

109TH CONGRESS
1ST SESSION

H. R. 4354

To amend the Immigration and Nationality Act to establish a separate nonimmigrant classification for fashion models.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 2005

Mr. WEINER (for himself and Ms. ROS-LEHTINEN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to establish a separate nonimmigrant classification for fashion models.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ESTABLISHMENT OF NEW FASHION MODEL**

4 **NONIMMIGRANT CLASSIFICATION.**

5 (a) IN GENERAL.—

6 (1) NEW CLASSIFICATION.—Section
7 101(a)(15)(O) of the Immigration and Nationality
8 Act (8 U.S.C. 1101(a)(15)(O)) is amended—

1 (A) in clause (iii), by striking “clause (i) or
2 (ii)” and inserting “clause (i), (ii), or (iii)” and
3 by redesignating such as clause (iv); and

4 (B) by inserting after clause (ii) the fol-
5 lowing new clause:

6 “(iii) is a fashion model who is of distin-
7 guished merit and ability and who is seeking to
8 enter the United States temporarily to perform
9 fashion modeling services that involve events or
10 productions which have a distinguished reputa-
11 tion or that are performed for an organization
12 or establishment that has a distinguished rep-
13 utation for, or a record of, utilizing prominent
14 modeling talent; or”.

15 (2) NUMERICAL LIMITATION.—Section
16 214(a)(2)(A) of the Immigration and Nationality
17 Act (8 U.S.C. 1184(a)(2)(A)) is amended by adding
18 at the end the following:

19 “The number of aliens who may be issued visas
20 or otherwise provided nonimmigrant status
21 under section 101(a)(15)(O)(iii) in any fiscal
22 year shall not exceed 1,000.”.

23 (b) ELIMINATION OF H-1B CLASSIFICATION FOR
24 FASHION MODELS.—Section 101(a)(15)(H)(i)(b) of such
25 Act (8 U.S.C. 1101(a)(15)(H)(i)(b)) is amended—

1 (1) by striking “or as a fashion model”; and

2 (2) by striking “or, in the case of a fashion
3 model, is of distinguished merit and ability”.

4 (c) EFFECTIVE DATES.—

5 (1) IMPLEMENTATION OF NEW FASHION MODEL
6 NONIMMIGRANT CLASSIFICATION.—Not later than
7 60 days after the date of the enactment of this Act,
8 the Secretary of Homeland Security shall promul-
9 gate regulations to implement the amendments made
10 by subsection (a). Nothing in this section shall be
11 construed as preventing an alien who is a fashion
12 model from obtaining nonimmigrant status under
13 section 101(a)(15)(O)(i) of the Immigration and Na-
14 tionality Act (8 U.S.C. 1101(a)(15)(O)(i)) if such
15 alien is otherwise qualified for such status.

16 (2) ELIMINATION OF H-1B CLASSIFICATION
17 FOR FASHION MODELS.—The amendments made by
18 subsection (b)—

19 (A) shall apply on the effective date of the
20 regulations promulgated under paragraph (1);
21 and

22 (B) shall not apply to the classification of
23 an alien under section 101(a)(15)(H)(i)(b) of
24 the Immigration and Nationality Act (8 U.S.C.
25 1101(a)(15)(H)(i)(b)) as a fashion model pur-

- 1 suant to a petition for such classification that
- 2 was filed before such effective date.

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