

109TH CONGRESS  
1ST SESSION

# H. R. 4354

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

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## 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

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## 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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