

110TH CONGRESS
1ST SESSION

S. 2178

To expedite the adjudication of employer petitions for aliens with
extraordinary artistic ability.

IN THE SENATE OF THE UNITED STATES

OCTOBER 17, 2007

Mr. KERRY (for himself and Mr. HATCH) introduced the following bill; which
was read twice and referred to the Committee on the Judiciary

A BILL

To expedite the adjudication of employer petitions for aliens
with extraordinary artistic ability.

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. SHORT TITLE.**

4 This Act may be cited as the “Arts Require Timely
5 Service Act” or the “ARTS Act”.

6 **SEC. 2. EXPEDITED ADJUDICATION OF EMPLOYER PETI-**
7 **TIONS FOR ALIENS WITH EXTRAORDINARY**
8 **ARTISTIC ABILITY.**

9 Section 214(c) of the Immigration and Nationality
10 Act (8 U.S.C. 1184(c)) is amended—

1 (1) by striking “Attorney General” each place
2 it appears and inserting “Secretary of Homeland Se-
3 curity”; and

4 (2) in paragraph (6)(D)—

5 (A) by striking “(D) Any person” and in-
6 serting the following:

7 “(D)(i) Except as provided under clause (ii),
8 any person”; and

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

10 “(ii) The Secretary of Homeland Security shall
11 adjudicate each petition for an alien who has ex-
12 traordinary ability in the arts (as described in sec-
13 tion 101(a)(15)(O)(i)), an alien accompanying such
14 an alien (as described in clauses (ii) and (iii) of sec-
15 tion 101(a)(15)(O)), or an alien described in section
16 101(a)(15)(P) not later than 30 days after—

17 “(I) the date on which the petitioner sub-
18 mits the petition with a written advisory opin-
19 ion, letter of no objection, or request for a waiv-
20 er; or

21 “(II) the date on which the 15-day period
22 described in clause (i) has expired, if the peti-
23 tioner has had an appropriate opportunity to
24 supply rebuttal evidence.

1 “(iii) If a petition described in clause (ii) is not
2 adjudicated before the end of the 30-day period de-
3 scribed in clause (ii) and the petitioner is a qualified
4 nonprofit organization or an individual or entity pe-
5 titioning primarily on behalf of a qualified nonprofit
6 organization, the Secretary of Homeland Security
7 shall provide the petitioner with the premium-proc-
8 essing services referred to in section 286(u), without
9 a fee.”.

○