

105TH CONGRESS  
1ST SESSION

# H. R. 1723

To amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to make the restrictions on foreign students added by such Act inapplicable to students lawfully present in the United States on the effective date of the restrictions in cases where a public school or adult education program evidences a desire for such result.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 22, 1997

Mr. FRANK of Massachusetts introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to make the restrictions on foreign students added by such Act inapplicable to students lawfully present in the United States on the effective date of the restrictions in cases where a public school or adult education program evidences a desire for such result.

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

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1 **SECTION 1. APPLICATION OF RESTRICTIONS ON FOREIGN**  
2 **STUDENTS TO LAWFULLY PRESENT NON-**  
3 **IMMIGRANTS AT OPTION OF SCHOOL.**

4 (a) INADMISSIBILITY OF CERTAIN STUDENT VISA  
5 ABUSERS.—Section 346(b) of the Illegal Immigration Re-  
6 form and Immigrant Responsibility Act of 1996 (Public  
7 Law 104–208; 110 Stat. 3009–638) is amended to read  
8 as follows:

9 “(b) EFFECTIVE DATE.—

10 “(1) IN GENERAL.—Except as provided in para-  
11 graph (2), the amendment made by subsection (a)  
12 shall apply to aliens who obtain the status of a non-  
13 immigrant under section 101(a)(15)(F) of the Immi-  
14 gration and Nationality Act after the end of the 60-  
15 day period beginning on the date of the enactment  
16 of this Act, including aliens whose status as such a  
17 nonimmigrant is extended after the end of such pe-  
18 riod.

19 “(2) EXCEPTION.—The amendment shall not  
20 apply to any alien lawfully present in the United  
21 States as a nonimmigrant on the last day of such  
22 60-day period, if the alien submits to the Attorney  
23 General credible evidence that a public elementary or  
24 secondary school, or a publicly funded adult edu-  
25 cation program, desires to enroll the alien, or con-  
26 tinue the enrollment of the alien, in a course of

1 study at the school or program without the alien’s  
2 being subject to the restrictions contained in the  
3 amendment.”.

4 (b) FOREIGN STUDENTS.—Section 625(e) of the Ille-  
5 gal Immigration Reform and Immigrant Responsibility  
6 Act of 1996 (Public Law 104–208; 110 Stat. 3009–700)  
7 is amended to read as follows:

8 “(c) EFFECTIVE DATE.—

9 “(1) IN GENERAL.—Except as provided in para-  
10 graph (2), the amendments made by subsection (a)  
11 shall apply to aliens who obtain the status of a non-  
12 immigrant under section 101(a)(15)(F) of the Immi-  
13 gration and Nationality Act after the end of the 60-  
14 day period beginning on the date of the enactment  
15 of this Act, including aliens whose status as such a  
16 nonimmigrant is extended after the end of such pe-  
17 riod.

18 “(2) EXCEPTION.—The amendments shall not  
19 apply to any alien lawfully present in the United  
20 States as a nonimmigrant on the last day of such  
21 60-day period, if the alien submits to the Attorney  
22 General credible evidence that a public elementary or  
23 secondary school, or a publicly funded adult edu-  
24 cation program, desires to enroll the alien, or con-  
25 tinue the enrollment of the alien, in a course of

1 study at the school or program without the alien's  
2 being subject to the restrictions contained in the  
3 amendments.".

4 (c) EFFECTIVE DATE.—The amendments made by  
5 subsections (a) and (b) shall take effect as if included in  
6 the enactment of the Illegal Immigration Reform and Im-  
7 migrant Responsibility Act of 1996 (Public Law 104–208;  
8 110 Stat. 3009–546).

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