

119TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To improve student and exchange visitor visa programs.

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IN THE SENATE OF THE UNITED STATES

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Mr. TUBERVILLE introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To improve student and exchange visitor visa programs.

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

3       **SECTION 1. SHORT TITLE.**

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

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

8               (1) SEVIS.—The term “SEVIS” means the  
9       Student and Exchange Visitor Information System  
10      of the Department of Homeland Security.

(2) SEVP.—The term “SEVP” means the Student and Exchange Visitor Program of the Department of Homeland Security.

**4 SEC. 3. INCREASED CRIMINAL PENALTIES.**

Section 1546(a) of title 18, United States Code, is amended by striking “10 years” and inserting “15 years (if the offense was committed by an owner, official, employee, or agent of an educational institution with respect to such institution’s participation in the Student and Exchange Visitor Program), 10 years”.

11 SEC. 4. ACCREDITATION OF ACADEMIC INSTITUTIONS.

12       The Immigration and Nationality Act (8 U.S.C. 1101  
13 et seq.) is amended—

14 (1) in section 101(a) (8 U.S.C. 1101(a))—

15 (A) in paragraph (15)(F)(i)—

(i) by striking “section 214(l)” and  
inserting “section 214(m”;

18 (ii) by inserting “language training  
19 program,” after “elementary school,”;

(iii) by striking “or in an accredited language training program”; and

(iv) by striking “Attorney General”  
each place such term appears and inserting  
“Secretary of Homeland Security”; and

25 (B) by striking paragraph (52); and

1           (2) in section 214(m) (8 U.S.C. 1184(m)), by  
2           adding at the end the following:

3           “(3)(A) The Secretary of Homeland Security or Sec-  
4           retary of State, as appropriate, shall require accreditation  
5           of an academic institution (except for a public elementary  
6           or secondary school), language training program, or any  
7           program of study for which approval under subparagraph  
8           (F) or (M) of section 101(a)(15), or designation under  
9           section 101(a)(15)(J), is sought or has been granted.

10          “(B) In this paragraph, the term ‘accreditation’  
11          means accreditation by an accrediting agency recognized  
12          by the Secretary of Education.

13          “(4)(A) The Secretary of Homeland Security, in the  
14          Secretary’s discretion, may waive the accreditation re-  
15          quirement under paragraph (3) if—

16               “(i) the academic institution concerned is other-  
17               wise in compliance with subparagraph (F), (J), or  
18               (M) of section 101(a)(15), as applicable, and section  
19               641 of the Illegal Immigration Reform and Immig-  
20               grant Responsibility Act of 1996 (8 U.S.C. 1372);

21               “(ii) an appropriate accrediting agency recog-  
22               nized by the Secretary of Education is able to pro-  
23               vide such accreditation; and

24               “(iii) on the date of enactment of this para-  
25               graph, the academic institution concerned has been

1 a candidate for accreditation for not less than 1 year  
2 and continues to make appropriate progress toward  
3 accreditation by an accrediting agency recognized by  
4 the Secretary of Education.

5 “(B) A waiver granted under this paragraph may not  
6 be valid for a period longer than 1 year. Such waiver may  
7 be extended in 1-year increments, provided the academic  
8 institution concerned continues to satisfy the requirements  
9 of subparagraph (A), up to the maximum length of time  
10 an academic institution may remain a candidate for ac-  
11 creditation with the recognized accrediting agency.

12 “(C) The Secretary of Homeland Security shall main-  
13 tain and publish a current list of all academic institutions  
14 that have been granted a waiver under this paragraph.”.

15 **SEC. 5. REPORTING PAYMENT OF TUITION.**

16 Section 641(c)(1) of the Illegal Immigration Reform  
17 and Immigrant Responsibility Act of 1996 (8 U.S.C.  
18 1372(c)(1)) is amended—

19 (1) in subparagraph (G), by striking “and” at  
20 the end;

21 (2) in subparagraph (H), by striking the period  
22 at the end and inserting a semicolon; and

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

24 “(I) the date on which full tuition has been  
25 paid by the alien.”.

1 **SEC. 6. DISCLOSURE OF SCHOOL AFFILIATION WITH THE**  
2 **GOVERNMENT OF THE PEOPLE'S REPUBLIC**  
3 **OF CHINA.**

4 Section 641(d) of the Illegal Immigration Reform and  
5 Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d))  
6 is amended—

7 (1) by redesignating paragraph (2) as para-  
8 graph (3); and

9 (2) by inserting after paragraph (1) the fol-  
10 lowing:

11 “(2) SUPPORTING DOCUMENTS REQUIRED FOR  
12 CERTIFICATION.—Institutions of higher education  
13 and other approved educational institutions peti-  
14 tioning for certification or recertification with the  
15 Student and Exchange Visitor Program to authorize  
16 the attendance of nonimmigrant students described  
17 in subparagraph (F)(i) or (M)(i) of section  
18 101(a)(15) of the Immigration and Nationality Act  
19 (8 U.S.C. 1101(a)(15)) shall include with such peti-  
20 tion—

21 “(A) final copies of any contracts, agree-  
22 ments, or documentation of financial trans-  
23 actions between the institution or its affiliated  
24 student or faculty groups, foundations, or re-  
25 lated entities and any educational, cultural, or  
26 language entity that is directly or indirectly

1 funded by the Government of the People’s Re-  
2 public of China; and

3 “(B) a detailed description of any financial  
4 contributions from the Government of the Peo-  
5 ple’s Republic of China or its affiliates to any  
6 student or faculty groups affiliated with such  
7 institution.”.

8 **SEC. 7. PENALTIES FOR FAILURE TO COMPLY WITH SEVIS**  
9 **REPORTING REQUIREMENTS.**

10 Section 641 of the Illegal Immigration Reform and  
11 Immigrant Responsibility Act of 1996 (8 U.S.C. 1372),  
12 as amended by this Act, is further amended—

13 (1) in subsection (c)(1)—

14 (A) by striking “institution,,” each place  
15 such term appears and inserting “institution,”;  
16 and

17 (B) in subparagraph (D), by striking  
18 “and” at the end; and

19 (2) in subsection (d)—

20 (A) in paragraph (1)(A), by striking “insti-  
21 tution,,” and inserting “institution,”; and

22 (B) in paragraph (3), as redesignated by  
23 section 6, by striking “fails to provide the speci-  
24 fied information” and all that follows through  
25 the period at the end and inserting “does not

1           comply with all reporting requirements set forth  
2           in this section, the Secretary of Homeland Se-  
3           curity or Secretary of State, as applicable,  
4           shall—

5                 “(A) impose a monetary fine on such insti-  
6           tution or program in an amount to be deter-  
7           mined by the applicable Secretary that is not  
8           less than \$1,000;

9                 “(B)(i) suspend the authority of such insti-  
10          tution or program to issue the documents de-  
11          scribed in paragraph (1)(B), such as the Form  
12          I-20 or DS-2019, until the date on which all  
13          such reporting requirements are met; or

14                “(ii)(I) in the case of an approved institu-  
15          tion of higher education, or other approved edu-  
16          cational institution, terminate the approval of  
17          such institution under subparagraph (F) or (M)  
18          of section 101(a)(15) of the Immigration and  
19          Nationality Act (8 U.S.C. 1101(a)(15)); and

20                “(II) in the case of a designated exchange  
21          visitor program, terminate such designation;

22                “(C) if all such reporting requirements  
23          have not been satisfied within the 180-day pe-  
24          riod after the date on which the applicable re-  
25          porting was required to have been made and

1 the penalty described in subparagraph (B)(ii)  
2 has not already been imposed, impose such pen-  
3 alty; and

4 “(D) if such noncompliance involves the in-  
5 formation or documentation described in para-  
6 graph (2), conduct an out-of-cycle review of the  
7 institution or program.”.

8 **SEC. 8. VISA FRAUD.**

9 (a) IMMEDIATE WITHDRAWAL OF SEVP CERTIFI-  
10 CATION.—Section 641(d) of the Illegal Immigration Re-  
11 form and Immigrant Responsibility Act of 1996 (8 U.S.C.  
12 1372(d)), as amended by this Act, is further amended by  
13 adding at the end the following:

14 “(4) EFFECT OF FRAUD INDICTMENT OR REA-  
15 SONABLE SUSPICION OF FRAUD.—If the Secretary of  
16 Homeland Security or the Secretary of State, as ap-  
17 propriate, knows or has reasonable grounds to be-  
18 lieve that a principal or a designated school official  
19 of an approved institution of higher education or  
20 other approved educational institution, or a prin-  
21 cipal, responsible officer, alternate responsible officer  
22 of a designated exchange visitor program, has com-  
23 mitted fraud or attempted to commit fraud relating  
24 to any aspect of the program described in subsection  
25 (a)(1), or if such principal, designated school offi-



1        cial, or responsible officer or alternate responsible  
2        officer, is indicted for such fraud, the relevant Sec-  
3        retary may immediately, in the Secretary's discre-  
4        tion, impose any of the following sanctions:

5                “(A)(i) In the case of an approved institu-  
6                tion of higher education, or other approved edu-  
7                cational institution, suspension, without prior  
8                notice, of the approval of such institution under  
9                subparagraph (F) or (M) of section 101(a)(15)  
10              of the Immigration and Nationality Act (8  
11              U.S.C. 1101(a)(15)).

12              “(ii) In the case of a designated exchange  
13              visitor program, suspension, without prior no-  
14              tice, of such designation.

15              “(B) Suspension of such official's, respon-  
16              sible officer's, or alternate responsible officer's  
17              access to databases or systems implementing  
18              the program described in subsection (a)(1).

19              “(C) Suspension of the authority of such  
20              institution or program to issue the documents  
21              described in paragraph (1)(B).”.

22        (b) EFFECT OF CONVICTION FOR STUDENT VISA  
23 FRAUD.—Section 641(d) of the Illegal Immigration Re-  
24 form and Immigrant Responsibility Act of 1996 (8 U.S.C.

1 1372(d)), as amended by this Act, is further amended by  
2 adding at the end the following:

3 “(5) PERMANENT DISQUALIFICATION FOR CON-  
4 VICTIONS.—A principal or a designated school offi-  
5 cial at an approved institution of higher education or  
6 other approved educational institution, or a principal  
7 or a responsible officer or alternate responsible offi-  
8 cer at a designated exchange visitor program, shall  
9 be permanently disqualified from participation in the  
10 program described in paragraph (1) and perma-  
11 nently ineligible to submit a petition for approval of  
12 such institution under subparagraph (F) or (M) of  
13 section 101(a)(15) of the Immigration and Nation-  
14 ality Act (8 U.S.C. 1101(a)(15)) if he or she is con-  
15 victed of a violation, punishable by a term of impris-  
16 onment of more than 1 year, of any of the following:

17 “(A) Section 274 of the Immigration and  
18 Nationality Act (8 U.S.C. 1324) (relating to  
19 unlawful bringing of aliens into the United  
20 States).

21 “(B) Section 1546 of title 18, United  
22 States Code (relating to fraud and misuse of  
23 visas, permits, and other documents) relating to  
24 an academic institution’s participation in the  
25 Student and Exchange Visitor Program.

1 “(C) Chapter 37 of title 18, United States  
2 Code (relating to espionage and censorship).

3 “(D) Chapter 77 of title 18, United States  
4 Code (relating to peonage, slavery and traf-  
5 ficking in persons).

6 “(E) Chapter 117 of title 18, United  
7 States Code (relating to transportation for ille-  
8 gal sexual activity and related crimes).”.

9 **SEC. 9. ELIGIBILITY REVIEWS AND PROGRAM INTEGRITY.**

10 (a) IN GENERAL.—Section 641(d) of the Illegal Im-  
11 migration Reform and Immigrant Responsibility Act of  
12 1996 (8 U.S.C. 1372(d)), as amended by this Act, is fur-  
13 ther amended by adding at the end the following:

14 “(6) ELIGIBILITY REVIEW REQUIREMENT.—

15 “(A) IN GENERAL.—An individual may not  
16 serve as a principal or designated school official  
17 at an approved institution of higher education  
18 or other approved educational institution, or as  
19 a principal, responsible officer, or alternate re-  
20 sponsible officer at a designated exchange vis-  
21 itor program, or be granted access to any data-  
22 base or system implementing the program de-  
23 scribed in subsection (a)(1) unless the indi-  
24 vidual is a citizen or national of the United  
25 States or an alien lawfully admitted for perma-

1           nent residence and, except as provided in sub-  
2           paragraph (D), during the immediately pre-  
3           ceding 4-year period—

4                   “(i) the Secretary of Homeland Secu-  
5           rity has—

6                           “(I) conducted a thorough eligi-  
7           bility review of the individual, includ-  
8           ing—

9                                   “(aa) a review of the indi-  
10           vidual’s criminal and sex offender  
11           history; and

12                                   “(bb) a verification of the  
13           individual’s immigration status;  
14           and

15                   “(II) determined that—

16                           “(aa) the individual has, to  
17           the satisfaction of the Secretary  
18           of Homeland Security, been de-  
19           termined eligible after the review  
20           required under subclause (I);

21                           “(bb) the individual has not  
22           been found to have violated the  
23           immigration laws; and

24                           “(cc) in the discretion of the  
25           Secretary of Homeland Security,

1 the individual is not a risk to  
2 public safety or the national se-  
3 curity of the United States; and

4 “(ii) the individual has successfully  
5 completed an on-line training course on the  
6 program described in subsection (a)(1) and  
7 any database or system implementing such  
8 program, which has been developed by the  
9 Secretary.

10 “(B) DESIGNATED SCHOOL OFFICIALS AND  
11 RESPONSIBLE OFFICERS.—

12 “(i) IN GENERAL.—More than one in-  
13 dividual shall serve as a designated school  
14 official or responsible officer, as applicable.

15 “(ii) REVIEWS BY THE SECRETARY.—  
16 If an individual serving as designated  
17 school official or responsible officer under  
18 clause (i) does not successfully complete  
19 the background check required by subpara-  
20 graph (A)(i)(I), the Secretary of Homeland  
21 Security shall review a representative, sta-  
22 tistically significant sample of the docu-  
23 ments described in paragraph (1)(B)  
24 issued by such designated school official or  
25 responsible officer.

1                   “(iii)           TERMINATION.—Notwith-  
2                   standing the satisfaction of an eligibility  
3                   review under subparagraph (A) by a prin-  
4                   cipal, designated school official, responsible  
5                   officer, or alternate responsible officer, the  
6                   Secretary of Homeland Security may, in  
7                   the discretion of the Secretary, terminate  
8                   or suspend such principal’s, official’s, or  
9                   officer’s access to databases or systems im-  
10                  plementing the program described in sub-  
11                  section (a)(1), based on information relat-  
12                  ing to such principal’s, official’s, or offi-  
13                  cer’s eligibility reviewed by the Secretary  
14                  at any time other than the period for eligi-  
15                  bility review described in subparagraph  
16                  (A).

17                  “(C)   DIRECT   AND   THIRD-PARTY   PRO-  
18                  MOTERS AND RECRUITERS.—

19                  “(i)   RULES AND STANDARDS.—Direct  
20                  and third-party promoters of an approved  
21                  institution of higher education or other ap-  
22                  proved educational institution shall comply  
23                  with the rules and standards prescribed by  
24                  the Secretary of Homeland Security to

1 oversee such promotion and recruitment,  
2 including—

3 “(I) registration with U.S. Immi-  
4 gration and Customs Enforcement,  
5 which the Secretary shall make pub-  
6 licly available;

7 “(II) minimum qualifications;

8 “(III) guidelines for representing  
9 study opportunities in the United  
10 States, generally, and with such ap-  
11 proved institutions specifically, to for-  
12 eign nationals; and

13 “(IV) permissible fee arrange-  
14 ments.

15 “(ii) EFFECT OF VIOLATION.—If the  
16 Secretary of Homeland Security deter-  
17 mines, in the Secretary’s unreviewable dis-  
18 cretion, that a direct or third-party pro-  
19 moter or recruiter has violated any rule or  
20 standard described in clause (i), the Sec-  
21 retary shall suspend or permanently bar  
22 such individual from association with an  
23 approved institution.

24 “(iii) COMPLIANCE.—Each approved  
25 institution shall maintain a written agree-

1           ment between the approved institution and  
2           each direct or third-party promoter or re-  
3           cruiter operating on behalf of such ap-  
4           proved institution that outlines the rules  
5           and standards prescribed under clause (i).

6           “(D) DEFINITIONS.—In this paragraph:

7                 “(i) PRINCIPAL.—The term ‘principal’  
8           means an individual who is considered to  
9           be an owner or in a position of substantive  
10          authority to make policy, operational, or  
11          managerial decisions affecting academic  
12          programs or the entire institution or pro-  
13          gram at an approved institution of higher  
14          education, other approved educational in-  
15          stitution, or designated exchange visitor  
16          program.

17                “(ii) SUBSTANTIVE AUTHORITY.—  
18          With respect to the position of an indi-  
19          vidual, the term ‘substantive authority’  
20          mean the individual serves as an adminis-  
21          trator, officer, board member, manager,  
22          executive, general partner, fiduciary, or in  
23          a similar position.

24                “(E) REVIEW PERIOD.—A person already  
25          serving in a position described in subparagraph



1           (A) on the date of the enactment of this para-  
2           graph shall undergo an eligibility review during  
3           the 5-year period immediately following such  
4           date of enactment of this Act and thereafter ac-  
5           cording to the timetable described in such sub-  
6           paragraph.

7           “(7) FEE.—The Secretary of Homeland Secu-  
8           rity is authorized to collect a fee from an approved  
9           institution of higher education or other approved  
10          educational institution, or designated exchange vis-  
11          itor program, for each eligibility review conducted  
12          under paragraph (6)(A)(i). The amount of such fee  
13          shall be equal to the average amount expended by  
14          the Secretary to conduct such eligibility review.

15          “(8) FINANCIAL RESPONSIBILITY.—An ap-  
16          proved institution of higher education or other ap-  
17          proved educational institution may require tuition  
18          payment before issuing a document described in  
19          paragraph (1)(B).

20          “(9) TRANSFER STUDENTS.—An approved in-  
21          stitution of higher education or other approved edu-  
22          cational institution may not issue a document de-  
23          scribed in paragraph (1)(B) to an alien student  
24          seeking to transfer from one approved institution to  
25          another.

1           “(10) COMMITMENT TO MAJOR OR PROGRAM.—

2           An alien student shall not have the ability to change  
3           their program of study or intended major as re-  
4           ported on their Form I–20.

5           “(11) AUDITS AND SITE VISITS.—Each fiscal  
6           year the Secretary of Homeland Security or the Sec-  
7           retary of State, as appropriate, shall perform a site  
8           visit and audit of not less than 1 percent of the ap-  
9           proved institutions of higher education or other ap-  
10          proved educational institutions that maintain, in the  
11          databases or systems implementing the program de-  
12          scribed in subsection (a)(1), 1 or more students who  
13          have graduated from a course of study at such insti-  
14          tution.

15          “(12) EMPLOYER REQUIREMENTS.—

16                 “(A) IN GENERAL.—The lawful employer  
17                 of an alien student described in subsection  
18                 (a)(1)(A) shall—

19                         “(i) be registered and a participant in  
20                         good standing in the electronic employment  
21                         verification program initiated in section  
22                         403 of the Illegal Immigration Reform and  
23                         Immigrant Responsibility Act of 1996 (di-  
24                         vision C of Public Law 104–208; 8 U.S.C.  
25                         1324a note);

1 “(ii) report to the alien’s institution of  
2 higher education or other approved edu-  
3 cational institution—

4 “(I) the position that the alien is  
5 filling;

6 “(II) the location of the alien’s  
7 worksite;

8 “(III) the wage that the alien will  
9 be paid; and

10 “(IV) within 48 hours—

11 “(aa) the termination of the  
12 alien from the employment;

13 “(bb) the resignation of the  
14 alien from employment; or

15 “(cc) the failure of the alien  
16 to report for work for a period of  
17 5 consecutive work days without  
18 the consent of the employer; and

19 “(iii) as a condition precedent of such  
20 employment, attest under penalty of per-  
21 jury to the Secretary of Labor that—

22 “(I) the student will not replace  
23 a full-time or part-time United States  
24 worker (as defined in section  
25 212(t)(4) of the Immigration and Na-

1                   tionality Act (8 U.S.C. 1182(t)(4)));  
2                   and

3                   “(II) the terms and conditions of  
4                   the employment, including duties,  
5                   hours, and compensation, are com-  
6                   mensurate with terms and conditions  
7                   applicable to the employer’s similarly  
8                   situated United States workers in the  
9                   area of employment.

10                   “(B) LIMITATION ON EMPLOYMENT AU-  
11                   THORIZATION.—The Secretary of Homeland Se-  
12                   curity shall not grant employment authorization  
13                   to an alien student described in subsection  
14                   (a)(1)(A)—

15                   “(i) during a period of at least 1 year  
16                   to work for, either directly or indirectly, an  
17                   employer that the Secretary of Labor has  
18                   found to have failed to meet the require-  
19                   ments under clause (i) or (ii) of subpara-  
20                   graph (A);

21                   “(ii) during a period of at least 3  
22                   years to work for, either directly or indi-  
23                   rectly, an employer that the Secretary of  
24                   Labor has found to have failed to meet the

1 requirements under clause (iii) of subpara-  
2 graph (A); and

3 “(iii) during a period of at least 10  
4 years to work for, either directly or indi-  
5 rectly, an employer that the Secretary of  
6 Labor has found, after notice and oppor-  
7 tunity for a hearing, to have willfully failed  
8 to meet the requirements under clause (iii)  
9 of subparagraph (A).”.

10 (b) EFFECTIVE DATE.—The amendments made by  
11 this section shall take effect on the date that is 1 year  
12 after the date of the enactment of this Act.

13 **SEC. 10. REVOCATION OF AUTHORITY TO ISSUE A VISA ELI-**  
14 **GIBILITY DOCUMENT TO NONIMMIGRANT**  
15 **STUDENTS OF UNCERTIFIED FLIGHT TRAIN-**  
16 **ING PROVIDERS.**

17 Immediately upon the enactment of this Act, the Sec-  
18 retary of Homeland Security shall prohibit any flight  
19 training provider from receiving SEVP certification and  
20 rescind the SEVP certification of any flight training pro-  
21 vider if the flight training provider has not been certifi-  
22 cated to the satisfaction of the Secretary and by the Fed-  
23 eral Aviation Administration pursuant to part 141 or part  
24 142 of title 14, Code of Federal Regulations (or successor  
25 regulations).

**1 SEC. 11. REVOCATION OF ACCREDITATION.**

(a) NOTIFICATION.—An accrediting agency or association that is required to notify the Secretary of Education and the appropriate State licensing or authorizing agency of the final denial, withdrawal, suspension, or termination of accreditation of an institution pursuant to section 496 of the Higher Education Act of 1965 (20 U.S.C. 1099b) shall also notify the Secretary of Homeland Security and Secretary of State of such determination within 30 days of such withdrawal, suspension, or termination.

(b) TERMINATION OF APPROVAL.—Upon receipt of the notification described in paragraph (1), the Secretary of Homeland Security shall terminate the approval of such institution under subparagraph (F) or (M) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

17 SEC. 12. TRACKING NONIMMIGRANT ALIENS ENGAGED IN  
18 STUDY IN THE UNITED STATES.

Subparagraph (A) of section 641(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(a)(1)) is amended to read as follows:

22 “(A)(i) have the status, or are applying for  
23 the status—

24 “(I) of a nonimmigrant under sub-  
25 paragraph (F), (J), or (M) of section

1           1101(a)(15) of the Immigration and Na-  
2           tionality Act (8 U.S.C. 1101(a)(15)); or  
3           “(II) of a nonimmigrant under the  
4           immigration laws (as defined in section  
5           101(a) of the Immigration and Nationality  
6           Act (8 U.S.C. 1101(a))) and are pursuing  
7           or intend to pursue a full course of study  
8           at an institution or language training pro-  
9           gram described in subparagraph (F) or  
10          (M) of section 101(a)(15) of the Immigra-  
11          tion and Nationality Act (8 U.S.C.  
12          1101(a)(15)); and”.

13   **SEC. 13. LANGUAGE STUDY AND FLIGHT TRAINING IN STU-**  
14           **DENT STATUS.**

15          Section 214(m) of the Immigration and Nationality  
16   Act (8 U.S.C. 1184(m)), as amended by this Act, is fur-  
17   ther amended by adding at the end the following:

18           “(5) LANGUAGE STUDY AND FLIGHT TRAIN-  
19   ING.—

20           “(A) IN GENERAL.—

21           “(i) An alien seeking to participate in  
22           a language training program may do so  
23           only in the status of a nonimmigrant under  
24           subparagraph (F), (J), or (M) of section  
25           101(a)(15).

1                   “(ii) An alien seeking to participate in  
2                   a flight training program may do so only  
3                   in the status of a nonimmigrant under  
4                   subparagraph (F) or (M) of section  
5                   101(a)(15).

6                   “(B) EXCEPTION.—The requirement in  
7                   subparagraph (A)(ii) shall not apply to occupa-  
8                   tional training or a refresher or continuing edu-  
9                   cation course or seminar, where such training,  
10                  course, or seminar is short-duration and nec-  
11                  essary to maintain a previously obtained certifi-  
12                  cation or rating, or otherwise professionally re-  
13                  quired.”.

14   **SEC. 14. PROHIBITION ON FLIGHT TRAINING AND NUCLEAR**  
15                   **STUDIES FOR NATIONALS OF COUNTRIES OF**  
16                   **CONCERN.**

17                  (a) IN GENERAL.—The Secretary of State shall deny  
18                  a visa to, and the Secretary of Homeland Security shall  
19                  not admit, grant status to, or parole into the United  
20                  States, any alien—

21                   (1) who is a citizen of—

22                   (A) Afghanistan, Iran, Iraq, Libya, or  
23                   Syria; or

24                   (B) any country designated by the Sec-  
25                   retary of State under section 6(j) of the Export



1 Administration Act of 1979 (50 U.S.C. 2405)  
2 (as continued in effect under the International  
3 Emergency Economic Powers Act (50 U.S.C.  
4 1701 et seq.)), section 40 of the Arms Export  
5 Control Act (22 U.S.C. 2780), section 620A of  
6 the Foreign Assistance Act of 1961 (22 U.S.C.  
7 2371), or any other provision of law, as a coun-  
8 try the government of which has repeatedly pro-  
9 vided support of acts of international terrorism;  
10 and

11 (2)(A) who is an applicant for a visa and who  
12 the Secretary of State determines seeks to enter the  
13 United States—

14 (i) to participate in coursework at an insti-  
15 tution of higher education (as defined in section  
16 101(a) of the Higher Education Act of 1965  
17 (20 U.S.C. 1001(a))) to prepare the alien for a  
18 career in—

19 (I) the energy sector of Iran; or

20 (II) nuclear science, nuclear engineer-  
21 ing, or a related field; or

22 (ii) to participate in coursework or training  
23 relating to or otherwise engage in flight train-  
24 ing, aviation maintenance, or flight operations;

1 (B) who is applying for admission to the United  
2 States and who the Secretary of Homeland Security  
3 determines seeks to participate in coursework, train-  
4 ing, or activities described in subparagraph (A);

5 (C) who is in the United States and who the  
6 Secretary of Homeland Security determines is apply-  
7 ing to change or extend status to participate in such  
8 coursework, training, or activities; or

9 (D) who is in the United States and authorized  
10 to study, and who the Secretary of Homeland Secu-  
11 rity determines is participating in such coursework,  
12 training, or activities or seeks to change his or her  
13 field of study to participate in such coursework,  
14 training, or activities.

15 (b) TERMINATION OF STATUS.—The Secretary of  
16 Homeland Security shall terminate the nonimmigrant sta-  
17 tus, or otherwise revoke the authorization to remain in the  
18 United States, of any alien described in subsection (a) who  
19 is physically present in the United States.

20 (c) COUNTRIES OF CONCERN.—

21 (1) IN GENERAL.—The Secretary of Homeland  
22 Security may, in the discretion of the Secretary of  
23 Homeland Security, and in consultation with the  
24 Secretary of State and the Director of National In-  
25 telligence, designate additional countries the nation-

1       als of which are subject to the restrictions described  
2       in subsection (a).

3           (2) CONSIDERATIONS.—In making a designa-  
4       tion under paragraph (1), the Secretary of Home-  
5       land Security shall consider whether—

6           (A) the presence of an alien in the country  
7       or area concerned increases the likelihood that  
8       the alien is a credible threat to the national se-  
9       curity of the United States;

10          (B) a foreign terrorist organization has a  
11       significant presence in the country or area; and

12          (C) the country or area is a safe haven for  
13       terrorists.

14          (3) REVIEW.—Not less frequently than annu-  
15       ally, the Secretary of Homeland Security shall con-  
16       duct a review of each designation made under para-  
17       graph (1).

18       (d) REPEAL.—Section 501 of the Iran Threat Reduc-  
19       tion and Syria Human Rights Act of 2012 (22 U.S.C.  
20       8771) is repealed.

21       **SEC. 15. EXCLUSION OF CITIZENS OF ADVERSARIAL COUN-**  
22                       **TRIES FROM SEEKING EDUCATION IN THE**  
23                       **UNITED STATES.**

24       (a) IN GENERAL.—The Secretary of State shall deny  
25       a visa to, and the Secretary of Homeland Security shall

1 exclude from the United States, any alien who is a citizen  
2 of a country that has been determined to be a foreign ad-  
3 versary that the Secretary of State determines seeks to  
4 enter the United States to participate in coursework at  
5 an institution of higher education (as defined in section  
6 101(a) of the Higher Education Act of 1965 (20 U.S.C.  
7 1001(a))).

8 (b) FOREIGN ADVERSARY COUNTRY LIST.—The fol-  
9 lowing countries are considered to be foreign adversaries,  
10 as determined by the Secretary of State:

11 (1) The People’s Republic of China, including  
12 the Hong Kong Special Administrative Region and  
13 the Macau Special Administrative Region (commonly  
14 known as “China”).

15 (2) The Republic of Cuba (commonly known as  
16 “Cuba”).

17 (3) The Islamic Republic of Iran (commonly  
18 known as “Iran”).

19 (4) The Democratic People’s Republic of Korea  
20 (commonly known as “North Korea”).

21 (5) The Russian Federation (commonly known  
22 as “Russia”).

23 (6) Venezuela under Venezuelan politician  
24 Nicolás Maduro (commonly known as the “Maduro  
25 Regime”).

1           (7) Any other country identified by the Sec-  
2       retary of State that —

3           (A) may pose a threat to the United  
4       States; or

5           (B) may be inclined to steal research in a  
6       manner that could threaten United States na-  
7       tional security.

8       (c) APPLICABILITY.—Subsection (a) applies with re-  
9       spect to visa applications filed on or after the date of the  
10      enactment of this Act.

11   **SEC. 16. REQUIREMENT THAT STUDENTS HAVE A DEFINITE**  
12                   **END-DATE FOR AUTHORIZED PERIOD OF**  
13                   **STAY.**

14       Section 235(a) of the Immigration and Nationality  
15      Act (8 U.S.C. 1225(a)) is amended by adding at the end  
16      the following:

17           “(6) PERIOD OF AUTHORIZED STAY.—

18           “(A) IN GENERAL.—Aliens admitted to the  
19       United States under subparagraph (F), (J), or  
20       (M) of section 101(a)(15) to pursue a course of  
21       study shall be admitted by the Secretary of  
22       Homeland Security for a definite period of au-  
23       thorized stay not to exceed the shorter of the  
24       length of their program or 4 years, plus the  
25       post-study period under subparagraph (B), and

1           shall be issued documentation stating the end  
2           date of the alien's period of stay in the United  
3           States, subject to the following exceptions:

4                   “(i) Aliens subject to the limitations  
5                   described in subparagraph (D) may be ad-  
6                   mitted only for the applicable period under  
7                   that subparagraph.

8                   “(ii) Aliens whose course of study is  
9                   in a language training program are re-  
10                  stricted to an aggregate total of 2 years of  
11                  language study, including any school  
12                  breaks and annual vacations.

13                  “(iii) Aliens who are granted status  
14                  under section 101(a)(15)(F)(iii) as border  
15                  commuter students may be admitted only  
16                  for the semester or term dates for the stu-  
17                  dent's current term of study.

18                  “(iv) Aliens who are granted status  
19                  under subparagraph (F) or (J) of section  
20                  101(a)(15) to attend a public high school  
21                  are restricted to an aggregate of not more  
22                  than 1 year to complete their course of  
23                  study, including any school breaks and an-  
24                  nual vacations.

1                   “(v) The authorized period of stay for  
2                   dependents admitted under subparagraph  
3                   (F), (J), or (M) of section 101(a)(15) may  
4                   not exceed the authorized period of stay of  
5                   the principal alien.

6                   “(B) POST-STUDY PERIOD.—The period of  
7                   stay granted an alien admitted under subpara-  
8                   graph (F), (J), or (M) of section 101(a)(15)  
9                   shall include a 30-day period immediately after  
10                  the conclusion of the alien’s course of study to  
11                  prepare for departure from the United States,  
12                  or to otherwise maintain status, except that  
13                  border commuter students and, notwithstanding  
14                  the end date provided on the documentation de-  
15                  scribed in subparagraph (A), students who fail  
16                  to maintain a full course of study or otherwise  
17                  fail to maintain status are not eligible for the  
18                  additional 30-day period of stay. Such 30-day  
19                  period shall also be authorized for alien stu-  
20                  dents enrolled at academic institutions whose  
21                  approval under subparagraph (F) or (M) of sec-  
22                  tion 101(a)(15) has been terminated pursuant  
23                  to section 641(d) of the Illegal Immigration Re-  
24                  form and Immigrant Responsibility Act of 1996  
25                  (8 U.S.C. 1372(d)), except if the Secretary of

1 Homeland Security knows or has reasonable  
2 ground to believe the alien was a knowing par-  
3 ticipant in the conduct that led to the termi-  
4 nation of such institution's approval.

5 “(C) EXTENSION OF STAY.—An alien ad-  
6 mitted to the United States under subpara-  
7 graph (F), (J), or (M) of section 101(a)(15)  
8 may apply to extend his or her stay, subject to  
9 the limitations described in subparagraphs (A)  
10 and (D).

11 “(D) LIMITATIONS ON PERIOD OF ADMIS-  
12 SION.—

13 “(i) IN GENERAL.—Subject to the dis-  
14 cretion of the Secretary of Homeland Secu-  
15 rity, aliens seeking admission under sub-  
16 paragraph (F), (J), or (M) of section  
17 101(a)(15) in the categories described in  
18 clause (ii) may be admitted only for not  
19 more than 2 years, or the program end  
20 date, whichever is shorter, and may be eli-  
21 gible for extensions of stay only for addi-  
22 tional periods of up to 2 years each, or  
23 until the program end date, whichever is  
24 shorter.



1                   “(ii) CATEGORIES DESCRIBED.—The  
2 categories described in this clause are the  
3 following:

4                   “(I) ALIENS FROM CERTAIN  
5 COUNTRIES OF CONCERN.—Aliens  
6 who were born in or are citizens of  
7 countries designated by the Secretary  
8 of State under section 6(j) of the Ex-  
9 port Administration Act of 1979 (50  
10 U.S.C. 2405) (as continued in effect  
11 under the International Emergency  
12 Economic Powers Act (50 U.S.C.  
13 1701 et seq.)), section 40 of the Arms  
14 Export Control Act (22 U.S.C. 2780),  
15 section 620A of the Foreign Assist-  
16 ance Act of 1961 (22 U.S.C. 2371),  
17 or any other provision of law, as a  
18 country the government of which has  
19 repeatedly provided support of acts of  
20 international terrorism, or who are  
21 citizens of countries with a student  
22 and exchange visitor total overstay  
23 rate greater than 10 percent.

24                   “(II) SCHOOLS NOT PARTICI-  
25 PATING IN E-VERIFY.—

1                   “(aa) IN GENERAL.—Aliens  
2                   who have been accepted to and  
3                   seek admission to attend, or con-  
4                   tinue attendance, at an edu-  
5                   cational institution that is not  
6                   enrolled in the electronic employ-  
7                   ment verification program initi-  
8                   ated in section 403 of the Illegal  
9                   Immigration Reform and Immi-  
10                  grant Responsibility Act of 1996  
11                  (division C of Public Law 104–  
12                  208; 8 U.S.C. 1324a note), or if  
13                  enrolled, is not a participant in  
14                  good standing in such verification  
15                  program, as determined by the  
16                  Secretary of Homeland Security.

17                  “(bb) PARTICIPANTS IN  
18                  GOOD STANDING.—Educational  
19                  institutions that are participants  
20                  in good standing in a verification  
21                  program described in item (aa)  
22                  are education institutions that  
23                  are—

24                         “(AA) enrolled in such  
25                         verification program with re-

1                   spect to all of the institu-  
2                   tion's hiring sites in the  
3                   United States at the time of  
4                   the alien's admission under  
5                   subparagraph (F), (J), or  
6                   (M) of section 101(a)(15)  
7                   or, if the alien has already  
8                   been admitted at the time  
9                   this paragraph has gone into  
10                  effect, at the time the alien  
11                  files with the Secretary an  
12                  application for an extension  
13                  of or change to status under  
14                  such subparagraph; and  
15                  “(BB) in compliance  
16                  with all requirements of  
17                  such verification program,  
18                  including by verifying the  
19                  employment eligibility of  
20                  newly hired employees in the  
21                  United States, and con-  
22                  tinuing to be participants in  
23                  good standing in the pro-  
24                  gram at any time during  
25                  which an alien is pursuing a

1 full-course of study at the  
2 educational institution.

3 “(III) ALIENS WITH A 4-YEAR  
4 PERIOD OF ADMISSION WHO BECOME  
5 SUBJECT TO A 2-YEAR MAXIMUM PE-  
6 RIOD OF ADMISSION.—If an alien was  
7 admitted in F status for a 4-year pe-  
8 riod of admission, but the Secretary  
9 of State makes a designation under  
10 an authority referenced in subclause  
11 (I) that would subject the alien to the  
12 2-year maximum period of admission,  
13 then the alien may remain in the  
14 United States for the remainder of  
15 the 4-year period; however, if the alien  
16 departs the United States or other-  
17 wise be required apply for admission  
18 or an extension of stay, the alien shall  
19 become subject to the 2-year limita-  
20 tion.

21 “(E) INTERVIEWS.—

22 “(i) IN GENERAL.—The Secretary of  
23 Homeland Security shall, in coordination  
24 with the Attorney General and the Direc-  
25 tor of National Intelligence, conduct an

1 interview, in-person and not by means of  
2 remote or virtual technology, of any  
3 alien—

4 “(I)(aa) admitted to the United  
5 States under subparagraph (F), (J),  
6 or (M) of section 101(a)(15) and  
7 seeking extension of such status;

8 “(bb) applying for a change of  
9 status to status under subparagraph  
10 (F), (J), or (M) of section 101(a)(15);  
11 or

12 “(cc) in nonimmigrant status and  
13 pursuing a course of study, and who  
14 is applying for an extension of such  
15 status; and

16 “(II)(aa) who is a national of a  
17 country, described in subparagraph  
18 (D)(ii)(I), that has been designated by  
19 the Secretary of State as a country  
20 the government of which has repeat-  
21 edly provided support of acts of inter-  
22 national terrorism;

23 “(bb) who has been the subject of  
24 a security advisory opinion, including  
25 a visas mantis, or other security

1 screening process relating to the  
2 transfer of sensitive technology or in-  
3 formation;

4 “(cc) who, since the date of the  
5 admission of the alien, has changed  
6 his or her field of study to a field that  
7 would require the initiation of a secu-  
8 rity screening process relating to the  
9 transfer of sensitive technology or in-  
10 formation were the alien applying for  
11 admission;

12 “(dd) who is described in section  
13 212(a)(3); or

14 “(ee) who is in a class of aliens  
15 described in subclause (I)(aa) des-  
16 ignated by the Secretary of Homeland  
17 Security, in coordination with the At-  
18 torney General and the Director of  
19 National Intelligence, and who are na-  
20 tionals of a country about which the  
21 Secretary, the Attorney General, or  
22 the Director of National Intelligence  
23 has concern poses a significant eco-  
24 nomic or technological espionage  
25 threat to the United States.

1 “(ii) INTERAGENCY COOPERATION ON  
2 INTERVIEWS.—The Secretary of Homeland  
3 Security shall—

4 “(I) inform the Attorney General  
5 and the Director of National Intel-  
6 ligence of interviews the Secretary of  
7 Homeland Security plans to conduct  
8 under this subparagraph; and

9 “(II) shall authorize officials of  
10 the Department of Justice or the Di-  
11 rectorate of National Intelligence, or  
12 both, to participate in such inter-  
13 views.”.

14 **SEC. 17. ONLINE STUDY.**

15 Section 214(m) of the Immigration and Nationality  
16 Act (8 U.S.C. 1184(m)), as amended by this Act, is fur-  
17 ther amended by adding at the end the following new para-  
18 graph:

19 “(6) ONLINE EDUCATION.—

20 “(A) ONLINE EDUCATION ALLOWANCE PER  
21 SESSION.—

22 “(i) IN GENERAL.—Not more than 10  
23 percent of the time spent by the alien stu-  
24 dent in class or of the credits earned by  
25 the student per session may be counted to-

ward the full course of study requirement under subparagraph (F) or (M) of section 101(a)(15) if the class is taken online or through distance education and does not require the student's physical attendance for classes, examination, or other purposes integral to completion of the course of study.

“(ii) PROHIBITION.—An alien may not be admitted under section 101(a)(15)(J) for the purpose of study, or granted a change of status to status under such section for such purpose, if more than 10 percent of the time to be spent by the alien in class or of the credits earned by the student per session is to be taken online or through distance education and does not require the student's physical attendance for classes, examination, or other purposes integral to completion of the course of study.

“(B) TOTAL ONLINE EDUCATION ALLOWANCE.—For any program of study, not more than 10 percent of the total time spent in class by an alien student, or of the credits earned by



1 the student, in status under subparagraph (F)  
2 or (M) of section 101(a)(15), or in status under  
3 section 101(a)(15)(J) for the purpose of study,  
4 may be for classes taken online or through dis-  
5 tance education that do not require the stu-  
6 dent's physical attendance for classes, examina-  
7 tion, or other purposes integral to completion of  
8 the course of study.

9 “(C) ONLINE CLASSES.—For purposes of  
10 this paragraph, if more than 50 percent of a  
11 class is conducted online, the entire class shall  
12 be considered an online class.”.

13 **SEC. 18. CLARIFICATION OF DATA RELEASE EXEMPTION.**

14 Section 641 of the Illegal Immigration Reform and  
15 Immigrant Responsibility Act of 1996 (8 U.S.C. 1372) is  
16 amended—

17 (1) in subsection (c)—

18 (A) in paragraph (1)—

19 (i) in subparagraph (G), by striking  
20 “and” at the end;

21 (ii) in subparagraph (H), by striking  
22 the period and inserting “; and”; and

23 (iii) by adding at the end the fol-  
24 lowing new subparagraph:

1 “(I) any other information the Secretary of  
2 Homeland Security considers necessary.”; and

3 (B) in paragraph (2), by adding at the end  
4 the following: “Approved institutions of higher  
5 education or other approved educational institu-  
6 tions shall release information about students  
7 covered by such Act to the Department of  
8 Homeland Security as part of such program or  
9 upon request.”; and

10 (2) in subsection (d)(2), by inserting “auto-  
11 matically” before “revoked or denied.”.

12 **SEC. 19. CLARIFICATION OF REPORTING REQUIREMENT**  
13 **DEADLINE.**

14 Section 641(a)(4) of the Illegal Immigration Reform  
15 and Immigrant Responsibility Act of 1996 (8 U.S.C.  
16 1372(a)(4)) is amended—

17 (1) by striking “Not later than 30 days after  
18 the deadline for registering for classes for an aca-  
19 demic term” and inserting “Not later than 30 days  
20 after the program start date (in the case of new stu-  
21 dents) or the next session start date (in the case of  
22 continuing students) of an academic term”; and

23 (2) by striking “shall report to the Immigration  
24 and Naturalization Service any failure of the alien to  
25 enroll or to commence participation.” and inserting

1 “shall report to the Department of Homeland Secu-  
2 rity any failure to enroll or to commence participa-  
3 tion by the program start date or next session start  
4 date, as applicable.”.

5 **SEC. 20. FEE FLEXIBILITY.**

6 Section 641(e)(4)(A) of the Illegal Immigration Re-  
7 form and Immigrant Responsibility Act of 1996 (8 U.S.C.  
8 1372(e)(4)(A)) is amended—

9 (1) in the first sentence, by striking “Attorney  
10 General” and inserting “Secretary of Homeland Se-  
11 curity”;

12 (2) in the third sentence, by striking “Attorney  
13 General’s” and inserting “Secretary of Homeland  
14 Security’s”; and

15 (3) by striking the second sentence.

16 **SEC. 21. IMPLEMENTATION OF SEVIS II.**

17 (a) IN GENERAL.—Not later than 2 years after the  
18 date of the enactment of this Act, the Secretary of Home-  
19 land Security and the Secretary of State shall complete  
20 the deployment of the modernization of the Student and  
21 Exchange Visitor Information System (commonly known  
22 as “SEVIS II”), which shall address limitations in the  
23 original SEVIS application by implementing improve-  
24 ments including the following:

1           (1) Development of an entirely paperless proc-  
2           ess for all activities related to the admission and  
3           tracking of nonimmigrant students.

4           (2) Development of a new, person-centric rec-  
5           ordkeeping system that will unify information about  
6           nonimmigrant students that the original SEVIS  
7           maintained in multiple records.

8           (b) RECOVERY OF COSTS.—To recover the cost of the  
9           implementation and maintenance of SEVIS II, the Sec-  
10          retary of Homeland Security and the Secretary of State  
11          may collect fees from any academic institution that—

12           (1) has been approved under subparagraph (F)  
13           or (M) of section 101(a)(15) of the Immigration and  
14           Nationality Act (8 U.S.C. 1101(a)(15));

15           (2) is designated under subparagraph (J) of  
16           such section; or

17           (3) is applying for such approval or designation.

18   **SEC. 22. GAO REPORT ON IMPLEMENTATION.**

19          Not later than December 31, 2025, the Comptroller  
20          General of the United States shall submit to the Com-  
21          mittee on the Judiciary of the Senate and the Committee  
22          on the Judiciary of the House of Representatives a report  
23          that assesses the effectiveness of implementation by the  
24          Secretary of Homeland Security of this Act and the  
25          amendments made by this Act.

1   **SEC. 23. PROHIBITION ON ISSUANCE OF VISA BEFORE RE-**  
2                   **VIEW OF PAMPHLET ON PROTECTIONS FOR**  
3                   **DOMESTIC WORKERS AND OTHER NON-**  
4                   **IMMIGRANTS.**

5       A visa shall not be issued under subparagraph (F),  
6 (J), or (M) of section 101(a)(15) of the Immigration and  
7 Nationality Act (8 U.S.C. 1101(a)(15)), to pursue a  
8 course of study, until the date on which a consular officer  
9 has provided to and reviewed with the applicant, in the  
10 applicant's language or in a language the applicant under-  
11 stands, a copy of the information and resources pamphlet  
12 required by section 202 of the William Wilberforce Traf-  
13 ficking Victims Protection Reauthorization Act of 2008 (8  
14 U.S.C. 1375b).