

112TH CONGRESS  
1ST SESSION

# H. R. 3120

To amend the Immigration and Nationality Act to require accreditation of certain educational institutions for purposes of a nonimmigrant student visa, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 6, 2011

Ms. ZOE LOFGREN of California 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 require accreditation of certain educational institutions for purposes of a nonimmigrant student visa, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Student Visa Reform  
5 Act”.

1 **SEC. 2. ACCREDITATION REQUIREMENT FOR COLLEGES**  
2 **AND UNIVERSITIES.**

3 Section 101(a) of the Immigration and Nationality  
4 Act (8 U.S.C. 1101(a)) is amended—

5 (1) in paragraph (15)(F)(i)—

6 (A) by striking “section 214(l) at an estab-  
7 lished college, university, seminary, conserv-  
8 atory, academic high school, elementary school,  
9 or other academic institution or in an accred-  
10 ited language training program in the United  
11 States” and inserting “section 214(m) at an ac-  
12 credited college, university, or language training  
13 program, or at an established seminary, con-  
14 servatory, academic high school, elementary  
15 school, or other academic institution in the  
16 United States”; and

17 (B) by striking “Attorney General” each  
18 place such term appears and inserting “Sec-  
19 retary of Homeland Security”; and

20 (2) by amending paragraph (52) to read as fol-  
21 lows:

22 “(52) The term ‘accredited college, university,  
23 or language training program’ means a college, uni-  
24 versity, or language training program that is accred-  
25 ited by an accrediting agency recognized by the Sec-  
26 retary of Education.”.

1 **SEC. 3. ACCREDITATION OF OTHER ACADEMIC INSTITU-**  
2 **TIONS.**

3 Section 214(m) of the Immigration and Nationality  
4 Act (8 U.S.C. 1184(m)) is amended by adding at the end  
5 the following:

6 “(3) The Secretary of Homeland Security, in  
7 the Secretary’s discretion, may require accreditation  
8 of an academic institution (except for seminaries or  
9 other religious institutions) for purposes of section  
10 101(a)(15)(F) if—

11 “(A) that institution is not already re-  
12 quired to be accredited under section  
13 101(a)(15)(F)(i);

14 “(B) an appropriate accrediting agency  
15 recognized by the Secretary of Education is  
16 able to provide such accreditation; and

17 “(C) the institution has or will have 25 or  
18 more alien students accorded status as non-  
19 immigrants under clause (i) or (iii) of section  
20 101(a)(15)(F) pursuing a course of study at  
21 that institution.”.

22 **SEC. 4. EFFECTIVE DATE.**

23 (a) IN GENERAL.—Except as provided in subsection  
24 (b), the amendments made by sections 2, 3, and 5 shall—

25 (1) take effect on the date that is 180 days  
26 after the date of the enactment of this Act; and

1           (2) apply with respect to applications for a non-  
2 immigrant visa under section 101(a)(15)(F)(i) of the  
3 Immigration and Nationality Act (8 U.S.C.  
4 1101(a)(15)(F)(i)) that are filed on or after the ef-  
5 fective date described in paragraph (1).

6 (b) TEMPORARY EXCEPTION.—

7           (1) IN GENERAL.—During the 3-year period be-  
8 ginning on the date of enactment of this Act, an  
9 alien seeking to enter the United States to pursue  
10 a course of study at a college or university that has  
11 been certified by the Secretary of Homeland Secu-  
12 rity may be granted a nonimmigrant visa under  
13 clause (i) or clause (iii) of section 101(a)(15)(F) of  
14 the Immigration and Nationality Act without regard  
15 to whether or not that college or university has been  
16 accredited or been denied accreditation by an entity  
17 described in section 101(a)(52) of such Act.

18           (2) ADDITIONAL REQUIREMENT.—An alien may  
19 not be granted a nonimmigrant visa under para-  
20 graph (1) if the college or university to which the  
21 alien seeks to enroll does not—

22                   (A) submit an application for the accredi-  
23 tation of such institution to a regional or na-  
24 tional accrediting agency recognized by the Sec-

1           retary of Education within 1 year after the date  
2           of the enactment of this Act; and

3                   (B) comply with the applicable accrediting  
4           requirements of such agency.

5 **SEC. 5. CONFORMING AMENDMENT.**

6           Section 212(a)(6)(G) of the Immigration and Nation-  
7   ality Act (8 U.S.C. 1182(a)(6)(G)) is amended by striking  
8   “section 214(l)” and inserting “section 214(m)”.

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