

**AMENDMENT TO H.R. 2278**  
**OFFERED BY MR. GOODLATTE OF VIRGINIA**

Page 5, line 11, strike “penalties.” and insert “penalties (without regard to ancillary issues such as the availability of probation or pardon).”.

Page 5, line 14, strike “violations” and insert “provisions”.

Page 22, beginning on line 4, strike “good cause.” and insert “a compelling reason.”.

Page 23, line 5, strike “without good cause.” and insert “absent a compelling reason.”.

Page 51, line 20, strike “a guilty plea or”.

Page 51, line 21, strike “guilt,” and insert “guilt or of a guilty plea (except in the case of a guilty plea that was made on or after March 31, 2010),”.

Page 52, line 3, strike “a guilty plea or”.

Page 52, line 3, strike “guilt,” and insert “guilt or of a guilty plea (except in the case of a guilty plea that was made on or after March 31, 2010),”.

Page 64, beginning on line 21, strike “**INADMISSIBILITY AND DEPORTABILITY**” and insert “**INADMISSIBILITY, DEPORTABILITY, AND DETENTION**”.

Page 65, line 6, after “second” insert “or subsequent”.

Page 65, after line 11, insert the following (and redesignate provisions accordingly):

1           (c) DETENTION.—Section 236(c)(1) of the Immigra-  
2 tion and Nationality Act (8 U.S.C. 1226(c)(1)) is amend-  
3 ed—

4           (1) in subparagraph (C), by striking “or” at  
5 the end;

6           (2) in subparagraph (D), by adding “or” at the  
7 end; and

8           (3) by inserting after subparagraph (D) the fol-  
9 lowing:

10                   “(E) is unlawfully present in the United  
11 States and has been convicted one or multiple  
12 times for driving while intoxicated (including a  
13 conviction for driving while under the influence  
14 of or impaired by alcohol or drugs) without re-  
15 gard to whether the conviction is classified as a  
16 misdemeanor or felony under State law,”.

Page 65, line 13, strike “subsection (a)” and insert “this section”.

Page 101, line 14, insert “**OR PRESENCE**” after “**ENTRY**”.

Page 101, line 18, insert “OR PRESENCE” after “ENTRY”.

Page 102, line 14, strike “or”.

Page 102, beginning on line 15, strike “for a period of 90 days or more”.

Page 102, line 18, strike the period at the end and insert “; or”.

Page 102, after line 18, insert the following:

1           “(E) knowingly is unlawfully present in the  
2           United States (as defined in section  
3           212(a)(9)(B)(ii) subject to the exceptions set  
4           forth in section 212(a)(9)(B)(iii).”

Page 103, line 2, strike “years,” and insert “years (or not more than 6 months in the case of a second or subsequent violation of paragraph (1)(E)),”.

Page 135, line 6, strike “and”.

Page 135, after line 9, insert the following:

1           (C) by striking “and if any such institution  
2           of learning or place of study fails to make re-  
3           ports promptly the approval shall be with-  
4           drawn,” and inserting “and if any such institu-  
5           tion of learning or place of study fails to make  
6           reports promptly or fails to comply with any ac-  
7           creditation requirement (including deadlines for  
8           submitting accreditation applications or obtain-  
9           ing accreditation) the approval shall be with-  
10          drawn,”; and

Page 135, line 10, strike “(C)” and insert “(2)”.

Page 141, after line 19, insert the following (and re-  
designate provisions accordingly):

11 **SEC. 413. NUMBER OF DESIGNATED SCHOOL OFFICIALS.**

12           Section 641(d) of the Illegal Immigration Reform and  
13 Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)),  
14 as amended by section 412(a) of this Act, is further  
15 amended by adding at the end the following:

16           “(7) NUMBER OF DESIGNATED SCHOOL OFFI-  
17           CIALS.—School officials may nominate as many Des-  
18           ignated School Officials (DSOs) in addition to the  
19           school’s Principal Designated School Official  
20           (PDSO) as they determine necessary to adequately  
21           provide recommendations to students enrolled at the

1 school regarding maintenance of nonimmigrant sta-  
2 tus under subparagraph (F) or (M) of section  
3 101(a)(15) of the Immigration and Nationality Act  
4 (8 U.S.C. 1101(a)(15)) and to support timely and  
5 complete recordkeeping and reporting to the Sec-  
6 retary of Homeland Security, as required by this  
7 section, except that a school may not have less than  
8 one DSO per every 200 students who have non-  
9 immigrant status pursuant to subparagraph (F),  
10 (J), or (M) of such section. School officials shall not  
11 permit a DSO or PDSO nominee access to SEVIS  
12 until the Secretary approves the nomination.”.

13 **SEC. 414. REPORTING REQUIREMENT.**

14 Section 442(a) of the Homeland Security Act of 2002  
15 (6 U.S.C. 252(a)) is amended—

16 (1) by redesignating paragraph (5) as para-  
17 graph (6); and

18 (2) by inserting after paragraph (4) the fol-  
19 lowing:

20 “(5) STUDENT AND EXCHANGE VISITOR PRO-  
21 GRAM.—In administering the program under para-  
22 graph (4), the Secretary shall, not later than one  
23 year after the date of the enactment of this para-  
24 graph, prescribe regulations to require an institution  
25 or exchange visitor program sponsor participating in

1 the Student and Exchange Visitor Program to en-  
2 sure that each student or exchange visitor who has  
3 nonimmigrant status pursuant to subparagraph (F),  
4 (J), or (M) of section 101(a)(15) of the Immigration  
5 and Nationality Act (8 U.S.C. 1101(a)(15)) enrolled  
6 at the institution or attending the exchange visitor  
7 program is reported to the Department within 10  
8 days of—

9 “(A) transferring to another institution or  
10 program;

11 “(B) changing academic majors; or

12 “(C) any other changes to information re-  
13 quired to be maintained in the system described  
14 in paragraph (4).”.

Page 146, after line 17, insert the following (and re-  
designate provisions accordingly):

15 (b) ARREST POWERS.—Section 287(a)(2) of the Im-  
16 migration and Nationality Act (8 U.S.C. 1357(a)(2)) is  
17 amended by striking “regulation and is likely to escape  
18 before a warrant can be obtained for his arrest,” and in-  
19 serting “regulation,”.

Page 174, after line 21, add the following:

1 **SEC. 607. BIOMETRIC ENTRY AND EXIT DATA SYSTEM.**

2 (a) IN GENERAL.—Not later than two years after the  
3 date of enactment of this Act, the Secretary of Homeland  
4 Security shall establish the biometric entry and exit data  
5 system required by section 7208 of the Intelligence Re-  
6 form and Terrorism Prevention Act of 2004 (8 U.S.C.  
7 1365b).

8 (b) REQUIREMENTS.—In addition to the features re-  
9 quired by such section 7208, the Secretary shall ensure  
10 that the biometric entry and exit data system is estab-  
11 lished and in operation at each port of entry to the United  
12 States.

