

P-1 VISAS FOR ATHLETES

There are two non-immigrant visa classifications applicable to certain athletes, P-1 for internationally recognized Athletes and O-1 for athletes with extraordinary abilities in sport.

P-1 Visas for Internationally recognized Athletes or Members of an internationally recognized athletic team

A P-1 nonimmigrant is an internationally recognized athlete, or a member of an internationally recognized athletic team. The P-1A athlete may be either an individual athlete or a member of an athletic group or team coming to perform at an internationally recognized level of performance. A member of an internationally recognized athletic team may be granted P-1A classification based on that relationship, but may not perform services separate and apart from the athletic team.

Process

The petition used to apply for the P-1 classification is Form I-129. Form I-129 will also accommodate a request for change of status if the person is presently in the United States in another nonimmigrant classification. If the person is already in the United States in P-1 status, and a new employer wishes to petition for him or her, that new employer will use Form I-129 for the petition and to request an extension of stay for the person.

Who can petition for P-1 athletes?

P-1 petitions may be filed by a U.S. employer, a U.S. sponsoring organization, a U.S. agent, or a foreign employer through a U.S. agent.

If there are any material changes in the terms and or conditions of the P-1's employment, the petitioner must file an amended petition. However, a petitioner may add additional, similar performances, engagements, or competitions during the validity period without filing an amended petition.

Where to File P-1 petitions

The petitioner will file the P-1 petition with the service center having jurisdiction in the area where the alien will work. If the alien will perform services in more than one location, the petitioner will file it with the service center that has jurisdiction over either the area where the petitioner is located or the area specified by the petitioner's address on the petition.

More Than One Employer for P-1 petitions

If the beneficiary will work for more than one employer within the same time period, each employer must file a separate petition with the service center, unless the petitioner is an established agent.

Evidence Required

- Athlete is internationally recognized
- The athletic competition has a distinguished reputation
- Competition requires participation of athlete or team with international reputation
- Tendered contract with the US sport League or team or one commensurate with international recognition; and any two of the following:
 - Significant participation in a prior season in the major leagues
 - International competition with national team
 - Significant participation in a prior season for U.S. college, university or intercollegiate competition
 - A written statement from expert of sport's media as to international recognition
 - Team or individual ranking
 - Significant Honor or award in sport