

111TH CONGRESS  
1ST SESSION

# H. R. 1785

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

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2009

Mr. BERMAN (for himself, Mr. DANIEL E. LUNGREN of California, Mr. NADLER of New York, Mr. McCAUL, Mr. SCHIFF, Mrs. BLACKBURN, Mr. COBLE, Mr. WEINER, and Ms. LINDA T. SÁNCHEZ of California) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To expedite adjudication of employer petitions for aliens of 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 (ARTS) Act”.

1 **SEC. 2. EXPEDITED ADJUDICATION OF EMPLOYER PETI-**  
2 **TIONS FOR ALIENS OF EXTRAORDINARY AR-**  
3 **TISTIC ABILITY.**

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

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

9 (2) in paragraph (6)(D)—

10 (A) by striking “(D) Any” and inserting  
11 “(D)(i) Any”;

12 (B) by striking “Once the” and inserting  
13 “Except as provided in clause (ii), once the”;  
14 and

15 (C) by adding at the end the following:

16 “(ii) The Secretary of Homeland Security shall adju-  
17 dicate each petition for an alien with extraordinary ability  
18 in the arts (as described in section 101(a)(15)(O)(i)), an  
19 alien accompanying such an alien (as described in clauses  
20 (ii) and (iii) of section 101(a)(15)(O)), or an alien de-  
21 scribed in section 101(a)(15)(P) (other than an alien de-  
22 scribed in section 214(c)(4)(A) (relating to athletes)) not  
23 later than 30 days after—

24 “(I) the date on which the petitioner submits  
25 the petition with a written advisory opinion, letter of  
26 no objection, or request for a waiver; or

1           “(II) the date on which the 15-day period de-  
2           scribed in clause (i) has expired, if the petitioner has  
3           had an opportunity, as appropriate, to supply rebut-  
4           tal evidence.

5           “(iii) If a petition described in clause (ii) is not adju-  
6           dicated before the end of the 30-day period described in  
7           clause (ii) and the petitioner is an arts organization de-  
8           scribed in paragraph (3), (5), or (6) of section 501(c) of  
9           the Internal Revenue Code of 1986 and exempt from tax  
10          under section 501(a) of such Code for the taxable year  
11          preceding the calendar year in which the petition is sub-  
12          mitted, or an individual or entity petitioning primarily on  
13          behalf of such an organization, the Secretary of Homeland  
14          Security shall provide the petitioner with the premium-  
15          processing services referred to in section 286(u), without  
16          a fee.”.

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