

111th Congress

December 14, 2010

124 Stat. 3280

S.1338

An Act

To require the accreditation of English language training programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. ACCREDITATION OF ENGLISH LANGUAGE TRAINING PROGRAMS.

(a) In General- Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended--

(1) in paragraph (15)(F)(i), by striking 'a language' and inserting 'an accredited language'; and

(2) by adding at the end the following:

'(52) The term 'accredited language training program' means a language training program that is accredited by an accrediting agency recognized by the Secretary of Education.'

(b) Effective Date-

(1) IN GENERAL- Except as provided in paragraph (2), the amendments made by subsection (a) shall--

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

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

(2) TEMPORARY EXCEPTION-

(A) IN GENERAL- Notwithstanding section 101(a)(15)(F)(i) of the Immigration and Nationality Act, as amended by subsection (a), during the 3-year period beginning on the date of the enactment of this Act, an alien seeking to enter the United States to pursue a course of study at a language training program that has been certified by the Secretary of Homeland Security and has not been accredited or denied accreditation by an entity described in section 101(a)(52) of such Act may be granted a nonimmigrant visa under such section 101(a)(15)(F)(i).

(B) ADDITIONAL REQUIREMENT- An alien may not be granted a nonimmigrant visa under subparagraph (A) if the sponsoring institution of the language training program to which the alien seeks to enroll does not--

(i) submit an application for the accreditation of such program to a regional or national accrediting agency recognized by the Secretary of Education within 1 year after the date of the enactment of this Act; and

(ii) comply with the applicable accrediting requirements of such agency.

Speaker of the House of Representatives.

Vice President of the United States and

President of the Senate.