furthering the cultural and social
5 interests of the United States, a situation of national in-
6 terest or defense as requested by a government entity,
7 service errors, or any other compelling interest of the Serv-
8 ice. Such expedited adjudication procedures shall be avail-
9 able to a qualified nonprofit organization or an individual
10 or entity petitioning primarily on behalf of a qualified non-
11 profit organization.”.

