

105TH CONGRESS  
1ST SESSION

# H. R. 2172

To amend Immigration and Nationality Act to make the restrictions on foreign student study at a public elementary or secondary school inapplicable in cases where the school evidences a desire for such result, and to prohibit the use of Federal funds to pay the cost of such study.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 16, 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 Immigration and Nationality Act to make the restrictions on foreign student study at a public elementary or secondary school inapplicable in cases where the school evidences a desire for such result, and to prohibit the use of Federal funds to pay the cost of such study.

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

3 **SEC. 1. APPLICATION OF RESTRICTIONS ON FOREIGN STU-**  
4 **DENTS AT OPTION OF SCHOOL.**

5 (a) IN GENERAL.—Section 214(l) of the Immigration  
6 and Nationality Act (8 U.S.C. 1184(l)) is amended—

1 (1) in paragraph (1), by striking “An alien”  
2 and inserting “Subject to paragraph (3), an alien”;  
3 (2) in paragraph (2)—

4 (A) by striking “public elementary school,”  
5 and inserting “public elementary school (unless  
6 the requirements of paragraph (3) are met),”;  
7 and

8 (B) by inserting “or (3)” after “(1)(B)”;  
9 and

10 (3) by adding at the end the following:

11 “(3)(A) Paragraph (1) shall not apply to an alien  
12 with respect to studies at a public elementary or secondary  
13 school, if the alien submits to the Attorney General, in  
14 such time and manner as the Attorney General shall speci-  
15 fy, credible evidence that the school desires to enroll the  
16 alien, or continue the enrollment of the alien, in a course  
17 of study at the school without the alien’s being subject  
18 to the limitations under the paragraph.

19 “(B) A public elementary or secondary school enroll-  
20 ing an alien accorded status as a nonimmigrant under sec-  
21 tion 101(a)(15)(F)(i) pursuant to subparagraph (A) may  
22 not use any Federal funds to pay any cost associated with  
23 such enrollment.”.

24 (b) EFFECTIVE DATE.—The amendments made by  
25 subsections (a) shall take effect as if included in the enact-

1 ment of the Illegal Immigration Reform and Immigrant  
2 Responsibility Act of 1996 (Public Law 104–208; 110  
3 Stat. 3009–546).

