

Weiner bill looks out for models

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Comprehensive immigration reform may have eluded the 110th Congress, but House Democrats are still hoping to help two groups of workers — fashion models and computer geeks — who are usually linked only in implausible online fantasies.

Under current immigration policy, models coming to the United States for a photo shoot or an event — regardless of how short the stay — compete with high-tech workers for precious H-1B visas. But under a bill that cleared the Judiciary Committee last week, the models would be moved into a separate immigration category, freeing up more H-1B slots for the much-needed nerds.

The models and the high-tech workers were hastily lumped together in a 1991 immigration package. Back then, it didn't much matter: The number of available H-1B visas was greater than the number of qualified applicants seeking them.

But those days are gone. In recent years, there have been as many as 165,000 applicants annually for the category's 85,000 possible spots. As the competition for the visas has stiffened, the models have been squeezed out.

According to the committee report accompanying the bill, the government issued between 614 and 790 visas to models in each year between 2000 and 2005. But the number began falling after that, and it was all the way down to 349 in fiscal year 2007.

A shortage of models? Rep. Anthony Weiner (D-N.Y.), who introduced a bill that would create 1,000 new visa slots for them, said it's a problem in Manhattan but also in his Brooklyn district, which feels the impact in terms of the loss of "ancillary benefits" such as jobs in the industry or increased business.

Weiner's bill moves models into a new P-4 visa category, one associated with entertainers and athletes.

The bill's language requires that the visiting model be "of distinguished merit and ability" and that the event or photo shoot have a "distinguished reputation."

Failing that, a model may be sponsored by "an organization or establishment that has a distinguished reputation for, or a record of, utilizing prominent modeling talent."

The committee report makes the case for the new visa category. The current visa

structure, it says, “hurts American commercial interests” and “undermines our nation’s leadership role in the international fashion, publishing and advertising industries.”

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But won’t letting in more foreign models hurt American models looking for work?

The committee report says no. “When advertisers and marketers cannot get the particular fashion model they want into the United States for their ‘shoot,’ they have an easy solution: namely, to move the location of the shoot offshore.”

Weiner noted that some modeling agencies have begun simply Photoshopping a backdrop of New York City into a picture of a model in Eastern Europe.

Microsoft’s Bill Gates and other computer industry impresarios have long lobbied Congress to expand the high-tech visa category, complaining that U.S. tech companies lose valuable talent to other nations.

The Judiciary Committee says losing models — a beauty drain? — can have a negative effect on the U.S. economy, too. “Taxes that would be paid by foreign fashion models for working in the United States are lost to federal and state governments; firms that manage fashion models in the United States lose commissions to foreign firms; American fashion models who might be included in ensemble shoots are displaced by local talent in the offshore location; advertising agencies and other media firms in the United States lose business to their foreign counterparts; American fashion photographers lose business to foreign photographers; and workers who support fashion shoots — hair and makeup artists, fashion stylists, prop stylists, photographic printers, retouchers [and] assistants — lose employment opportunities.”

In the Senate, Judiciary Committee members Orrin G. Hatch (R-Utah) and Dianne Feinstein (D-Calif.) said this week that they could get behind Weiner’s model bill, although both said their primary concerns — high-tech workers and agriculture workers — were elsewhere.

But with swimsuit season upon us, there may not be enough days left on the calendar to get Weiner’s bill through the Senate this session. Senate Judiciary Committee Chairman Patrick Leahy (D-Vt.) hasn’t exactly made the model fix a top priority yet.

“I know about a lot of things,” he said this week, “but I don’t know anything about that.”

Weiner worries that there will be little chance of it moving through the Senate this year.

“It’s a little bit of nibbling at the edge” of immigration reform, he said. “It’ll probably have to wait for comprehensive reform.”