

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3821

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## AN ACT

To authorize certain athletes to be admitted temporarily into the United States to compete or perform in an athletic league, competition, or performance.

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 either the “Creating Oppor-  
5        tunities for Minor League Professionals, Entertainers, and  
6        Teams through Legal Entry Act of 2006” or the “COM-  
7        PETE Act of 2006”.

1 **SEC. 2. NONIMMIGRANT ALIEN STATUS FOR CERTAIN ATH-**  
2 **LETES.**

3 (a) IN GENERAL.—Section 214(c)(4)(A) of the Immi-  
4 gration and Nationality Act (8 U.S.C. 1184(c)(4)(A)) is  
5 amended by striking clauses (i) and (ii) and inserting the  
6 following:

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

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

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

16 “(aa) the foreign league or association is  
17 the highest level of amateur performance of  
18 that sport in the relevant foreign country;

19 “(bb) participation in such league or asso-  
20 ciation renders players ineligible, whether on a  
21 temporary or permanent basis, to earn a schol-  
22 arship in, or participate in, that sport at a col-  
23 lege or university in the United States under  
24 the rules of the National Collegiate Athletic As-  
25 sociation; and

1           “(cc) a significant number of the individ-  
2           uals who play in such league or association are  
3           drafted by a major sports league or a minor  
4           league affiliate of such a sports league; or

5           “(IV) is a professional athlete or amateur ath-  
6           lete who performs individually or as part of a group  
7           in a theatrical ice skating production; and

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

10           “(I) as such an athlete with respect to a  
11           specific athletic competition; or

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

15           (b) LIMITATION.—Section 214(c)(4) of the Immigra-  
16           tion and Nationality Act (8 U.S.C. 1184(c)(4)) is amend-  
17           ed by adding at the end the following:

18           “(F)(i) No nonimmigrant visa under section  
19           101(a)(15)(P)(i)(a) shall be issued to any alien who is a  
20           national of a country that is a state sponsor of inter-  
21           national terrorism unless the Secretary of State deter-  
22           mines, in consultation with the Secretary of Homeland Se-  
23           curity and the heads of other appropriate United States  
24           agencies, that such alien does not pose a threat to the  
25           safety, national security, or national interest of the United

1 States. In making a determination under this subpara-  
2 graph, the Secretary of State shall apply standards devel-  
3 oped by the Secretary of State, in consultation with the  
4 Secretary of Homeland Security and the heads of other  
5 appropriate United States agencies, that are applicable to  
6 the nationals of such states.

7 “(ii) In this subparagraph, the term ‘state sponsor  
8 of international terrorism’ means any country the govern-  
9 ment of which has been determined by the Secretary of  
10 State under any of the laws specified in clause (iii) to have  
11 repeatedly provided support for acts of international ter-  
12 rorism.

13 “(iii) The laws specified in this clause are the fol-  
14 lowing:

15 “(I) Section 6(j)(1)(A) of the Export Adminis-  
16 tration Act of 1979 (50 U.S.C. App. 2405(j)(1)(A))  
17 (or successor statute).

18 “(II) Section 40(d) of the Arms Export Control  
19 Act (22 U.S.C. 2780(d)).

20 “(III) Section 620A(a) of the Foreign Assist-  
21 ance Act of 1961 (22 U.S.C. 2371(a)).”.

22 (c) PETITIONS FOR MULTIPLE ALIENS.—Section  
23 214(c)(4) of the Immigration and Nationality Act (8  
24 U.S.C. 1184(c)(4)), as amended by subsection (b), is fur-  
25 ther amended by adding at the end the following:

1       “(G) The Secretary of Homeland Security shall per-  
2 mit a petition under this subsection to seek classification  
3 of more than 1 alien as a nonimmigrant under section  
4 101(a)(15)(P)(i)(a).”.

5       (d) RELATIONSHIP TO OTHER PROVISIONS OF THE  
6 IMMIGRATION AND NATIONALITY ACT.—Section  
7 214(c)(4) of the Immigration and Nationality Act (8  
8 U.S.C. 1184(c)(4)), as amended by subsections (b) and  
9 (c), is further amended by adding at the end the following:

10       “(H) The Secretary of Homeland Security shall per-  
11 mit an athlete, or the employer of an athlete, to seek ad-  
12 mission to the United States for such athlete under a pro-  
13 vision of this Act other than section 101(a)(15)(P)(i) if  
14 the athlete is eligible under such other provision.”.

Passed the Senate December 6, 2006.

Attest:

*Secretary.*

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