

111TH CONGRESS  
2D SESSION

# S. 1338

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## 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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2<sup>D</sup> Session  
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