

109TH CONGRESS
1ST SESSION

S. 2044

To amend the Immigration and Nationality Act to resolve inequities in existing law by reducing the residency requirement for the naturalization of aliens with extraordinary ability so that such aliens may represent the United States at international events.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 2005

Mr. LEVIN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to resolve inequities in existing law by reducing the residency requirement for the naturalization of aliens with extraordinary ability so that such aliens may represent the United States at international events.

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. NATURALIZATION OF ALIENS WITH EXTRAOR-**
4 **DINARY ABILITY.**

5 (a) IN GENERAL.—Section 316 of the Immigration
6 and Nationality Act (8 U.S.C. 1427), is amended by add-
7 ing at the end the following:

1 “(g)(1) The continuous residency requirement under
2 subsection (a) may be reduced to 3 years for an applicant
3 for naturalization if—

4 “(A) the applicant is the beneficiary of an ap-
5 proved petition for classification under section
6 204(a)(1)(E);

7 “(B) the applicant has been approved for ad-
8 justment of status under section 245(a); and

9 “(C) such reduction is necessary for the appli-
10 cant to represent the United States at an inter-
11 national event.

12 “(2) The Secretary of Homeland Security shall adju-
13 dicate an application for naturalization under this section
14 not later than 30 days after the submission of such appli-
15 cation if the applicant—

16 “(A) requests such expedited adjudication in
17 order to represent the United States at an inter-
18 national event; and

19 “(B) demonstrates that such expedited adju-
20 dication is related to such representation.

21 “(3) An applicant is ineligible for expedited adjudica-
22 tion under paragraph (2) if the Secretary of Homeland
23 Security determines that such expedited adjudication
24 poses a risk to national security. Such a determination by
25 the Secretary shall not be subject to review.

1 “(4)(A) In addition to any other fee authorized by
 2 law, the Secretary of Homeland Security shall charge and
 3 collect a \$1,000 premium processing fee from each appli-
 4 cant described in this subsection to offset the additional
 5 costs incurred to expedite the processing of applications
 6 under this subsection.

7 “(B) The fee collected under subparagraph (A) shall
 8 be deposited as offsetting collections in the Immigration
 9 Examinations Fee Account.”.

10 (b) EFFECTIVE DATE.—

11 (1) IN GENERAL.—The amendment made by
 12 subsection (a)—

13 (A) shall take effect on the date of enact-
 14 ment of this Act; and

15 (B) is repealed on January 14, 2006.

16 (2) IMPLEMENTATION.—Beginning on the date
 17 of enactment of this Act, the Secretary of Homeland
 18 Security shall accept and process applications for
 19 naturalization filed by aliens described in section
 20 316(g)(1) of the Immigration and Nationality Act (8
 21 U.S.C. 1427(g)(1)) in accordance with the amend-
 22 ment made by subsection (a).

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