

Public Law 109–463
109th Congress

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.

Dec. 22, 2006
[S. 3821]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as either the “Creating Opportunities for Minor League Professionals, Entertainers, and Teams through Legal Entry Act of 2006” or the “COMPETE Act of 2006”.

SEC. 2. NONIMMIGRANT ALIEN STATUS FOR CERTAIN ATHLETES.

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

“(i)(I) performs as an athlete, individually or as part of a group or team, at an internationally recognized level of performance;

“(II) is a professional athlete, as defined in section 204(i)(2);

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

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

“(bb) participation in such league or association renders players ineligible, whether on a temporary or permanent basis, to earn a scholarship in, or participate in, that sport at a college or university in the United States under the rules of the National Collegiate Athletic Association; and

“(cc) a significant number of the individuals who play in such league or association are drafted by a major sports league or a minor league affiliate of such a sports league; or

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

“(ii) seeks to enter the United States temporarily and solely for the purpose of performing—

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

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

Creating
Opportunities for
Minor League
Professionals,
Entertainers, and
Teams through
Legal Entry Act
of 2006.
8 USC 1101 note.

(b) LIMITATION.—Section 214(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(4)) is amended by adding at the end the following:

“(F)(i) No nonimmigrant visa under section 101(a)(15)(P)(i)(a) shall be issued to any alien who is a national of a country that is a state sponsor of international terrorism unless the Secretary of State determines, in consultation with the Secretary of Homeland Security and the heads of other appropriate United States agencies, that such alien does not pose a threat to the safety, national security, or national interest of the United States. In making a determination under this subparagraph, the Secretary of State shall apply standards developed by the Secretary of State, in consultation with the Secretary of Homeland Security and the heads of other appropriate United States agencies, that are applicable to the nationals of such states.

“(ii) In this subparagraph, the term ‘state sponsor of international terrorism’ means any country the government of which has been determined by the Secretary of State under any of the laws specified in clause (iii) to have repeatedly provided support for acts of international terrorism.

“(iii) The laws specified in this clause are the following:

“(I) Section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)(A)) (or successor statute).

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

“(III) Section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)).”

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

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

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

“(H) The Secretary of Homeland Security shall permit an athlete, or the employer of an athlete, to seek admission to the United States for such athlete under a provision of this Act other than

section 101(a)(15)(P)(i) if the athlete is eligible under such other provision.”.

Approved December 22, 2006.

LEGISLATIVE HISTORY—S. 3821:

CONGRESSIONAL RECORD, Vol. 152 (2006):

Dec. 6, considered and passed Senate.

Dec. 8, considered and passed House.