

The Secretary of State shall direct a consular office in a country that is not a Z-A nonimmigrant's country of origin to accept an application for adjustment of status from such an alien, where the Z-A nonimmigrant's country of origin is not contiguous to the United States, and as consular resources make possible.

`(k) CONFIDENTIALITY OF INFORMATION- Applicants for Z-A nonimmigrant status under this subtitle shall be afforded confidentiality as provided under section 604.

`(l) PENALTIES FOR FALSE STATEMENTS IN APPLICATIONS-

`(1) CRIMINAL PENALTY- Any person who--

`(A) applies for a Z-A visa or a Z-A dependent visa under this section or an adjustment of status described in subsection (j) and knowingly and willfully falsifies, conceals, or covers up a material fact or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry; or

`(B) creates or supplies a false writing or document for use in making such an application, shall be fined in accordance with title 18, United States Code, imprisoned not more than 5 years, or both.

`(2) INADMISSIBILITY- An alien who is convicted of a crime under paragraph (1) shall be considered to be inadmissible to the United States on the ground described in section 212(a)(6)(C)(i).

`(m) ELIGIBILITY FOR LEGAL SERVICES- Section 504(a)(11) of Public Law 104-134 (110 Stat. 1321-53 et seq.) shall not be construed to prevent a recipient of funds under the Legal Services Corporation Act (42 U.S.C. 2996 et seq.) from providing legal assistance directly related to an application for a Z-A visa under subsection (b) or an adjustment of status under subsection (j).

`(n) ADMINISTRATIVE AND JUDICIAL REVIEW- Administrative or judicial review of a determination on an application for a Z-A visa shall be such as is provided under section 603.

`(o) PUBLIC OUTREACH- Beginning not later than the first day of the application period described in subsection (c)(1)(B), the Secretary shall cooperate with qualified designated entities to broadly disseminate information regarding the availability of Z-A visas, the benefits of such visas, and the requirements to apply for and be granted such a visa.'

(c) NUMERICAL LIMITATIONS-

(1) WORLDWIDE LEVEL OF IMMIGRATION- Section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)), as amended by [XX], is further amended--

(A) in subparagraph (A), by striking ` subparagraph (A) or (B)' and inserting ` subparagraph (A), (B), or (N)'; and

(B) by adding at the end, the following new subparagraph:

` (N) Aliens issued a Z-A visa or a Z-A dependent visa (as those terms are defined in section 214A) who receive an adjustment of status to that of an alien lawfully admitted for permanent residence.'.

(2) NUMERICAL LIMITATIONS ON INDIVIDUAL FOREIGN STATES- Section 202(a) of the Immigration and Nationality Act (8 U.S.C. 1152) is amended by adding at the end the following new paragraph:

` (6) SPECIAL RULE FOR Z-A NONIMMIGRANTS- An immigrant visa may be made available to an alien issued a Z-A visa or a Z-A dependent visa (as those terms are defined in section 214A) without regard to the numerical limitations of this section.'.

(d) CLERICAL AMENDMENT- The table of contents of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 214 the following:

` Sec. 214A. Admission of agricultural worker.'.

## **SEC. 623. AGRICULTURAL WORKER IMMIGRATION STATUS ADJUSTMENT ACCOUNT.**

Section 286 of the Immigration and Nationality Act (8 U.S.C. 1356) is amended by adding at the end the following new subsection:

` (y) AGRICULTURAL WORKER IMMIGRATION STATUS ADJUSTMENT ACCOUNT-

` (1) ESTABLISHMENT- There is established in the general fund of the Treasury a separate account, which shall be known as the ` Agricultural Worker Immigration Status Adjustment Account'. Notwithstanding any other provision of law, there shall be deposited as offsetting receipts into the account all fees collected under section 214A.

` (2) USE OF FEES- The fees deposited into the Agricultural Worker

Immigration Status Adjustment Account shall be used by the Secretary of Homeland Security for processing applications made by aliens seeking nonimmigrant status under section 101(a)(15)(Z-A) or for processing applications made by such an alien who is seeking an adjustment of status.

` (3) AVAILABILITY OF FUNDS- All amounts deposited in the Agricultural Worker Immigration Status Adjustment Account under this subsection shall remain available until expended.'.

## **SEC. 624. REGULATIONS, EFFECTIVE DATE, AUTHORIZATION OF APPROPRIATIONS.**

(a) REGULATIONS- The Secretary shall issue regulations to carry out the amendments made by this subtitle not later than the first day of the seventh month that begins after the date of enactment of this Act.

(b) EFFECTIVE DATE- This subtitle shall take effect on the date that regulations required by subsection (a) are issued, regardless of whether such regulations are issued on an interim basis or on any other basis.

(c) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated to the Secretary such sums as may be necessary to implement this subtitle, including any sums needed for costs associated with the initiation of such implementation.

## **SEC. 625. LIMITATION ON CLAIMING EARNED INCOME TAX CREDIT.**

Any alien who is unlawfully present in the United States, receives adjustment of status under section 601 of this Act (relating to aliens who were illegally present in the United States prior to January 1, 2007), or enters the United States to work on a Y visa under section 402 of this Act, shall not be eligible for the tax credit provided under section 32 of the Internal Revenue Code (relating to earned income) until such alien has his or her status adjusted to legal permanent resident status.

## **SEC. 626. EARNED INCOME TAX CREDIT.**

Nothing in this Act, or the amendments made by this Act, may be construed to modify any provision of the Internal Revenue Code of 1986 which prohibits illegal aliens from qualifying for earned income tax credit under section 32 of such Code.

## ***PART II--CORRECTION OF SOCIAL SECURITY RECORDS***

### **SEC. 627. CORRECTION OF SOCIAL SECURITY RECORDS.**

(a) IN GENERAL- Section 208(e)(1) of the Social Security Act (42 U.S.C. 408(e)(1)) is amended--

(1) in subparagraph (B)(ii), by striking `or' at the end;

(2) in subparagraph (C), by inserting `or' at the end;

(3) by inserting after subparagraph (C) the following:

`(D) who is granted nonimmigrant status pursuant to section 101(a)(15)(Z-A) of the Immigration and Nationality Act,'; and

(4) by striking `1990.' and inserting `1990, or in the case of an alien described in subparagraph (D), if such conduct is alleged to have occurred before the date on which the alien was granted such nonimmigrant status.'.

(b) EFFECTIVE DATE- The amendments made by subsection (a) shall take effect on the first day of the seventh month that begins after the date of the enactment of this Act.

## **TITLE VII--MISCELLANEOUS**

### **Subtitle A--Miscellaneous Immigration Reform**

### **SEC. 701. WAIVER OF REQUIREMENT FOR FINGERPRINTS FOR MEMBERS OF THE ARMED FORCES.**

Notwithstanding any other provision of law or any regulation, for aliens currently serving in the U.S. Armed Forces overseas and applying for naturalization from overseas, the Secretary of Defense shall provide in a form designated by the Secretary of Homeland Security, and the Secretary of Homeland Security shall use the fingerprints provided by the Secretary of Defense for such individuals, if the individual--

(a) may be naturalized pursuant to section 328 or 329 of the Immigration and Nationality Act (8 U.S.C. 1439 or 1440);

(b) was fingerprinted in accordance with the requirements of the Secretary of

Defense at the time the individual enlisted in the Armed Forces; and

(c) submits the application to become a naturalized citizen of the United States not later than 12 months after the date the applicant is fingerprinted.

## **SEC. 702. ENGLISH AS NATIONAL LANGUAGE.**

(a) SHORT TITLE- This section may be cited as the `S.I. Hayakawa National Language Amendment Act of 2007'.

(b) IN GENERAL- Title 4, United States Code, is amended by adding at the end the following new chapter:

### **` CHAPTER 6--LANGUAGE OF THE GOVERNMENT**

` Sec.

` 161. Declaration of national language.

` 162. Preserving and enhancing the role of the national language.

` 163. Use of language other than English.

### **` SEC. 161. DECLARATION OF NATIONAL LANGUAGE.**

` English shall be the national language of the Government of the United States.

### **` SEC. 162. PRESERVING AND ENHANCING THE ROLE OF THE NATIONAL LANGUAGE.**

` (a) IN GENERAL- The Government of the United States shall preserve and enhance the role of English as the national language of the United States of America.

` (b) EXCEPTION- Unless specifically provided by statute, no person has a right, entitlement, or claim to have the Government of the United States or any of its officials or representatives act, communicate, perform or provide services, or provide materials in any language other than English. If an exception is made with respect to the use of a language other than English, the exception does not create a legal entitlement to additional services in that language or any language other than English.

` (c) FORMS- If any form is issued by the Federal Government in a language other than English (or such form is completed in a language other than English),

the English language version of the form is the sole authority for all legal purposes.

## **` SEC. 163. USE OF LANGUAGE OTHER THAN ENGLISH.**

` Nothing in this chapter shall prohibit the use of a language other than English.'.

(c) CONFORMING AMENDMENT- The table of chapters for title 4, United States Code, is amended by adding at the end the following new item:

` 6. Language of the Government

--161'.

## **SEC. 703. DECLARATION OF ENGLISH AS LANGUAGE.**

(a) IN GENERAL- English is the common language of the United States.

(b) PRESERVING AND ENHANCING THE ROLE OF THE ENGLISH LANGUAGE- The Government of the United States shall preserve and enhance the role of English as the language of the United States. Nothing in this Act shall diminish or expand any existing rights under the laws of the United States relative to services or materials provided by the Government of the United States in any language other than English.

(c) DEFINITION OF LAW- For purposes of this section, the term ` laws of the United States' includes the Constitution of the United States, any provision of Federal statute, or any rule or regulation issued under such statute, any judicial decisions interpreting such statute, or any Executive Order of the President.

## **SEC. 704. PILOT PROJECT REGARDING IMMIGRATION PRACTITIONER COMPLAINTS.**

(a) Within 180 days of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Attorney General, shall institute a three-year pilot project to--

(1) Encourage alien victims of immigration practitioner fraud, and related crimes, to come forward and file practitioner fraud complaints with the Department of Homeland Security by utilizing existing statutory and administrative authority;

(2) Cooperate with Federal, State, and local law enforcement officials who

are responsible for investigating and prosecuting such crimes; and

(3) Increase public awareness regarding the problem of immigration practitioner fraud.

(b) REPORTING- Not later than 1 year after the end of the three-year pilot period, the Secretary of Homeland Security shall submit to Congress a report that includes information concerning--

(1) the number of individuals who file practitioner fraud complaints via the pilot program;

(2) the demographic characteristics, nationality, and immigration status of the complainants;

(3) the number of indictments that result from the pilot; and

(4) the number of successful fraud prosecutions that result from the pilot.

### **Subtitle B--Assimilation and Naturalization**

## **SEC. 705. THE OFFICE OF CITIZENSHIP AND INTEGRATION.**

Section 451(f) of the Homeland Security Act of 2002, Public Law 107-296 (6 U.S.C. 271(f)), is amended by--

(1) inserting 'and Integration' after 'Office of Citizenship' the two times that phrase appears; and

(2) in paragraph (f)(2), striking 'instruction and training on citizenship responsibilities' and inserting 'civic integration, and instruction and training on citizenship responsibilities and requirements for citizenship'.

## **SEC. 706. SPECIAL PROVISIONS FOR ELDERLY IMMIGRANTS.**

Section 312(b) of the Immigration and Nationality Act (8 U.S.C. 1423(b)) is amended by adding at the end the following: '(4) The requirements of subsection (a) of this section shall not apply to a person who is over 75 years of age on the date of filing an application for naturalization; Provided that, the person expresses, in English or in the applicant's native language, at the time of examination for naturalization that the person understands and agrees to the elements of the oath required by section 337 of this Act.'

## **SEC. 707. FUNDING FOR THE OFFICE OF CITIZENSHIP AND INTEGRATION.**

(a) AUTHORIZATION OF APPROPRIATIONS- There is authorized to be appropriated to the Secretary of Homeland Security the sum of [\$100] million to carry out the mission and operations of the Office of Citizenship and Integration in U.S. Citizenship and Immigration Services, including the patriotic integration of prospective citizens into--

(1) American common values and traditions, including an understanding of American history and the principles of the Constitution of the United States; and

(2) civic traditions of the United States, including the Pledge of Allegiance, respect for the flag of the United States, and voting in public elections.

## **SEC. 708. CITIZENSHIP AND INTEGRATION COUNCILS.**

(a) GRANTS AUTHORIZED- The Office of Citizenship and Immigrant Integration shall provide grants to States and municipalities for effective integration of immigrants into American society through the creation of New Americans Integrations Councils.

(b) USE OF FUNDS-

(1) IN GENERAL- Grants awarded under this section shall be used--

(A) To report on the status of new immigrants, lawful permanent residents, and citizens within the State or municipality;

(B) To conduct a needs assessment, including the availability of and demand for English language services and instruction classes, for new immigrants, lawful permanent residents, Z non-immigrants, and citizens;

(C) To convene public hearings and meetings to assist in the development of a comprehensive plan to integrate new immigrants, lawful permanent residents, Z non-immigrants, and citizens; and

(D) To develop a comprehensive plan to integrate new immigrants, lawful permanent residents, Z non-immigrants, and citizens into States and municipalities.

(2) MEMBERSHIP OF INTEGRATION COUNCILS- New Americans Integration

Councils established under this section shall consist of no less than ten and no more than fifteen individuals from the following sectors:

- (A) State and local government;
- (B) Business;
- (C) Faith-based organizations;
- (D) Civic organizations;
- (E) Philanthropic leaders; and
- (F) Nonprofit organizations with experience working with immigrant communities.

(c) REPORTING- The Government Accountability Office, in coordination with the Office of Citizenship and Immigrant Integration, shall conduct an annual evaluation of the grant program conducted under this section. Such evaluation shall be used by the Office of Citizenship and Immigrant Integration--

- (1) To determine and improve upon the program's effectiveness;
- (2) To develop recommended best practices for states and municipalities who receive grant awards; and
- (3) To further define the program's goals and objectives.

(d) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated to the Office of Citizenship and Immigrant Integration such sums as may be necessary for each of the fiscal years 2008 through 2012 to carry out this section.

## **SEC. 709. PRESIDENTIAL AWARD FOR BUSINESS LEADERSHIP IN PROMOTING AMERICAN CITIZENSHIP.**

(a) ESTABLISHMENT- There is established the Presidential Award for Business Leadership in Promoting American Citizenship, which shall be awarded to companies and other organizations that make extraordinary efforts in assisting their employees and members to learn English and increase their understanding of American history and civics.

(b) SELECTION AND PRESENTATION OF AWARD-

- (1) SELECTION- The President, upon recommendations from the Secretary,

the Secretary of Labor, and the Secretary of Education, shall periodically award the Citizenship Education Award to large and small companies and other organizations described in subsection (a).

(2) PRESENTATION- The presentation of the award shall be made by the President, or designee of the President, in conjunction with an appropriate ceremony.

## **SEC. 710. HISTORY AND GOVERNMENT TEST.**

(a) HISTORY AND GOVERNMENT TEST- The Secretary shall incorporate a knowledge and understanding of the meaning of the Oath of Allegiance provided by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448) into the history and government test given to applicants for citizenship. Nothing in this Act, other than the amendment made by this subsection, shall be construed to influence the naturalization test redesign process currently underway under the direction of U.S. Citizenship and Immigration Services.

## **SEC. 711. ENGLISH LEARNING PROGRAM.**

(a) The Secretary of Education shall develop an open source electronic program, useable on personal computers and through the Internet, that teaches the English language at various levels of proficiency, up to and including the ability to pass the Test of English as a Foreign Language, to individuals inside the United States whose primary language is a language other than English.