

Work Visas for Fashion Models

Foreign Fashion Models can Use the H-1B Visa

By Minnesota Immigration Lawyer Vincent Martin

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U.S. immigration law permits fashion models to get the same type of visa held by foreign professionals holding bachelor's degrees or higher, *without the required education*. This visa is the [H-1B](#). In order for a U.S. employer to utilize the H-1B visa for fashion models, the modeling work must require a model of prominence. The following are the general requirements that must be met in order to petition with U.S. Citizenship and Immigration Services – USCIS for H-1B status for a fashion model.

1. You must provide documentation, certifications, affidavits, writings, reviews, or any other required evidence sufficient to establish that the beneficiary is a fashion model of distinguished merit and ability. Affidavits submitted by present or former employers or recognized experts certifying to the recognition and distinguished ability of the beneficiary shall specifically describe the beneficiary's recognition and ability in factual terms and must set forth the expertise of the affiant and the manner in which the affiant acquired such information.
2. Copies of any written contracts between the petitioner and beneficiary, or a summary of the terms of the oral agreement under which the beneficiary will be employed, if there is no written contract.
3. To establish that a position requires prominence, the petitioner must establish that the position meets one of the following criteria:
 - a. The services to be performed involve events or productions which have a distinguished reputation;
 - b. The services are to be performed for an organization or establishment that has a distinguished reputation for, or record of, employing prominent persons.
4. The model's requirements. An employer may establish that a beneficiary is a fashion model of distinguished merit and ability by the submission of two of the following forms of documentation showing that the model:
 - a. Has achieved national or international recognition and acclaim for outstanding achievement in his or her field as evidenced by reviews in major newspapers, trade journals, magazines, or other published material;
 - b. Has performed and will perform services as a fashion model for employers with a distinguished reputation;
 - c. Has received recognition for significant achievements from organizations, critics, fashion houses, modeling agencies, or other recognized experts in the field; or
 - d. Commands a high salary or other substantial remuneration for services evidenced by contracts or other reliable evidence.

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