



# USCIS Recognizes Esports as an Athletic Endeavor: A New Era for International Esports Athletes

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As the mainstream acceptance of esports grows, the United States Citizenship and Immigration Services (USCIS) has expanded the definition of “athlete” to include professional gamers. This means that esports athletes can now qualify for P-1 visas, previously reserved for traditional sports professionals.

## What are Esports?

Esports, short for electronic sports, are organized video game competitions ranging from small local tournaments to massive international events. Due to the ever-increasing popularity of gaming and the rise of gaming personalities across social media, international events bring in millions of viewers across streaming platforms, esports websites, and cable television networks. Esport athletes are professional video game players who dedicate their time and skills to mastering a specific game or genre. Much like traditional athletes, esports athletes train rigorously, often for several hours a day, to improve their gameplay, strategy, and teamwork.

## Understanding the P-1 Visa

The P-1 visa is a non-immigrant visa issued to foreign athletes, artists, and entertainers who have achieved international recognition in their field. This visa allows these individuals to enter the United States temporarily to participate in specific events, competitions, or performances. Historically, the athletic category primarily encompassed physical sports. However, USCIS recently expanded the P-1 athletics category definition to include professional esports gamers.

The P-1 visa category accommodates both individual athletes and entire teams. As a result, esports teams can apply for P-1 visas to compete in specific esports competitions in the United States. Additionally, P-1 athletes can bring essential support personnel with them on P-1S visas. Support staff may include, but are not limited to, coaches, managers, translators, and nutritionists who are crucial to the athlete’s performance.

In addition to the athlete, a spouse and unmarried children under 21 may join the P-1 visa holder in the United States. While in the US, dependents are ineligible for employment but may enroll in primary, secondary, or higher education institutions.



By recognizing esports as a legitimate athletic pursuit, USCIS has opened doors for professional gamers to compete and work in the United States. To qualify for a P-1 visa, esports athletes must demonstrate **two** of the following seven criteria:

- Previous participation with a major U.S. sport league;
- Participation or previously participation in international competition with a national team;
- Previous participation with a U.S. college or university in intercollegiate competition;
- A written statement from an official of the governing body of the sport which details how the athlete or team is internationally recognized;
- A written statement from a member of the sports media or a recognized expert in the sport which details how the athlete or team is internationally recognized;
- The athlete or team is ranked if the sport has international rankings; or
- The athlete or team has received a significant honor or award in the sport.

P-1 visa validity varies depending on the category. Individual athletes can receive a visa initially valid for up to five years, extendable for another five years. Athletic teams typically receive a one-year visa, which can be extended annually based on the event schedule. Essential support staff for athletes or teams are granted a one-year visa with the potential for five-year extensions. However, USCIS often restricts the approval period of the petition to match the length of the athlete or team's participation in the event or competition.

### **Impact on the Esports Industry**

This decision by USCIS is a major step forward for the esports industry. It provides a clear pathway for international esports talent to come to the United States, fostering competition, innovation, and growth in the sector. Additionally, it legitimizes esports as a profession, attracting more investment and support to the industry.