109th CONGRESS 2D Session

S. 3821

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.

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".

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

States. In making a determination under this subpara graph, the Secretary of State shall apply standards devel oped 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.

7 "(ii) In this subparagraph, the term 'state sponsor
8 of international terrorism' means any country the govern9 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 ter12 rorism.

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

"(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).

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 Assist21 ance Act of 1961 (22 U.S.C. 2371(a)).".

(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 fur25 ther amended by adding at the end the following:

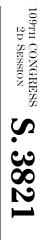
"(G) The Secretary of Homeland Security shall per mit a petition under this subsection to seek classification
 of more than 1 alien as a nonimmigrant under section
 4 101(a)(15)(P)(i)(a).".

5 (d) Relationship to Other Provisions of the IMMIGRATION NATIONALITY ACT.—Section 6 AND 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 admission to the United States for such athlete under a pro-12 vision of this Act other than section 101(a)(15)(P)(i) if 13 14 the athlete is eligible under such other provision.".

Passed the Senate December 6, 2006.

Attest:

Secretary.



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