

111TH CONGRESS
2^D SESSION

S. 1338

AN ACT

To require the accreditation of English language training programs, 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,*

1 **SECTION 1. ACCREDITATION OF ENGLISH LANGUAGE**
2 **TRAINING PROGRAMS.**

3 (a) IN GENERAL.—Section 101(a) of the Immigra-
4 tion and Nationality Act (8 U.S.C. 1101(a)) is amended—

5 (1) in paragraph (15)(F)(i), by striking “a lan-
6 guage” and inserting “an accredited language”; and

7 (2) by adding at the end the following:

8 “(52) The term ‘accredited language training pro-
9 gram’ means a language training program that is accred-
10 ited by an accrediting agency recognized by the Secretary
11 of Education.”.

12 (b) EFFECTIVE DATE.—

13 (1) IN GENERAL.—Except as provided in para-
14 graph (2), the amendments made by subsection (a)
15 shall—

16 (A) take effect on the date that is 180
17 days after the date of the enactment of this
18 Act; and

19 (B) apply with respect to applications for
20 a nonimmigrant visa under section
21 101(a)(15)(F)(i) of the Immigration and Na-
22 tionality Act (8 U.S.C. 1101(a)(15)(F)(i)) that
23 are filed on or after the effective date described
24 in subparagraph (A).

25 (2) TEMPORARY EXCEPTION.—

1 (A) IN GENERAL.—Notwithstanding sec-
2 tion 101(a)(15)(F)(i) of the Immigration and
3 Nationality Act, as amended by subsection (a),
4 during the 3-year period beginning on the date
5 of the enactment of this Act, an alien seeking
6 to enter the United States to pursue a course
7 of study at a language training program that
8 has been certified by the Secretary of Home-
9 land Security and has not been accredited or
10 denied accreditation by an entity described in
11 section 101(a)(52) of such Act may be granted
12 a nonimmigrant visa under such section
13 101(a)(15)(F)(i).

14 (B) ADDITIONAL REQUIREMENT.—An
15 alien may not be granted a nonimmigrant visa
16 under subparagraph (A) if the sponsoring insti-
17 tution of the language training program to
18 which the alien seeks to enroll does not—

19 (i) submit an application for the ac-
20 creditation of such program to a regional
21 or national accrediting agency recognized
22 by the Secretary of Education within 1
23 year after the date of the enactment of this
24 Act; and

- 1 (ii) comply with the applicable accred-
- 2 iting requirements of such agency.

Passed the Senate September 27, 2010.

Attest:

Secretary.

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