

Student Visa Integrity Act

Section 1. Short Title.

This Act may be cited as the “Student Visa Integrity Act of 2025”.

Sec. 2. Definitions.

Sec. 3. Increased Criminal Penalties.

Amends the federal criminal code to subject to fine and a 15-year prison term an owner, official, employee, or agent of an educational institution who commits fraud or misuse of visas, permits, and other immigration documents in connection with the institution's participation in the Student and Exchange Visitor Program (SEVP).

Sec. 4. Accreditation of Academic Institutions.

Requires accreditation of all academic institutions (except public elementary and high schools), language training programs, or programs of study as a condition of SEVP certification to import foreign students. Currently, only language training programs must be accredited.

Authorizes the Secretary to waive the accreditation requirement for an academic institution that is otherwise in compliance with F, J, or M visa program requirements and has been a candidate for accreditation for at least one year and continues to progress toward such accreditation.

Sec. 5. Reporting Payment of Tuition.

Requires a school to report when tuition has been paid by the foreign student.

Sec. 6. Disclosure of School Affiliation with the Government of China.

Requires an educational institution to report certain information regarding that institution's dealings with China's government.

Specifically, when an institution petitions for certification or recertification with the program, its petition must include (1) the final copies of any documentation of financial transactions between the institution (or any affiliated groups or entities) and an entity funded by China's government, and (2) a detailed description of any financial contribution from China's government to any student or faculty groups affiliated with the institution.

Sec. 7. Penalties for Failure to Comply with SEVIS Reporting Requirements.

Amends the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to authorize the Secretary to impose a monetary fine and suspend authority to issue a Form I-20 with regard to an institution failing to comply with Student and Exchange Visitor Information System (SEVIS) reporting requirements.

A school that fails to disclose required information about its financial dealings with China (see Section 6) shall be subject to fines and other potential penalties, as well as have to undergo an out-of-cycle review of its SEVP certification.

Currently, the law only provides that visas issued to students attending or coming to attend a school that has failed to provide required information are to be revoked or denied, as appropriate.

Sec. 8. Visa Fraud.

Authorizes the Secretary of Homeland Security or Secretary of State, as appropriate, upon reasonable suspicion that a principal of, or a designated school official (DSO) or responsible officer at, an SEVP-certified educational institution or designated exchange visitor program has committed SEVP-related fraud, to: (1) suspend such certification or designation without prior notification, and (2) suspend such official's or such school's SEVIS access.

Disqualifies permanently a principal, DSO, or responsible official who is convicted of SEVP-related fraud from participating in SEVP/SEVIS and from filing future petitions for SEVP certification.

Sec. 9. Eligibility Reviews and Program Integrity.

Prohibits an individual from serving as a principal or designated school official at a SEVP-certified institution or as a principal, responsible officer, or alternate responsible officer at a designated exchange visitor program, or from being granted access to SEVIS, unless the individual: (1) is a U.S. national or a lawful permanent resident alien who, during the most recent three-year period, has undergone a specified background check; and (2) has completed a SEVP and SEVIS training course. Authorizes the Secretary of Homeland Security to collect a fee for each such security check.

Requires direct and third-party promoters of an SEVP-certified institution to comply with rules established by the Secretary of Homeland Security, including registration with U.S. Immigration and Customs Enforcement.

Authorizes schools to require payment of tuition before issuance of F/M/J documentation.

Generally, prohibits schools from issuing F/M/J documentation to a foreign student seeking to transfer schools.

Requires foreign students to commit to their major or program of choice reported on their Form I-20.

Requires the Secretary of Homeland Security or Secretary of State, as appropriate, to conduct a site visit and audit of at least one per-cent of SEVP-certified schools.

Requires employers of foreign students:

- to be registered users of E-Verify and to report to the student's school information including the student's job, worksite location, and wage;
- to attest that the student employee will not replace a full- or part-time United States worker and that the terms and conditions of the employment, including duties, hours, and compensation, are commensurate with terms and conditions applicable to the employer's similarly situated United States workers in the area of employment.

Prohibits students from working for employers who fail to comply with the E-Verify, information reporting, and U.S. worker protection requirements for different periods depending on the violation.

Sec. 10. Revocation of Authority to Issue a Visa Eligibility Document to Nonimmigrant Students of Uncertified Flight Training Providers.

Prohibits any flight school in the United States from accessing SEVIS or issuing a Form I-20 to an alien seeking a student or vocational student visa if the flight school has not been certified to the satisfaction of the Secretary and by the Federal Aviation Administration (FAA).

Sec. 11. Revocation of Accreditation.

Requires: (1) an accrediting agency or association, at the time it is required to notify the Secretary of Education and the appropriate state licensing agency of the final denial, withdrawal, suspension, or termination of an institution's accreditation, to notify the Secretaries of State and Homeland Security of such determination; and (2) the Secretary of Homeland Security to terminate the school's SEVP certification.

Sec. 12. Tracking Nonimmigrant Aliens Engaged in Study in The United States.

Expands schools' SEVIS obligation to collect information on students to all nonimmigrants studying at the school and not just students in F, J, or M status. This would require schools to collect information on, for example, dependents in derivative visas – such as H-4 spouses and children of H-1Bs – who are studying at U.S. colleges.

Sec. 13. Language Study and Flight Training in Student Status.

Requires an alien to be in F, J, or M status to study a language (e.g. English) or to engage in flight training. Currently, aliens are able to engage in certain language study and flight training in a variety of different nonimmigrant categories. Many aliens, for example take English-language courses as B-2 tourists.

Sec. 14. Prohibition on Flight Training and Nuclear Studies for Nationals of Countries of Concern.

This section builds on Section 501 of P.L. 112-158 (Iran Threat Reduction and Syria Human Rights Act of 2012), which prohibits Iranian nationals from studying in the United States in nuclear-related fields or fields that would help the alien get a job in the Iranian energy (i.e. oil)

sector (as the oil/energy sector in Iran is regarded as a funding source for that country's nuclear work). This section closes loopholes in the original Iran-related language and expands the prohibitions on fields of study to include flight training and to apply to nationals of terror-sponsoring nations and any countries of concern.

Sec. 15 Exclusion of Citizens of Adversarial Countries from Seeking Education in the United States

Gives the Secretary of State and Homeland Security the authority exclude any alien who is a citizen of a country that has been determined to be a foreign adversary from coursework at an IHE.

The outlined in the text includes:

China, Cuba, Iran, North Korea, Russia, Venezuela, and the statutory flexibility for the Secretary of State to identify any other country that may pose that level of a threat for stealing research that could have national security implications.

Sec. 16. Requirement That Students Have a Definite End-Date for Authorized Period of Stay.

Requires that F, J, and M students be given a period of stay with a definite end date. Currently, students are admitted for "duration of status," which means they may remain in the United States for as long as they continue to comply with student visa program rules, a period of potentially many years without any requirement to seek extension or otherwise contact DHS or the Department of State.

Students would be admitted for the period of study, or 4 years, whichever is shorter, with the following exceptions:

- Language students are restricted to a maximum of 2 years.
- Border commuter students may be admitted only for the semester or term dates for the student's current term of study.
- Students attending a public high school are restricted to an aggregate of no more than 12 months.

The following categories of students would be granted a 2-year period of stay:

- Nationals of countries that are designated sponsors of terrorism.
- Nationals of countries with a student overstay rate greater than ten percent.
- Students attending schools that are not registered users of E-Verify.

Certain classes of students would be required to undergo an in-person interview at the time of any application for an extension of stay:

- Nationals of countries that are designated sponsors of terrorism.

- Students who have changed their field of study to one that would require a security screening process relating to the transfer of sensitive technology or information.
- Students in a class designated by the Secretary of Homeland Security, in coordination with the Attorney General and Director of National Intelligence, and who are nationals of a country about which the Secretary, Attorney General, or Director of National Intelligence has concern poses a significant economic or technological espionage threat to the United States.

Sec. 17. Online Study.

Limits online study by foreign students to no more than ten percent of the time spent by the alien student in class or of the credits earned by the student per session.

For any program of study, no more than ten percent of the total time spent in class by a foreign student, or of the credits earned by the student, may be for classes taken online or through distance education.

Sec. 18. Clarification of Data Release Exemption.

SEVP tracks nonimmigrant students and exchange visitors lawfully present in the United States through its database, the Student and Exchange Visitor Information System (SEVIS). A critical part of the tracking process is information provided by SEVP-certified schools that includes both day-to-day updates and responses to requests for information verification by DHS. Existing statutory provisions provide exemptions to confidentiality provisions contained in the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g). However, there has been confusion over the nature and scope of this exception. This provision clarifies the existing statutory language to eliminate confusion relating to release of information to DHS. It is designed to ensure a free flow of information to the Department, consistent with the Congressional goals of more rigorous tracking of nonimmigrant students and exchange visitors. It also clarifies that failure to provide information requested by DHS may result in automatic revocation or denial of SEVP certification.

Sec. 19. Clarification of Reporting Requirement Deadline.

This proposal clarifies and defines the required date for educational institutions to report to DHS the failure of an F or M student to enroll or commence participation in an approved educational institution. This is a critical clarification since the current text of §641(a)(4) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) is being interpreted by some schools in a manner that could result in a delay of several months before DHS would become aware of a status violator. The amendment requires schools to report to DHS the failure of certain alien students to enroll or attend classes no later than 30 days after the program start date for initial students and no later than 30 days after the next session start date for continuing students.

Sec. 20. Fee Flexibility.

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 authorizes the collection of fees from nonimmigrant students and exchange visitors to fund the operations of the Student and Exchange Visitor Program (SEVP). These fees must be variable to reflect the actual program costs, as SEVP receives no appropriated funds and must be fully fee-funded. However, the fee that may be charged an individual is capped at \$100 (\$40 for certain exchange visitors). This proposal would remove those fee caps so that SEVP may charge a fee sufficient to cover full program costs.

Sec. 21. Implementation of SEVIS II.

Directs the Secretary to implement the modernization of the Student and Exchange Visitor Information System (commonly known as “SEVIS II”) within two years.

SEVIS II is required to address limitations in the current SEVIS application by implementing improvements including, but not limited to, the following—

- (1) creating an entirely paperless process for all activities related to the admission and tracking of nonimmigrant students; and
- (2) creating a new, person-centric recordkeeping system that will unify information about nonimmigrant students that the current SEVIS maintains in multiple records.

Sec. 22. GAO Report on Act Implementation.

Not later than December 31, 2022, the GAO must submit a report to Congress that assesses the effectiveness of implementation by the Secretary of Homeland Security of this Act and the amendments made by this Act.

Sec. 23. Wilberforce Pamphlet.

Prohibits student visas from being issued until the consular officer has provided to and reviewed with the applicant a copy of the information and resources pamphlet required by section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375b). Such pamphlet is required, amongst much else, to inform visa recipients of:

- the legal rights of employment or education-based nonimmigrant visa holders under Federal immigration, labor, and employment law;
- the illegality of slavery, peonage, trafficking in persons, sexual assault, extortion, blackmail, and worker exploitation in the United States;
- the legal rights of immigrant victims of trafficking in persons and worker exploitation; and
- information about nongovernmental organizations that provide services for victims of trafficking in persons and worker exploitation.