

A Guide for Sponsors of a P-1 Athlete

The P-1 Visa

The P-1 visa is designed for internationally recognized athletes to participate in athletic events/competitions in the U.S. individually, part of a team or as members of an entertainment group.

P-1 athletes need to be sponsored by a U.S. employer, organization or agent, as he/she cannot self-petition to the U.S. Citizenship and Immigration Services (USCIS).

To qualify for the P-1 visa, the individual must show international acclaim in the sport and at least 2 of the following:

- Receipt of significant honors/awards
- Participation with major U.S. sports league
- International competition with national team
- U.S. college inter college competition
- Expert opinions
- International ranking

A successful application requires evidence of the above, comprehensive itinerary of the events the foreign athlete expects to complete, agreement between the athlete and the sponsor, and other required documents and forms.

The Role of the Sponsor

A critical component of the P-1 application is the sponsor. The sponsor's role is:

- to show that they are a viable organization within the United States
- to sponsor the athlete by signing immigration documents as the sponsoring organization/agent
- to validate that the athlete will comply with the proposed athletic itinerary/schedule

The sponsoring organization/agent does not have to serve as an employer of the athlete; does not have employment-related liabilities; and does not have to compensate the athlete. However, there are organizations that sponsor and employ athletes, for example, the NFL, NHL and others.

The sponsoring organization does not have to demonstrate that it normally serves as an agent outside the context of the P-1 application. So what does this mean? The filing just has to contain probative evidence that there is a sponsorship relationship between the organization and the athlete for good measure, and the organization/agent is involved for the limited purpose of filing the petition. We prepare this document for our clients.

*This material is only a general overview and is not intended to substitute as legal advice.