

111TH CONGRESS
1ST SESSION

S. 1478

To strengthen communities through English literacy and civics education for new Americans, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 21, 2009

Mrs. GILLIBRAND (for herself, Mr. ALEXANDER, and Mr. REID) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To strengthen communities through English literacy and civics education for new Americans, and for other purposes.

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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Strengthen and Unite Communities with Civics Edu-
6 cation and English Skills Act of 2009”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Purposes.

TITLE I—EXPANDING ENGLISH LITERACY, U.S. HISTORY, AND
CIVICS EDUCATION

- Sec. 101. Increased investment in English literacy, U.S. history, and civics education under the Adult Education and Family Literacy Act.
 Sec. 102. Definitions of English language learner.
 Sec. 103. Credits for teachers of English language learners.
 Sec. 104. Research in adult education.

TITLE II—SUPPORTING ENGLISH LANGUAGE ACQUISITION AND
ADULT EDUCATION IN THE WORKFORCE

- Sec. 201. Credit for employer-provided adult English literacy and basic education programs.
 Sec. 202. Presidential award for business leadership in promoting United States citizenship.

TITLE III—BUILDING STRONGER COMMUNITIES

- Sec. 301. Office of Citizenship and New Americans.
 Sec. 302. Grants to States.
 Sec. 303. Authorized activities.
 Sec. 304. Reporting and evaluation.
 Sec. 305. New citizens award program.
 Sec. 306. Rule of construction.
 Sec. 307. Authorization of appropriations.

1 SEC. 2. PURPOSES.

2 The purposes of this Act are—

3 (1) to meet the growing need for English lit-
 4 eracy, U.S. history, and civics education programs
 5 for new Americans in the United States; and

6 (2) to encourage proactive policies to introduce
 7 new Americans into the Nation in order to maximize
 8 the benefits provided to these individuals and to the
 9 community.

1 **TITLE I—EXPANDING ENGLISH**
2 **LITERACY, U.S. HISTORY, AND**
3 **CIVICS EDUCATION**

4 **SEC. 101. INCREASED INVESTMENT IN ENGLISH LITERACY,**
5 **U.S. HISTORY, AND CIVICS EDUCATION**
6 **UNDER THE ADULT EDUCATION AND FAMILY**
7 **LITERACY ACT.**

8 (a) INTEGRATED ENGLISH LITERACY AND CIVICS
9 EDUCATION PROGRAM.—Section 203 of the Adult Edu-
10 cation and Family Literacy Act (20 U.S.C. 9202) is
11 amended—

12 (1) by redesignating paragraphs (12) through
13 (18) as paragraphs (13) through (19), respectively;
14 and

15 (2) by inserting after paragraph (11), the fol-
16 lowing:

17 “(12) INTEGRATED ENGLISH LITERACY, U.S.
18 HISTORY, AND CIVICS EDUCATION PROGRAM.—The
19 term ‘integrated English literacy, U.S. history, and
20 civics education program’ means a program of in-
21 struction designed to help an English language
22 learner achieve competence in English through
23 contextualized instruction on the rights and respon-
24 sibilities of citizenship, naturalization procedures,
25 civic participation, and United States history and

1 Government to help such learner acquire the skills
2 and knowledge to become an active and informed
3 parent, worker, and community member.”.

4 (b) STATE LEADERSHIP ACTIVITIES.—Section
5 223(a) of the Adult Education and Family Literacy Act
6 (20 U.S.C. 9223(a)) is amended by inserting after para-
7 graph (11) the following:

8 “(12) Technical assistance for grant applica-
9 tions of faith- and community-based organizations.”.

10 (c) NATIONAL INSTITUTE FOR LITERACY.—Section
11 242(e)(1) of the Adult Education and Family Literacy Act
12 (20 U.S.C. 9252(e)(1)) is amended—

13 (1) by redesignating subparagraphs (G), (H),
14 and (I), as subparagraphs (I), (J), and (K), respec-
15 tively; and

16 (2) by inserting after subparagraph (F) the fol-
17 lowing:

18 “(G) to coordinate and share information
19 with national organizations and associations
20 that are interested in integrated English lit-
21 eracy, U.S. history, and civics education pro-
22 grams;

23 “(H) to study the effectiveness of distance
24 learning or self-study programs in assisting the

1 English language learner population achieve
2 competence in English;”.

3 (d) REPORT.—Section 242(k) of the Adult Education
4 and Family Literacy Act (20 U.S.C. 9252(k)) is amend-
5 ed—

6 (1) in paragraph (2), by striking “and” after
7 the semicolon;

8 (2) by redesignating paragraph (3) as para-
9 graph (4); and

10 (3) by inserting after paragraph (2) the fol-
11 lowing:

12 “(3) a separate analysis of—

13 “(A) national and State adult English in-
14 struction needs;

15 “(B) data on the composition of recent im-
16 migration flows and immigration settlement
17 patterns across the United States; and

18 “(C) estimated instructional needs based
19 on the English ability and educational attain-
20 ment of English language learners under recent
21 migration patterns; and”.

22 (e) NATIONAL LEADERSHIP ACTIVITIES.—Section
23 243 of the Adult Education and Family Literacy Act (20
24 U.S.C. 9253) is amended—

25 (1) in paragraph (1)—

1 (A) in subparagraph (A), by inserting
2 “and integrated English literacy, U.S. history,
3 and civics education programs” before the semi-
4 colon at the end; and

5 (B) in subparagraph (B), by inserting
6 “and integrated English literacy, U.S. history,
7 and civics education programs” before “, based
8 on scientific evidence”; and

9 (2) in paragraph (2)—

10 (A) in subparagraph (B), by inserting
11 “and integrated English literacy, U.S. history,
12 and civics education programs” before the semi-
13 colon at the end;

14 (B) in subparagraph (D)(ii), by inserting
15 “integrated English literacy, U.S. history, and
16 civics education programs,” before “and work-
17 place literacy programs”; and

18 (C) in subparagraph (E)—

19 (i) in clause (i), by inserting “and in-
20 tegrated English literacy, U.S. history, and
21 civics education programs” before the
22 semicolon at the end;

23 (ii) in clause (iii), by striking “and”
24 after the semicolon;

25 (iii) in clause (iv)—

1 (I) by striking “section 231” and
2 inserting “sections 231 and 244”; and

3 (II) by inserting “and” after the
4 semicolon; and

5 (iv) by adding at the end the fol-
6 lowing:

7 “(v) the extent to which integrated
8 English literacy, U.S. history, and civics
9 education programs carried out under sec-
10 tion 244 lead participants in such pro-
11 grams to increase their civic participation
12 and, if applicable, lead such participants to
13 become United States citizens;”.

14 (f) INTEGRATED ENGLISH LITERACY, U.S. HISTORY,
15 AND CIVICS EDUCATION.—Chapter 4 of subtitle A of the
16 Adult Education and Family Literacy Act (20 U.S.C.
17 9251 et seq.) is amended by adding at the end the fol-
18 lowing:

19 **“SEC. 244. INTEGRATED ENGLISH LITERACY, U.S. HISTORY,
20 AND CIVICS EDUCATION PROGRAMS.**

21 “(a) PROGRAM AUTHORIZED.—From funds appro-
22 priated to carry out this section, the Secretary shall award
23 grants to States, from allocations under subsection (b),
24 for integrated English literacy, U.S. history, and civics
25 education programs.

1 “(b) ALLOCATIONS.—

2 “(1) IN GENERAL.—Subject to paragraph (2),
3 from the amount appropriated under subsection (c)
4 for a fiscal year, the Secretary shall allocate—

5 “(A) 65 percent of such amount to States
6 on the basis of a State’s need for integrated
7 English, U.S. history, and civics education pro-
8 grams, as determined by calculating each
9 State’s share of a 10-year average of the data
10 compiled by the Office of Immigration Statistics
11 of the Department of Homeland Security, for
12 immigrants admitted for lawful permanent resi-
13 dence for the 10 most recent years; and

14 “(B) 35 percent of such amount to the
15 States on the basis of whether the State experi-
16 enced growth, as measured by the average of
17 the 3 most recent years for which data compiled
18 by the Office of Immigration Statistics of the
19 Department of Homeland Security are avail-
20 able, for immigrants admitted for lawful perma-
21 nent residence.

22 “(2) MINIMUM.—No State shall receive an allo-
23 cation under paragraph (1) in an amount that is less
24 than \$60,000.

1 “(c) AUTHORIZATION OF APPROPRIATION.—For the
 2 purpose of carrying out this section, there are authorized
 3 to be appropriated \$200,000,000 for fiscal year 2010,
 4 \$250,000,000 for fiscal year 2011, and \$300,000,000 for
 5 fiscal year 2012.”.

6 **SEC. 102. DEFINITIONS OF ENGLISH LANGUAGE LEARNER.**

7 (a) ADULT EDUCATION AND FAMILY LITERACY
 8 ACT.—The Adult Education and Family Literacy Act (20
 9 U.S.C. 9201 et seq.) is amended—

10 (1) in section 203(6) (20 U.S.C. 9202(6)), by
 11 striking “individuals of limited English proficiency”
 12 and inserting “English language learners”;

13 (2) in section 203 (20 U.S.C. 9202)—

14 (A) in paragraph (10)—

15 (i) in the paragraph heading, by strik-
 16 ing “INDIVIDUAL OF LIMITED ENGLISH
 17 PROFICIENCY” and inserting “ENGLISH
 18 LANGUAGE LEARNER”; and

19 (ii) in the matter preceding subpara-
 20 graph (A), by striking “individual of lim-
 21 ited English proficiency” and inserting
 22 “English language learner”; and

23 (B) by redesignating paragraphs (6), (7),
 24 (8), (9), and (10), as paragraphs (7), (8), (9),
 25 (10), and (6), respectively;

1 (3) in section 224(b)(10)(D) (20 U.S.C.
2 9224(b)(10)(D)), by striking “individuals with lim-
3 ited English proficiency” and inserting “English lan-
4 guage learners”; and

5 (4) in section 243(2)(D)(ii) (20 U.S.C.
6 9253(2)(D)(ii)), by striking “individuals with limited
7 English proficiency who are adults” and inserting
8 “adult English language learners”.

9 (b) ELEMENTARY AND SECONDARY EDUCATION ACT
10 OF 1965.—

11 (1) AMENDMENT.—Section 9101(25) of the El-
12 ementary and Secondary Education Act of 1965 (20
13 U.S.C. 7801(25)) is amended by striking the matter
14 preceding subparagraph (A) and inserting the fol-
15 lowing:

16 “(25) ENGLISH LANGUAGE LEARNER.—The
17 term ‘English language learner’ means an indi-
18 vidual—”.

19 (2) REFERENCES.—Any reference in the Ele-
20 mentary and Secondary Education Act of 1965 (20
21 U.S.C. 6301 et seq.) to an individual who is limited
22 English proficient shall be construed to refer to an
23 English language learner.

1 **SEC. 103. CREDITS FOR TEACHERS OF ENGLISH LANGUAGE**
 2 **LEARNERS.**

3 (a) IN GENERAL.—Subpart A of part IV of sub-
 4 chapter A of chapter 1 of the Internal Revenue Code of
 5 1986 (relating to nonrefundable personal credits) is
 6 amended by inserting after section 25D the following new
 7 section:

8 **“SEC. 25E. TEACHERS OF ENGLISH LANGUAGE LEARNERS.**

9 “(a) IN GENERAL.—In the case of an eligible teacher,
 10 there shall be allowed a credit against the tax imposed
 11 by this chapter for the taxable year an amount equal to—

12 “(1) \$750, for each of the first 5 taxable years
 13 for which the taxpayer is allowed a credit under this
 14 section; and

15 “(2) \$500, for any other taxable year.

16 “(b) CREDIT ALLOWED ONLY FOR 10 TAXABLE
 17 YEARS.—No credit shall be allowed under this section
 18 with respect to a taxpayer for any taxable year after the
 19 10th taxable year for which such taxpayer is allowed a
 20 credit under this section.

21 “(c) ELIGIBLE TEACHER.—For purposes of this sec-
 22 tion—

23 “(1) IN GENERAL.—Except as provided in para-
 24 graph (2), the term ‘eligible teacher’ means, with re-
 25 spect to a taxable year, any individual who is—

1 “(A) a full-time teacher of English as a
2 second language or bilingual instruction for the
3 academic year ending in such taxable year, or

4 “(B) an eligible part-time teacher of
5 English as a second language or bilingual in-
6 struction for the academic year ending in such
7 taxable year.

8 “(2) ELIGIBLE PART-TIME TEACHER.—The
9 term ‘eligible part-time teacher’ means, with respect
10 to a taxable year, an individual who teaches at least
11 20 hours per week during the academic year ending
12 in such taxable year. Such term does not include any
13 individual who is a full-time teacher of English as a
14 second language during such academic year.

15 “(3) SPECIAL RULE.—In the case of an eligible
16 part-time teacher, subsection (a) shall be applied by
17 substituting ‘\$375’ for ‘\$750’ and by substituting
18 ‘\$250’ for ‘\$500.’.”

19 (b) CLERICAL AMENDMENT.—The table of sections
20 for such subpart is amended by inserting after the item
21 relating to section 25D the following new item:

 “Sec. 25E. Teachers of English language learners.”

22 (c) TEACHER CERTIFICATION EXPENSES.—Part VII
23 of subchapter B of chapter 1 of the Internal Revenue Code
24 of 1986 (relating to additional itemized deductions for in-
25 dividuals) is amended by redesignating section 224 as sec-

1 tion 225 and by inserting after section 223 the following
 2 new section:

3 **“SEC. 224. CERTIFICATION EXPENSES FOR TEACHERS OF**
 4 **ENGLISH LANGUAGE LEARNERS.**

5 “(a) IN GENERAL.—In the case of an individual,
 6 there shall be allowed a deduction for eligible teacher cer-
 7 tification expenses paid or incurred by the taxpayer for
 8 the taxable year.

9 “(b) ELIGIBLE TEACHER CERTIFICATION EX-
 10 PENSES.—The term ‘eligible teacher certification ex-
 11 penses’—

12 “(1) means the tuition and fees required for the
 13 enrollment or attendance of the taxpayer at an eligi-
 14 ble educational institution (as defined in section
 15 25A) for a course which is required for certification
 16 or licensure of such individual as qualified to provide
 17 English as a second language or bilingual instruction
 18 to elementary or secondary school students who are
 19 limited English proficient (as defined in section
 20 9901 of the Elementary and Secondary Education
 21 Act of 1965); and

22 “(2) shall not include any amounts that are—

23 “(A) used for a course that is part of the
 24 individual’s degree program; or

1 “(B) funded by another person or any gov-
2 ernmental entity.

3 “(c) DENIAL OF DOUBLE BENEFIT.—No deduction
4 shall be allowed under this section for any expense for
5 which a deduction or credit is allowed under any other
6 provision of this chapter.

7 “(d) TERMINATION.—This section shall not apply to
8 expenses paid or incurred after December 31, 2014.”.

9 (d) CERTIFICATION DEDUCTION ALLOWED WHETH-
10 ER OR NOT TAXPAYER ITEMIZES OTHER DEDUCTIONS.—
11 Subsection (a) of section 62 of such Code is amended by
12 inserting after paragraph (21) the following new para-
13 graph:

14 “(22) TEACHER CERTIFICATION EXPENSES.—
15 The deduction allowed by section 224.”.

16 (e) CLERICAL AMENDMENT.—The table of sections
17 for part VII of subchapter B of chapter 1 of such Code
18 is amended by striking the last item and inserting the fol-
19 lowing new items:

 “Sec. 224. Certification expenses for teachers of English language learners.
 “Sec. 225. Cross reference.”.

20 (f) REGULATIONS.—Not later than 180 days after
21 the date of the enactment of this Act, the Secretary of
22 the Treasury shall promulgate regulations implementing
23 the provisions of this section.

1 (g) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to taxable years beginning after
3 December 31, 2009.

4 **SEC. 104. RESEARCH IN ADULT EDUCATION.**

5 (a) IN GENERAL.—Section 133(c)(2)(A) of the Edu-
6 cation Sciences Reform Act of 2002 (20 U.S.C.
7 9533(c)(2)(A)) is amended by inserting “education and”
8 before “literacy”.

9 (b) NATIONAL RESEARCH AND DEVELOPMENT CEN-
10 TER.—

11 (1) IN GENERAL.—The Secretary of Education
12 shall direct the Commissioner for Education Re-
13 search of the National Center for Education Re-
14 search established pursuant to section 131 of the
15 Education Sciences Reform Act of 2002 (20 U.S.C.
16 9531) to establish a national research and develop-
17 ment center for adult education and literacy as de-
18 scribed in section 133(c)(2)(A) of such Act (20
19 U.S.C. 9533(c)(2)(A)) (as amended by subsection
20 (a)).

21 (2) PROVISION FOR EXPANSION OF RE-
22 SEARCH.—If, as of the date of enactment of this
23 Act, the Commissioner has established a center for
24 adult literacy in accordance with section
25 133(c)(2)(A) of the Education Sciences Reform Act

1 of 2002, the Commissioner shall expand the topic of
 2 research of such center to include adult education,
 3 in accordance with the amendment made by sub-
 4 section (a).

5 **TITLE II—SUPPORTING ENGLISH**
 6 **LANGUAGE ACQUISITION AND**
 7 **ADULT EDUCATION IN THE**
 8 **WORKFORCE**

9 **SEC. 201. CREDIT FOR EMPLOYER-PROVIDED ADULT**
 10 **ENGLISH LITERACY AND BASIC EDUCATION**
 11 **PROGRAMS.**

12 (a) IN GENERAL.—Subpart D of part IV of sub-
 13 chapter A of chapter 1 of the Internal Revenue Code of
 14 1986 (relating to business related credits) is amended by
 15 adding at the end the following:

16 **“SEC. 45R. EMPLOYER-PROVIDED ADULT ENGLISH LIT-**
 17 **ERACY AND BASIC EDUCATION PROGRAMS.**

18 “(a) IN GENERAL.—For the purposes of section 38,
 19 the credit determined under this section with respect to
 20 any employer for the taxable year is an amount equal to
 21 20 percent of qualified education program expenses, but
 22 in no case shall the employer receive a credit in an amount
 23 of more than \$1,000 per full-time employee participating
 24 in the qualified education program.

1 “(b) QUALIFIED EDUCATION PROGRAM EX-
2 PENSES.—For purposes of this section—

3 “(1) IN GENERAL.—The term ‘qualified edu-
4 cation program expenses’ means expenses paid or in-
5 curred by an employer to make available qualified
6 education to employees of the employer, who—

7 “(A) are English language learners; and

8 “(B)(i) have not received a secondary
9 school diploma, or its recognized equivalent; or

10 “(ii) lack sufficient mastery of basic edu-
11 cational skills, including financial literacy, to
12 enable the individuals to function effectively in
13 society.

14 “(2) QUALIFIED EDUCATION.—The term ‘quali-
15 fied education’ means adult education and literacy
16 activities provided—

17 “(A) by an eligible provider which for the
18 fiscal year ending during the employer’s taxable
19 year receives or is eligible to receive Federal
20 funds under section 231 of the Adult Education
21 and Family Literacy Act for adult education
22 and literacy activities; or

23 “(B) in curriculum approved by the De-
24 partment of Education, the Employment and

1 Training Administration of the Department of
2 Labor, or in current use by a Federal agency.

3 “(3) ELIGIBLE PROVIDER; ADULT EDUCATION
4 AND LITERACY ACTIVITIES.—The terms ‘eligible pro-
5 vider’ and ‘adult education and literacy activities’
6 shall have the respective meanings given to such
7 terms in section 203 of the Adult Education and
8 Family Literacy Act.

9 “(4) ENGLISH LANGUAGE LEARNER.—The term
10 ‘English language learner’ shall have the same
11 meaning given to such term in section 9101(25) of
12 the Elementary and Secondary Education Act of
13 1965.

14 “(c) SPECIAL RULES.—For purposes of this sec-
15 tion—

16 “(1) FULL-TIME EMPLOYMENT.—An employee
17 shall be considered full-time if such employee is em-
18 ployed at least 30 hours per week for 25 or more
19 calendar weeks in the taxable year.

20 “(2) AGGREGATION RULE.—All persons treated
21 as a single employer under subsection (a) or (b) or
22 section 52, or subsection (m) or (o) of section 414,
23 shall be treated as 1 person.

24 “(d) DENIAL OF DOUBLE BENEFIT.—No deduction
25 or credit shall be allowed under any other provision of this

1 chapter for any amount taken into account in determining
2 the credit under this section.

3 “(e) ELECTION TO HAVE CREDIT NOT APPLY.—A
4 taxpayer may elect (at such time and in such manner as
5 the Secretary may by regulations prescribe) to have this
6 section not apply for any taxable year.

7 “(f) TERMINATION.—This section shall not apply to
8 expenses paid or incurred after December 31, 2014.”.

9 (b) CREDIT TO BE PART OF GENERAL BUSINESS
10 CREDIT.—Subsection (b) of section 38 of such Code (re-
11 lating to the current year business credit) is amended—

12 (1) by striking “plus” at the end of paragraph
13 (34);

14 (2) by striking the period at the end of para-
15 graph (35) and inserting “, plus”; and

16 (3) by adding at the end the following new
17 paragraph:

18 “(36) the adult English literacy and basic edu-
19 cation programs credit determined under section
20 45R.”.

21 (c) CLERICAL AMENDMENT.—The table of sections
22 for subpart D of part IV of subchapter A of chapter 1
23 of the such Code is amended by adding at the end the
24 following new item:

“Sec. 45R. Employer-provided adult English literacy and basic education pro-
grams.”.

1 (d) REGULATIONS.—Not later than 180 days after
2 the date of the enactment of this Act, the Secretary of
3 the Treasury shall promulgate regulations implementing
4 the provisions of this section.

5 (e) EFFECTIVE DATE.—The amendments made by
6 this section shall apply to taxable years beginning after
7 December 31, 2009.

8 **SEC. 202. PRESIDENTIAL AWARD FOR BUSINESS LEADER-**
9 **SHIP IN PROMOTING UNITED STATES CITI-**
10 **ZENSHIP.**

11 (a) ESTABLISHMENT.—There is established the Pres-
12 idential Award for Business Leadership in Promoting
13 United States Citizenship (referred to in this section as
14 the “Presidential Citizenship Award”), which shall be
15 awarded to companies and other organizations that make
16 extraordinary efforts in assisting their employees and
17 members to learn English and increase their under-
18 standing of United States history and civics.

19 (b) SELECTION AND PRESENTATION OF AWARD.—

20 (1) SELECTION.—The President shall periodi-
21 cally award the Presidential Citizenship Award to
22 large and small companies and other organizations
23 described in subsection (a) after reviewing rec-
24 ommendations to the President with respect to such
25 award by the Secretary of Homeland Security.

1 (2) PRESENTATION.—The presentation of the
 2 Presidential Citizenship Award shall be made by the
 3 President, or a designee of the President, in con-
 4 junction with an appropriate ceremony.

5 **TITLE III—BUILDING STRONGER**
 6 **COMMUNITIES**

7 **SEC. 301. OFFICE OF CITIZENSHIP AND NEW AMERICANS.**

8 (a) RENAMING OF THE OFFICE OF CITIZENSHIP AND
 9 NEW AMERICANS.—

10 (1) IN GENERAL.—The Office of Citizenship
 11 within United States Citizenship and Immigration
 12 Services of the Department of Homeland Security
 13 shall be renamed the “Office of Citizenship and New
 14 Americans”.

15 (2) CONFORMING AMENDMENT.—Section 451(f)
 16 of the Homeland Security Act of 2002 (6 U.S.C.
 17 271(f)) is amended—

18 (A) in the subsection heading, by striking
 19 “CITIZENSHIP.” and inserting “CITIZENSHIP
 20 AND NEW AMERICANS.”;

21 (B) in paragraph (1), by inserting “and
 22 New Americans” after “Office of Citizenship”;
 23 and

24 (C) in paragraph (2), by inserting “and
 25 New Americans” after “Office of Citizenship”.

1 (3) REFERENCES.—Any reference in a law, reg-
2 ulation, document, paper, or other record of the
3 United States to the Office of Citizenship within
4 United States Citizenship and Immigration Services
5 of the Department of Homeland Security shall be
6 deemed to be a reference to the “Office of Citizen-
7 ship and New Americans”.

8 (b) FUNCTIONS.—Section 451(f)(2) of the Homeland
9 Security Act of 2002 (6 U.S.C. 271(f)(2)), as amended
10 by subsection (a)(2)(C), is further amended by striking
11 “for promoting” and all that follows through the period
12 and inserting “for—

13 “(A) establishing national goals for intro-
14 ducing new Americans into the United States
15 and measuring the degree to which such goals
16 are met;

17 “(B) assessing and coordinating Federal
18 policies, regulations, task forces, and commis-
19 sions related to introducing immigrants into the
20 United States;

21 “(C) continuing with the efforts of the
22 Task Force on New Americans established
23 under Executive Order No. 13404 to facilitate
24 a dialogue among Federal agencies, make rec-
25 ommendations to the President of the United

1 States, and follow through with initiatives ad-
2 ministered by the Task Force under the author-
3 ity of such Executive Order;

4 “(D) serving as a liaison and intermediary
5 with State and local governments and other en-
6 tities to assist in establishing local goals, task
7 forces, and councils to assist in introducing im-
8 migrants to the United States;

9 “(E) coordinating with other Federal agen-
10 cies to provide information to State and local
11 governments on the demand for English acqui-
12 sition programs and best practices in place on
13 the Federal and State level for aliens who have
14 recently arrived in the United States;

15 “(F) assisting States in coordinating ac-
16 tivities with the grant program carried out
17 under title III of the Strengthen and Unite
18 Communities with Civics Education and
19 English Skills Act of 2009; and

20 “(G) promoting instruction and training on
21 citizenship responsibilities for aliens interested
22 in becoming naturalized citizens of the United
23 States, including the development of edu-
24 cational materials for such aliens.”.

1 (c) DONATIONS.—Section 451(f) of the Homeland
2 Security Act of 2002 (6 U.S.C. 271(f)), as amended by
3 this section, is further amended by adding at the end the
4 following:

5 “(3) DONATIONS.—

6 “(A) ACCEPTANCE OF DONATIONS.—The
7 Chief of the Office of Citizenship and New
8 Americans may accept monetary and in-kind
9 donations to support the activities described in
10 paragraph (2).

11 “(B) DEDICATION OF FUNDS.—Notwith-
12 standing any other provision of law—

13 “(i) any funds donated to the Office
14 of Citizenship and New Americans to sup-
15 port the activities described in paragraph
16 (2) shall be deposited entirely into an ac-
17 count established for such purpose;

18 “(ii) the funds contained in such ac-
19 count shall be used solely to support such
20 activities; and

21 “(iii) funds that were not donated for
22 the exclusive purpose of supporting such
23 activities may not be deposited into such
24 account.”.

1 (d) REPORT TO CONGRESS.—The Chief of the Office
2 of Citizenship and New Americans shall submit a biennial
3 report to the authorizing Committees in Congress that de-
4 scribes the activities of the office.

5 **SEC. 302. GRANTS TO STATES.**

6 (a) AUTHORITY TO PROVIDE GRANTS.—Subject to
7 subsections (c) and (d), the Chief of the Office of Citizen-
8 ship and New Americans is authorized to provide competi-
9 tive grants to States to form State New American Coun-
10 cils as described in subsection (b) to carry out activities
11 described in section 303.

12 (b) STATE NEW AMERICAN COUNCILS.—A State
13 New American Council shall consist of not less than 15
14 and not more than 19 individuals from the State and shall
15 include, to the extent practicable, representatives from the
16 following sectors:

17 (1) Business.

18 (2) Faith-based organizations.

19 (3) Civic organizations.

20 (4) Philanthropic leaders.

21 (5) Nonprofit organizations, including those
22 with experience working with immigrant commu-
23 nities.

24 (6) Representatives from key education stake-
25 holders, such as State educational agencies, local

1 educational agencies, community colleges, or teach-
2 ers.

3 (7) Representatives of State adult education of-
4 fices.

5 (8) Representatives of State or local public li-
6 braries.

7 (9) Representatives of statewide or local govern-
8 ment officials.

9 (c) WAIVER OF REQUIREMENT.—

10 (1) AUTHORITY TO GRANT.—The Chief of the
11 Office of Citizenship and New Americans may award
12 a grant under subsection (a) to a State without re-
13 quiring the State to form a State New American
14 Council if the Chief determines that the State is car-
15 rying out similar statewide initiatives to introduce
16 immigrants into the State and into the United
17 States.

18 (2) GUIDELINES.—The Chief shall establish
19 guidelines for awarding grants to States described in
20 paragraph (1).

21 (d) GRANTS TO LOCAL GOVERNMENTS.—The Chief
22 of the Office of Citizenship and New Americans may pro-
23 vide a grant under subsection (a) to a local government
24 at the discretion of the Chief.

1 (e) APPLICATION.—To be eligible to receive a grant
2 under this section, an applicant shall submit an applica-
3 tion to the Chief of the Office of Citizenship and New
4 Americans at such time, in such manner, and containing
5 such information as the Chief may reasonably require.
6 Such application shall include—

7 (1) if the applicant is a State seeking to form
8 a State New American Council, an assurance that
9 such State New American Council will meet the re-
10 quirements of subsection (b);

11 (2) the number of immigrants in the State in
12 which the applicant is located;

13 (3) a description of the challenges in intro-
14 ducing new Americans in the State and local com-
15 munity; and

16 (4) any other information that the Chief may
17 reasonably require.

18 (f) DURATION.—A grant awarded under subsection
19 (a) shall be for a period of 5 years.

20 (g) PRIORITY.—Priority shall be given to grant appli-
21 cations that—

22 (1) use matching funds, from non-Federal
23 sources, which may include in-kind contributions;
24 and

1 (2) demonstrate collaboration with private enti-
2 ties to achieve the goals of their comprehensive plan.

3 (h) **ADDITIONAL CONSIDERATION.**—Additional con-
4 sideration shall be given to grant applications submitted
5 by States with a large increase in the population of immi-
6 grants over the previous 10 years relative to past migra-
7 tion patterns, based on data compiled by the Office of Im-
8 migration Statistics of the Department of Homeland Secu-
9 rity.

10 (i) **GRANT AMOUNT.**—The amount of a grant award-
11 ed under subsection (a) shall be not less than \$500,000
12 and not more than \$5,000,000 for each fiscal year.

13 (j) **RESERVATIONS.**—

14 (1) **NATIONAL.**—The Chief of the Office of Citi-
15 zenship and New Americans shall reserve not more
16 than 1 percent of the amount appropriated to carry
17 out this section for such Office, including the evalua-
18 tion of funds distributed.

19 (2) **STATES.**—A State awarded a grant under
20 subsection (a) may reserve not more than 10 percent
21 of such grant amount for the creation and operation
22 of the State New American Council.

23 **SEC. 303. AUTHORIZED ACTIVITIES.**

24 (a) **MANDATORY ACTIVITIES.**—A grant awarded
25 under section 302(a) shall be used—

1 (1) to develop, implement, expand, or enhance
2 a comprehensive plan to introduce new immigrants
3 into the State, including the increase in English lit-
4 eracy, U.S. history, and civics education;

5 (2) to provide subgrants to local communities
6 as described in subsection (c);

7 (3) if the grant is awarded to a State to form
8 a State New American Council, to convene meetings
9 of the State New American Council not less fre-
10 quently than once each quarter;

11 (4) to disseminate best practices and other in-
12 formation compiled by the Office of Citizenship and
13 New Americans that pertains to effective programs
14 for English acquisition and civics education; and

15 (5) to convene public hearings not less fre-
16 quently than once each year to report on the activi-
17 ties carried out by such grant.

18 (b) PERMISSIBLE ACTIVITIES.—A grant awarded
19 under section 302(a) may be used—

20 (1) to solicit and disseminate solutions and
21 remedies to the challenges of introducing new Amer-
22 icans in the State or municipality in which the grant
23 is awarded;

24 (2) to provide technical assistance, training, or
25 coordination for State or local agencies to improve

1 programs to introduce new Americans into the
2 United States, such as English literacy, U.S. his-
3 tory, and civics education;

4 (3) to review and develop strategies to expand
5 distance learning as a method of instruction for
6 English literacy, U.S. history, and civics education
7 and available technological programs that may sup-
8 plement or supplant quality classroom instruction;

9 (4) to coordinate with entities of other States
10 engaged in activities under this title or other activi-
11 ties to introduce new Americans into the State or
12 community; and

13 (5) to develop materials focused on preparation
14 for the naturalization test, engage in outreach and
15 educational activities on the naturalization process,
16 and provide assistance to immigrants with the natu-
17 ralization application, where appropriate.

18 (c) SUBGRANTS TO LOCAL COMMUNITIES.—

19 (1) REQUIREMENT TO AWARD.—A grant under
20 section 302(a) shall be used to award subgrants to
21 entities of local governments to assist communities
22 with local efforts to introduce new Americans into
23 the community.

24 (2) AUTHORIZED ACTIVITIES.—Subgrants shall
25 be awarded under paragraph (1) to entities of local

1 governments for use to carry out activities in accord-
2 ance with—

3 (A) a comprehensive plan described in sub-
4 section (a)(1); and

5 (B) any guidance provided by the Chief of
6 the Office of Citizenship and New Americans.

7 (3) SUBGRANT AMOUNT.—The amount of a
8 subgrant awarded under this subsection shall be not
9 less than \$100,000 and not more than \$600,000 for
10 a fiscal year.

11 **SEC. 304. REPORTING AND EVALUATION.**

12 (a) REPORTING REQUIREMENT.—

13 (1) IN GENERAL.—Each entity awarded a grant
14 under section 302(a) shall submit a report annually
15 to the Office of Citizenship and New Americans
16 that—

17 (A) describes the activities of the State
18 New American Council and subgrant recipients
19 and how these activities meet the goals of—

20 (i) the Chief of the Office of Citizen-
21 ship and New Americans; and

22 (ii) the comprehensive plan described
23 in section 303(a)(1); and

1 (B) describes the geographic areas being
2 served, the number of immigrants in such
3 areas, and the primary languages spoken there.

4 (2) OTHER REQUIREMENTS.—The Chief of the
5 Office of Citizenship may set out other requirements
6 as the Chief sees fit in order to—

7 (A) impose accountability; and

8 (B) measure the outcomes of the activities
9 carried out with grants awarded under section
10 302(a).

11 (b) ANNUAL EVALUATION.—The Chief of the Office
12 of Citizenship and New Americans shall conduct an an-
13 nual evaluation of the grant program established under
14 this title and use such evaluation—

15 (1) to improve the effectiveness of programs
16 carried out by the Chief;

17 (2) to assess future needs of immigrants and of
18 State and local governments related to immigrants;

19 (3) to determine the effectiveness of such grant
20 program; and

21 (4) to ensure that the grantees and subgrantees
22 are acting within the scope and purpose of this title.

23 **SEC. 305. NEW CITIZENS AWARD PROGRAM.**

24 (a) ESTABLISHMENT.—There is established a new
25 citizens award program to recognize citizens who—

1 (1) have made an outstanding contribution to
2 the United States; and

3 (2) are naturalized during the 10-year period
4 ending on the date of such recognition.

5 (b) PRESENTATION AUTHORIZED.—

6 (1) IN GENERAL.—The President is authorized
7 to present a medal, in recognition of outstanding
8 contributions to the United States, to citizens de-
9 scribed in subsection (a).

10 (2) MAXIMUM NUMBER OF AWARDS.—Not more
11 than 10 citizens may receive a medal under this sec-
12 tion in any calendar year.

13 **SEC. 306. RULE OF CONSTRUCTION.**

14 Nothing in this title shall be construed to limit the
15 authority of the Secretary of Homeland Security, acting
16 through the Director of United States Citizenship and Im-
17 migration Services or such other officials of the Depart-
18 ment of Homeland Security as the Secretary of Homeland
19 Security may direct, to manage, direct, and control the
20 activities of the Chief of the Office of Citizenship and New
21 Americans.

1 **SEC. 307. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to carry out
3 this title \$100,000,000 for each of the fiscal years 2010
4 through 2015.

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