

109TH CONGRESS
1ST SESSION

S. 1443

To permit athletes to receive nonimmigrant alien status under certain conditions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 21, 2005

Ms. COLLINS (for herself and Mr. LIEBERMAN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To permit athletes to receive nonimmigrant alien status under certain conditions, and for other purposes.

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. NONIMMIGRANT ALIEN STATUS FOR CERTAIN**

4 **ATHLETES.**

5 Section 214(c)(4)(A) of the Immigration and Nation-
6 ality Act (8 U.S.C. 1184(c)(4)(A)) is amended by striking
7 clauses (i) and (ii) and inserting the following:

8 “(i)(I) performs as an athlete, individually or as
9 part of a group or team, at an internationally recog-
10 nized level of performance,

1 “(II) is a professional athlete, as defined in sec-
2 tion 204(i)(2),

3 “(III) performs as an athlete, or as a coach, as
4 part of a team or franchise that is located in the
5 United States and a member of a foreign league or
6 association of 15 or more amateur sports teams, if—

7 “(aa) the foreign league or association is
8 the highest level of amateur performance of
9 that sport in the relevant foreign country,

10 “(bb) participation in such league or asso-
11 ciation renders players ineligible, whether on a
12 temporary or permanent basis, to earn a schol-
13 arship in, or participate in, that sport at a col-
14 lege or university in the United States under
15 the rules of the National Collegiate Athletic As-
16 sociation (NCAA), and

17 “(cc) a significant number of the individ-
18 uals who play in such league or association are
19 drafted by a major sports league or a minor
20 league affiliate of such a sports league, or

21 “(IV) is a professional athlete or amateur ath-
22 lete who performs individually or as part of a group
23 in a theatrical ice skating production, and

24 “(ii) seeks to enter the United States tempo-
25 rarily and solely for the purpose of performing—

1 “(I) as such an athlete with respect to a
2 specific athletic competition, or

3 “(II) in the case of an individual described
4 in clause (i)(IV), in a specific theatrical ice
5 skating production or tour.”.

6 **SEC. 2. ADVISORY OPINIONS.**

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

9 (1) in paragraph (4)(D), by inserting “(other
10 than with respect to aliens seeking entry under sub-
11 clause (II), (III), or (IV) of subparagraph (A)(i) of
12 this paragraph),” after “101(a)(15)(P)”; and

13 (2) in paragraph (6)(A)(iii), by inserting
14 “(other than with respect to aliens seeking entry
15 under subclause (II), (III), or (IV) of paragraph
16 (4)(A)(i))” after “101(a)(15)(P)(i)”.

17 **SEC. 3. PETITIONS FOR MULTIPLE ALIENS.**

18 Section 214(c)(4) of the Immigration and Nationality
19 Act (8 U.S.C. 1184(c)(4)) is amended by adding at the
20 end the following new paragraph:

21 “(F) The Secretary of Homeland Security shall per-
22 mit a petition under this subsection to seek classification
23 of more than one alien as a nonimmigrant under section
24 101(a)(15)(P)(i)(a). The fee charged for such a petition

1 may not be more than the fee charged for a petition seek-
2 ing classification of one such alien.”.

3 **SEC. 4. RELATIONSHIP TO OTHER PROVISIONS OF THE IM-**
4 **MIGRATION AND NATIONALITY ACT.**

5 Section 214(c)(4) of the Immigration and Nationality
6 Act (8 U.S.C. 1184(c)(4)), as amended by section 3, is
7 further amended by adding at the end the following new
8 paragraph:

9 “(G) Notwithstanding any other provision of this
10 title, the Secretary of Homeland Security shall permit an
11 athlete, or the employer of an athlete, to seek admission
12 to the United States for such athlete under a provision
13 of this Act other than section 101(a)(15)(P)(i).”.

14 **SEC. 5. TECHNICAL AND CONFORMING AMENDMENTS.**

15 Section 214(c)(4) of the Immigration and Nationality
16 Act (8 U.S.C. 1184(c)(4)) is amended by striking “Attor-
17 ney General” each place it appears and inserting “Sec-
18 retary of Homeland Security”.

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