

U.S. House of Representatives
Washington, DC 20515

January 11, 2024

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
Washington, DC 20528

RECEIVED

By ESEC at 10:03 am, Jan 12, 2024

Dear Secretary Mayorkas:

As Representatives from Congressional districts and metropolitan areas with professional indoor soccer organizations that compete in the Major Arena Soccer League (MASL), we are committed to the continued growth of soccer, the world's most popular sport in the United States, and we celebrate the many benefits the sport offers to our children and communities. We are working to build a stronger soccer ecosystem to grow the base of future players and fans as we prepare for the United States' hosting of FIFA World Cup, the preeminent global soccer tournament, in 2026. With the number of Americans calling themselves soccer fans at an all-time high, the United States should review current policies that may support or limit access to international P-1A visa applications needed for the sport's continued growth.

Despite Congress's intent when it unanimously expanded the P-1A visa category to include minor league athletes almost 20 years ago, the Department of Homeland Security (DHS) continues to significantly limit the admission of international soccer players recruited to play in the United States. Specifically, DHS is denying P-1A visas to players recruited by organizations that compete in the Major Arena Soccer League (MASL), which is counter to Congressional intent when it passed the "COMPETE Act of 2006."

The Major Arena Soccer League (MASL) — formerly Major Indoor Soccer League (MISL) — was founded in 1977. Over the fourteen regular seasons of the MISL, the league averaged 7,644 fans per game, and the league in its current form as the MASL continues to touch all corners of the United States and the international community. With 12 franchises across the United States and two in Mexico, the MASL is the highest level of professional indoor soccer in North America, and the premier international league for indoor soccer throughout the world. Many MASL organizations operate in markets that are too small to support a major league soccer team (MLS). By bringing soccer to smaller local markets, MASL has built a diverse fan base who appreciate the accessibility and affordability of attending a professional soccer game. During the COVID-19 pandemic when only the major U.S. professional sports leagues received exemptions and were able to "return to play," the MASL was deemed such and permitted to play live games in the same limited capacity as the MLS, NFL, NHL, and NBA.

Currently, U.S. Citizenship and Immigration Services (USCIS) has determined the MASL is not a major U.S. sports league because six or more teams cannot show total combined revenues that exceed \$10 million per year. However, this assertion is based upon an audit performed immediately following the COVID-19 pandemic. The MASL has met the \$10 million threshold

since that audit. Moreover, MASL is currently in negotiations to acquire national broadcasting rights to games and enable the league to continue operating in excess of the \$10 million per year threshold.

Arena soccer, at both the amateur and professional level, plays a critical role in the broader United States soccer ecosystem. Throughout the country, MASL organizations are involved in their communities, often conducting youth engagement, running soccer camps, and building awareness and skill in the sport. Professional arena soccer players often move onward into Major League Soccer (MLS). As the United States prepares to host the 2026 FIFA World Cup, the continued growth and popularity of soccer in smaller communities through the ability to access and support professional arena soccer are critical to building the momentum and excitement for a successful tournament.

The persistent challenges with P-1 visas for athletes recruited by MASL organizations have put U.S. teams at a disadvantage. The two current MASL teams that play in Mexico are not subject to the same visa restrictions, and therefore these organizations based in Mexico benefit from an unfair advantage over their U.S. competitors. Challenges in securing visas also make it more difficult for U.S. franchises to recruit top-tier international arena soccer players, which continues to impact MASL'S ability to grow its fan base and will ultimately be a detriment to local enthusiasm and excitement for the sport of soccer.

We encourage DHS and USCIS to review their perception of the MASL as not being a distinguished U.S. sports league with a need for internationally recognized talent and to develop a process whereby MASL is permitted to recruit players under the P-1 visa program moving forward, pursuant with the intent of the underlying statute.

When Congress passed the COMPETE Act in 2006 (P.L. 109-463), its purpose was to allow minor league professional athletes to utilize the P-1 visa category, which up to that time had been reserved only for major league professional athletes. In the spirit of this specific Congressional intent to ensure the ability of U.S. sports leagues to recruit the most talented individuals from around the world, the Department should review and revisit the continued denial of soccer players recruited to come to the United States to compete in the MASL within all relevant rules and regulations.

Thank you for your consideration.

Sincerely,



Marilyn Strickland
Member of Congress



**U.S. Citizenship
and Immigration
Services**

February 14, 2024

The Honorable Marilyn Strickland
U.S. House of Representatives
Washington, DC 20515

Dear Representative Strickland:

Thank you for your January 11, 2024 letter to the Department of Homeland Security. I am responding on behalf of the Department.

As you note, the COMPETE Act of 2006 extended P-1A classification to minor league professional athletes. “Professional athlete” is defined in 8 U.S.C. 1154(i)(2) as “an individual who is employed as an athlete by a team that is a member of an association of six or more professional sports teams whose total combined revenues exceed \$10 million per year, if the association governs the conduct of its members and regulates the contests and exhibitions in which its member teams regularly engage, or any minor league team affiliated with such an association.”

Consistent with 8 CFR 103.2(b)(1), U.S. Citizenship and Immigration Services (USCIS) reviews each petition on a case-by-case basis for eligibility, which must be established as of the filing date of the petition. USCIS will continue to consider all relevant evidence submitted in support of Major Arena Soccer League petitions, including evidence relating to recent revenue.

Those unable to establish eligibility as professional athletes under 8 U.S.C. 1154(i)(2) may still be eligible for P-1A classification under 8 U.S.C. 1184(c)(4)(A) if the athlete performs, individually or as part of a group, at an internationally recognized level of performance and seeks to enter the United States temporarily and solely for the purpose of performing as such an athlete with respect to a specific athletic competition.

More information about internationally recognized athletes is available in the USCIS Policy Manual at <https://www.uscis.gov/policy-manual/volume-2-part-n>. USCIS recently updated this content as explained at <https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20210326-Athletes.pdf>.

The Honorable Marilyn Strickland
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Thank you again for your letter and interest in this important issue. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (240) 721-3801.

Respectfully,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", followed by a long horizontal flourish.

Ur M. Jaddou
Director