

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.

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IN THE HOUSE OF REPRESENTATIVES

OCTOBER 10, 2002

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

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## 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)”;

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

2 “(ii) In the case of petitions described in subpara-  
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.”.

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