

110TH CONGRESS  
1ST SESSION

# S. 2178

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

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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

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## 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(e) of the Immigration and Nationality  
10 Act (8 U.S.C. 1184(e)) 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.”.

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