

# Certain Athletes and Associated Persons Receive National Interest Exemption to Entry Restrictions

By [Elizabeth M. Klarin](#)

May 27, 2020 | **IMMIGRATION**

On Friday, May 22nd, Acting Secretary of Homeland Security Chad F. Wolf signed an [order](#) exempting certain athletes, essential staff, team and league leadership, and their spouses and dependent family members from previous proclamations that went into effect during the beginning of the COVID-19 pandemic.

Specifically, presidential proclamations 9984, 9992, 9993, and 9996 have suspended the entry of all aliens who were physically present within the People’s Republic of China (excluding the Special Administrative Regions of Hong Kong and Macau), the Islamic Republic of Iran, the Schengen Area, the United Kingdom, and the Republic of Ireland, during the 14-day period preceding their entry or attempted entry into the United States. The new order states that “specific” athletes, essential staff, team and league leadership, spouses and dependents covered by the exemption will be permitted to enter even if they have been in any of these countries in the two weeks preceding their entry to the U.S., as their presence in the U.S. has been deemed to be in the national interest.

The order noted that many U.S. professional sports leagues or associations have suspended or postponed their seasons, but acknowledged that they are now prepared to resume sporting events with limited attendance and other public safety measures. It is now in the “*national interest*” that “*certain professional sporting groups organizing the United States’ largest sporting events, including Major League Baseball (MLB), the National Basketball Association (NBA), the Professional Golfers’ Association Tour (PGA Tour), the National Hockey League (NHL), the Association of Tennis*

*Professionals (ATP) and the Women’s Tennis Association (WTA)*” now have entries from abroad permitted for critical persons within the organization or league, to allow for the resumption of their seasons and/or events.

Among the benefits provided by these sports organizations, the order noted that:

*“Professional sporting events provide powerful first- and second-order benefits to the national economy, even if attendance is curtailed, due to advertising and broadcasting revenue, hospitality and food service requirements, and commercial cleaning needs. In addition, the sporting organizations that manage the professional leagues are situated to do so in a controlled manner, as they act as a single point of contact to manage player movement and the scheduling of events, and can take other measures to ensure player, staff, and fan safety is appropriately addressed. Professional live sporting events also provide intangible benefits to the national interest, including civic pride and national unity.”*

While this is a strong step in the right direction for major sports leagues with a strong contingent of international athletes and staff, we have yet to see how these “specific” individuals will be identified. Importantly, as of right now,

the order specifically states that Acting Secretary Wolf will “work with the professional sporting groups... to identify the specific athletes, essential staff, team and league leadership, spouses and dependents covered by the exemption.” As such, there may be additional discuss with identified leagues and team leadership to determine how these exemptions will be granted (e.g. whether athletes/staff and their spouses/dependents will need advance permission to enter).

In addition, there has been no mention of this order applying to athletes, staff, leadership, or their spouses and dependent family members who have been present in Brazil in the two week period preceding their entry to the U.S. On Monday, Brazil was added to the list of countries triggering suspended entry for those who have been in-country within 14 days of entry or attempted entry to the U.S.

We will update you with additional information as it becomes available. Please reach out to your LMWF immigration team with any questions or concerns about this most recent order or similar government actions moving forward.

## Related Team



**Elizabeth M. Klarin**  
Partner



**Nisha V. Fontaine  
(Jagtiani)**  
Partner



**Eileen M. Martin**  
Partner | Team Co-  
Leader - Immigration  
| Team Leader -  
Canada-U.S. Cross  
Border



**Andrew M. Wilson**  
Partner | Chief  
Advisory Officer |  
Team Co-Leader -  
Immigration

**Disclaimer:** *The information in this post is provided for general informational purposes only, and may not reflect the current law in your jurisdiction. No information contained in this post should be construed as legal advice from our firm or the individual author, nor is it intended to be a substitute for legal counsel on any subject matter. No reader of this post should act or refrain from acting on the basis of any information included in, or accessible through, this post without seeking the appropriate legal or other professional advice on the particular facts and circumstances at issue from a lawyer licensed in the recipient’s state, country or other appropriate licensing jurisdiction.*

**New York:** Albany, Buffalo, Clarence, Long Island, New York City, Rochester, Saratoga Springs, Syracuse // **Florida:** Jacksonville, West Palm Beach  
**Illinois:** Chicago // **Ohio:** Cleveland // **Oklahoma:** Oklahoma City // **Ontario:** Greater Toronto Area // **Texas:** San Antonio // **Washington, D.C**

Attorney advertising. Prior results do not guarantee a similar outcome.