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P-1 VISA (Athlete or Entertainer)

Overview

The P-1 visa, internationally recognized athlete or member of an internationally recognized entertainment group, is divided into two visa categories. The P-1A visa is available to foreign nationals who are coming to the U.S. temporarily to perform at a specific athletic competition as an athlete, individually or as part of a group or team, at an internationally recognized level of performance. Essential Support Personnel, including coaches, scouts, trainers, and other team officials and referees, are also eligible for P-1A classification. The P-1B visa is available to foreign nationals who are coming to the U.S. temporarily to perform as a member of an entertainment group. Essential Support Personnel, including front office personnel, camera operators, lighting technicians, and stage personnel are also eligible for P-1B classification.

For a P-1A applicant, if you, as the foreign national, is participating in an individual event, competition or performance, you must be internationally recognized with a high level of achievement. If you are participating in team events, the team must have achieved significant international recognition in the sport. For a P-1B applicant, you, as the performer, must have been recognized internationally as outstanding in the discipline for a sustained and substantial period of time. The reputation of the group, not the individual achievements of its members or the acclaim of a particular production, is essential. Individual entertainers not performing as part of a group are not eligible for the P-1B visa.

Generally, period of stay is granted based on how long it will take to complete the event, competition, or performance, with extensions of stay being granted accordingly.

As a P-1 visa holder, your spouse and unmarried children who are under 21 years of age may seek admission under P-4 status, which allows them to attend school or college but not to engage in employment. There is no cap on the number of P-1 visas per year; it is always available to those who are qualified.

Visa Classifications

A) P-1A Visa: The Internationally Recognized Athlete The P-1A visa is available to foreign nationals who are coming to the U.S. temporarily to perform at a specific athletic competition as an athlete, individually or as part of a group or team, at an internationally recognized level of performance. Essential Support Personnel are also eligible for P-1A classification. They may include coaches, scouts, trainers, and other team officials and referees.

B) P-1B Visa: Member of an Internationally Recognized Entertainment Group

The P-1B visa is available to foreign nationals who are coming to the U.S. temporarily to perform as a member of an entertainment group. Essential Support Personnel are also eligible for P-1B classification. They may include front office personnel, camera operators, lighting technicians, and stage personnel.

Requirements

A) P-1A Visa

- 1) If you, as a foreign national, are participating in an individual event, competition or performance, you must be internationally recognized with a high level of achievement. A high level of achievement is evidenced by a degree of skill and recognition substantially above that ordinarily encountered so that the achievement is renowned, leading or well-known in more than one country.
- 2) If you, as a foreign national, are participating in team events, the team must have achieved significant international recognition in the sport. The event in which the team is participating must be distinguished and require the participation of athletic teams of international recognition.
- 3) Essential Support Personnel must be an integral part of the performance of a P-1 athlete and perform support services which cannot be readily performed by a U.S. worker.

B). P-1B Visa

- 1) You, as the performer, must have been recognized internationally as outstanding in the discipline for a sustained and substantial period of time. At least 75 percent of the members of your group must have had a substantial and sustained relationship with the group for at least 1 year, the entertainment group must be internationally recognized, having a high level of achievement in a field. A high level of achievement is evidenced by a degree of skill and recognition substantially above that ordinarily encountered.
- 2) The reputation of the group, not the individual achievements of its members or the acclaim of a particular production, is essential. Individual entertainers not performing as part of a group are not eligible for the P-1B visa.
- 3) Essential Support Personnel must be an integral part of the performance of a P-1 entertainer and perform support services which cannot be readily performed by a U.S. worker.

Limitations

A) P-1A Visa

- 1) A P-1A visa for an individual athlete allows you, as a foreign national, to stay for the time needed to complete the event, competition or performance, which is not to exceed 5 years. In such a case, you may extend your period of stay for increments of up to 5 years in order to continue or complete the event, competition or performance, and the total stay is limited to 10 years.
- 2) A P-1A visa for an athletic group allows you to stay for the time needed to complete the event, competition or performance, which is not to exceed 1 year. In such a case, you may extend your period of stay for increments of up to 1 year to continue or complete the event, competition or performance.

3) A P-1A visa for Essential Support Personnel allows you to stay for the time needed to complete the event, activity, or performance, which may not exceed 1 year. In such a case, you may extend your period of stay for increments of up to 5 years in order to continue or complete the event, competition or performance, and the total stay is limited to 10 years.

B) P-1B Visa

A P-1B visa allows you, as a foreign national (entertainer or member of Essential Support Personnel), to stay for the time needed to complete the event, competition or performance, which is not to exceed 1 year. In such a case, you may extend your period of stay for increments of up to 1 year, in order to continue or complete the event, competition or performance.

C) P-1A Visa and P-1B Visa

1) As a P-1 visa holder, your spouses and unmarried children who are under 21 years of age may seek admission under P-4 status, which allows them to attend school or college but not to engage in employment.

2) There is no cap on the number of P-1 visas per year; it is always available to those who are qualified.

Procedure

A) Petitioners must submit United States Citizenship and Immigration Services (USCIS) form.

B) For P-1A Visas: The U.S. employer must submit a consultation from an appropriate labor organization. The consultation must describe the work or services to be performed in the United States and the applicant's qualifications for such work. If no appropriate labor organization exists, this requirement is excused.

For P-1B Visas: The U.S. employer must submit a consultation from an appropriate labor organization regarding the nature of the work to be done or a statement proving that the group has been established and has been performing regularly for a period of at least one year (If no appropriate labor organization exists, this requirement is excused).