

5 THINGS YOU SHOULD KNOW ABOUT SPORTS IMMIGRATION

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1 Temporary Visa Types:

- a. O-1 Extraordinary Ability
 - i. Must be top of their field
 - ii. Must be supported by awards, media, high pay, elite groups, key member of distinguished organization
 - iii. Must compete, Coach or Management
 - iv. 3 years, extendable indefinitely
 - v. May include Support Personnel
- b. P-1 Internationally Recognized as Exceptional.
 - i. Athletes and support personnel
 - ii. Supported by ranking, playing for national team, played at US college, expert or governing body opinion.
 - iii. Must compete and endorsements
 - iv. 5 year long visas
- c. H-2B Seasonal
 - i. Must coach, compete or management
 - ii. One year long visa
 - iii. The organization must recruit and pay fee and costs.

2 Permanent Residency (Green Cards)

- a. EB-1: Extraordinary Ability
 - i. Top of field, sustained success, similar but higher standard than O-1. Can be filed by Self Petitioner.
- b. EB-2: Exceptional Ability
 - i. Special labor certification requires no recruitment
 - ii. Degree of success but lower level than EB-1.
 - iii. Requires Employer to Petition
- c. EB-3 and Advanced Degree or Experienced EB-2:
 - i. Requires showing that no Americans are willing or able to perform job through recruitment through series of advertising processes.
 - ii. Must pay prevailing wage.

3 Agent based O-1 and P-1 visas permit numerous direct employers and income including sponsors from outside US for visa holders.

4 Proving ties to home country is important when processing visas through consulates. Understand that certain crimes including misdemeanors can be barriers to obtaining visa.

5 Well drafted expert and governing body letters can be used to explain evidence to win visa petitions.



VELIE LAW FIRM

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