

115TH CONGRESS
2D SESSION

H. R. 6363

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the establishment of immigration consumer fraud information hotlines and websites, and for outreach campaigns on immigration consumer fraud, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2018

Ms. VELÁZQUEZ (for herself, Mr. VEASEY, Mr. CROWLEY, Mr. CARSON of Indiana, Mr. ESPAILLAT, Mr. MCGOVERN, Ms. CLARKE of New York, Ms. NORTON, Mr. GALLEGO, Mr. GRJALVA, Mr. SOTO, and Mr. MEEKS) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the establishment of immigration consumer fraud information hotlines and websites, and for outreach campaigns on immigration consumer fraud, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Protecting Immigrant
3 Communities from Consumer Fraud Act of 2018”.

4 **SEC. 2. LOCAL IMMIGRATION CONSUMER FRAUD INFORMA-**
5 **TION HOTLINES AND ASSISTANCE WEBSITES.**

6 Title I of the Omnibus Crime Control and Safe
7 Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended
8 by adding at the end the following:

9 **“PART MM—IMMIGRATION CONSUMER FRAUD**
10 **HOTLINES AND WEBSITES**
11 **“SEC. 3031. IMMIGRATION CONSUMER FRAUD HOTLINES**
12 **AND WEBSITES.**

13 “(a) GRANT AUTHORIZATION.—The Attorney Gen-
14 eral shall make grants to States, units of local govern-
15 ment, or any combination thereof, in partnership with
16 stakeholders, service providers, and nonprofit organiza-
17 tions.

18 “(b) MANDATORY GRANT USES.—Grant funds shall
19 be expended for each of the following purposes:

20 “(1) IMMIGRATION CONSUMER FRAUD INFOR-
21 MATION WEBSITES.—To provide for the establish-
22 ment and operation of an immigration consumer
23 fraud information and assistance website, which
24 shall be a highly secure internet website that pro-
25 vides information and assistance to victims of immi-
26 gration consumer fraud. In establishing and oper-

1 ating the immigration consumer fraud and assist-
2 ance website, the grantee shall—

3 “(A) use grant funds for startup and oper-
4 ation costs associated with establishing and op-
5 erating the website;

6 “(B) use a name or acronym as part of its
7 web address that identifies the website with the
8 geographic locality receiving the grant under
9 subsection (a);

10 “(C) provide accurate information that de-
11 scribes the services available to immigration
12 consumer fraud victims, including free or low-
13 cost legal assistance;

14 “(D) clearly include, in all pages of the
15 website, that the information presented is for
16 reference purposes only and does not constitute
17 as legal advice; and

18 “(E) must provide translation of website
19 content, in languages that are consistent with
20 the criteria outlined in subsection (d)(2)(E)(i)
21 of this part, either with a web page interface,
22 or mirrored pages.

23 “(2) IMMIGRATION CONSUMER FRAUD HOT-
24 LINES.—To establish or expand an immigration con-
25 sumer fraud hotline to provide information and as-

1 sistance to victims of immigration consumer fraud.
2 In addition, grantees may, in operating with the hot-
3 line, work in conjunction with other local programs
4 and activities that serve victims of immigration con-
5 sumer fraud. In establishing and operating the hot-
6 line, the entity shall—

7 “(A) contract with a carrier for the use of
8 a toll-free telephone line;

9 “(B) employ, train and supervise personnel
10 to answer incoming calls and provide assistance
11 and referral services to callers on a 24-hour-a-
12 day basis;

13 “(C) assemble and maintain a current
14 database of information relating to services for
15 victims of immigration consumer fraud to which
16 callers throughout the United States may be re-
17 ferred; and

18 “(D) be prohibited from asking hotline
19 callers about their citizenship status.

20 “(c) RULE OF CONSTRUCTION.—Nothing in this Act
21 shall require a grantee receiving funds under this Act to
22 comply with a request lawfully made by the Department
23 of Homeland Security under section 236 or 287 of the
24 Immigration and Nationality Act (8 U.S.C. 1226 and

1 1357) to comply with a detainer for, or notify about the
2 use of services provided under this Act by an individual.

3 “(d) APPLICATION.—The Attorney General may ap-
4 prove an application for a grant under this section only
5 if such application—

6 “(1) contains such agreements, assurances, and
7 information, be in such form, and be submitted in
8 such manner, as the Attorney General shall by rule
9 require;

10 “(2) in the case of an application for a grant
11 to carry out activities described in subsection (b)(2),
12 includes a complete description of the applicant’s
13 plan for the operation of an immigration consumer
14 fraud hotline, including descriptions of—

15 “(A) the training program for hotline per-
16 sonnel, including technology training to ensure
17 that all persons affiliated with the hotline are
18 able to effectively operate any technological sys-
19 tems used by the hotline;

20 “(B) the hiring criteria for hotline per-
21 sonnel;

22 “(C) the methods for the creation, mainte-
23 nance, and updating of a resource database;

24 “(D) a plan for publicizing the availability
25 of the hotline;

1 “(E) a plan for providing service to non-
2 English speaking callers that—

3 “(i) is based on data from the Bureau
4 of the Census and be consistent with the
5 local area demographics where the immi-
6 gration consumer fraud hotline will oper-
7 ate—such plan will outline which lan-
8 guages are most prevalent and commonly
9 requested for translation services; or

10 “(ii) is based on qualitative and quan-
11 titative observation from community serv-
12 ice providers offering immigration-related
13 services; and

14 “(F) a plan for facilitating access to the
15 hotline by persons with hearing impairments;
16 and

17 “(3) in the case of an application for a grant
18 to carry out activities described in subsection
19 (b)(1)—

20 “(A) include a complete description of the
21 applicant’s plan for the development, operation,
22 maintenance, and updating of information and
23 resources of the immigration consumer fraud
24 information and assistance website;

1 “(B) include a certification that the appli-
2 cant will implement a high level security system
3 to ensure the confidentiality of the website, tak-
4 ing into consideration the safety of immigration
5 consumer fraud victims; and

6 “(C) include an assurance that, after the
7 third year of the website project, the recipient
8 of the grant will develop a plan to secure other
9 public or private funding resources to ensure
10 the continued operation and maintenance of the
11 website; and

12 “(D) demonstrate that the applicant has
13 recognized expertise in the area of immigration
14 consumer fraud and a record of high quality
15 service to victims of immigration consumer
16 fraud, including a demonstration of support
17 from advocacy groups.

18 “(e) RENEWAL OF GRANTS.—A grant made under
19 this part may be renewed, without limitations on the dura-
20 tion of such renewal, to provide additional funds, if the
21 Attorney General determines that the funds made avail-
22 able to the recipient were used in a manner required under
23 an approved application and if the recipient can dem-
24 onstrate significant progress in achieving the objectives of
25 the initial application.

1 “(f) NO COST EXTENSIONS.—Notwithstanding sub-
2 section (e), the Attorney General may extend a grant pe-
3 riod, without limitations as to the duration of such exten-
4 sion, to provide additional time to complete the objectives
5 of the initial grant award.

6 “(g) AUTHORIZATION OF APPROPRIATIONS.—

7 “(1) IN GENERAL.—There is authorized to be
8 appropriated to carry out this section \$15,000,000
9 for fiscal year 2018 and each succeeding fiscal year.

10 “(2) WEBSITES.—Of the amounts appropriated,
11 not less than 20 percent shall be used for purposes
12 of carrying out activities under subsection (b)(1).

13 “(3) AVAILABILITY.—Funds authorized to be
14 appropriated under this section may remain avail-
15 able until expended.

16 “(h) PROHIBITION OF DATA SHARING FOR IMMIGRA-
17 TION ENFORCEMENT PURPOSES.—

18 “(1) IN GENERAL.—Notwithstanding section
19 642 of the Illegal Immigration Reform and Immig-
20 rant Responsibility Act of 1996 (8 U.S.C. 1373),
21 an entity receiving a grant under this part may not
22 disclose or use personally identifiable information
23 provided by individuals using a website or a hotline,
24 a website or hotline under subsection (b), for the
25 purposes of enforcing the immigration laws.

1 “(2) REFERRALS PROHIBITED.—An entity re-
2 ceiving a grant under this part may not refer any
3 individual participating in any program funded
4 under this part to U.S. Immigration and Customs
5 Enforcement or to U.S. Customs and Border Protec-
6 tion.

7 “(3) PERSONALLY IDENTIFIABLE INFORMATION
8 DEFINED.—For purposes of this part, the term ‘per-
9 sonally identifiable information’ means any informa-
10 tion about an individual elicited, collected, stored, or
11 maintained by an entity receiving a grant under this
12 part, including—

13 “(A) any information that can be used to
14 distinguish or trace the identity of an indi-
15 vidual, such as a name, residential address, a
16 social security number, a date and place of
17 birth, or a parent’s maiden name; and

18 “(B) any other information that is linked
19 or linkable to an individual, such as medical,
20 educational, financial, and employment informa-
21 tion.

22 **“SEC. 3032. REPORT.**

23 “A State or unit of local government that receives
24 funds under this part during a fiscal year shall submit
25 to the Attorney General a description and an evaluation

1 report on a date specified by the Attorney General regard-
 2 ing the effectiveness of the programs carried out with a
 3 grant under this part.”.

4 **SEC. 3. GRANTS TO STATES AND LOCAL JURISDICTIONS TO**
 5 **PROMOTE OUTREACH CAMPAIGNS AGAINST**
 6 **IMMIGRATION CONSUMER FRAUD.**

7 Title I of such Act, as amended, is further amended
 8 by inserting after part MM the following:

9 **“PART NN—GRANTS TO STATES AND LOCAL JU-**
 10 **RISDICTIONS TO PROMOTE OUTREACH CAM-**
 11 **PAIGNS AGAINST IMMIGRATION CONSUMER**
 12 **FRAUD**

13 **“SEC. 3041. GRANTS TO STATES AND LOCAL JURISDICTIONS**
 14 **TO PROMOTE OUTREACH CAMPAIGNS**
 15 **AGAINST IMMIGRATION CONSUMER FRAUD.**

16 **“(a) GRANT AUTHORIZATION.—**

17 **“(1) IN GENERAL.—**The Attorney General shall
 18 make grants to States, units of local government, or
 19 any combination thereof, in partnership with stake-
 20 holders, service providers, and nonprofit organiza-
 21 tions

22 **“(2) PURPOSE.—**The purpose of grants distrib-
 23 uted under this under this subsection is to enable
 24 states and localities to work with parties in para-

1 graph (1) to carry out outreach campaigns in any of
2 the following:

3 “(A) Access to legal resources, including
4 free or low-cost legal resources for persons of
5 low-income.

6 “(B) Workshops educating the general
7 public on immigration consumer fraud, includ-
8 ing methods to identify such fraud and best
9 practices on prevention.

10 “(C) Hiring of casework staff, attorneys,
11 translators, accredited representatives and other
12 similar staff to provide support for outreach ob-
13 jectives.

14 “(D) Printed materials or digital media de-
15 signed with the intent to educate the public on
16 where to obtain trusted legal resources, and
17 how to prevent becoming a victim of immigra-
18 tion consumer fraud.

19 “(E) Public service announcements in tele-
20 vision or radio, providing information on re-
21 sources and assistance on preventing immigra-
22 tion consumer fraud.

23 “(F) Translation services, including trans-
24 lated equivalents of subparagraphs (A), (B),

1 (C) or (D), consistent with the grantee’s imme-
2 diate translation needs based on—

3 “(i) data from the Bureau of the Cen-
4 sus and be consistent with the local area
5 demographics where the outreach cam-
6 paign will operate, along with a description
7 of the languages are most prevalent or
8 commonly requested for translation serv-
9 ices; or

10 “(ii) quantitative or qualitative obser-
11 vation from community service providers
12 offering immigration-related services.

13 “(b) CONTENTS.—In accordance with such require-
14 ments as the Attorney General may by rule establish, each
15 application for a grant under this section shall—

16 “(1) include a long-term strategy and detailed
17 implementation plan that reflects consultation with
18 community groups and appropriate stakeholders;

19 “(2) explain the applicant’s inability to address
20 the need without Federal assistance;

21 “(3) identify related governmental and commu-
22 nity initiatives which compliment or will be coordi-
23 nated with the proposal; and

24 “(4) identify local service providers and non-
25 profit organizations that have substantial or signifi-

1 cant experience dealing with immigration-related
2 matters.

3 “(c) RENEWAL OF GRANTS.—A grant made under
4 this part may be renewed, without limitations on the dura-
5 tion of such renewal, to provide additional funds, if the
6 Attorney General determines that the funds made avail-
7 able to the recipient were used in a manner required under
8 an approved application and if the recipient can dem-
9 onstrate significant progress in achieving the objectives of
10 the initial application.

11 “(d) NO COST EXTENSIONS.—Notwithstanding sub-
12 section (c), the Attorney General may extend a grant pe-
13 riod, without limitations as to the duration of such exten-
14 sion, to provide additional time to complete the objectives
15 of the initial grant award.

16 “(e) SUSPENSION OF FUNDS.—If the Attorney Gen-
17 eral determines that a grant recipient under this section
18 is not in substantial compliance with the terms and re-
19 quirements of an approved grant application, the Attorney
20 General may revoke or suspend funding of that grant, in
21 whole, or in part.

22 “(f) AUTHORIZATION OF APPROPRIATIONS.—

23 “(1) IN GENERAL.—There is authorized to be
24 appropriated to carry out this section \$10,000,000
25 for fiscal year 2018 and each succeeding fiscal year.

1 “(2) AVAILABILITY.—Funds authorized to be
2 appropriated under this section may remain avail-
3 able until expended.

4 “(g) PROHIBITION ON DATA SHARING FOR IMMIGRA-
5 TION ENFORCEMENT PURPOSES.—

6 “(1) IN GENERAL.—Notwithstanding section
7 642 of the Illegal Immigration Reform and Immig-
8 grant Responsibility Act of 1996 (8 U.S.C.1373), an
9 entity receiving a grant under this part may not dis-
10 close or use personally identifiable information pro-
11 vided by individuals participating in outreach cam-
12 paigns specified in subsection (a) for the purposes of
13 enforcing the immigration laws.

14 “(2) REFERRALS PROHIBITED.—An entity re-
15 ceiving a grant under this part may not refer any
16 individual participating in any program funded
17 under this part to U.S. Immigration and Customs
18 Enforcement or to U.S. Customs and Border Protec-
19 tion.

20 “(3) PERSONALLY IDENTIFIABLE INFORMATION
21 DEFINED.—For purposes of this part, the term ‘per-
22 sonally identifiable information’ means any informa-
23 tion about an individual elicited, collected, stored, or
24 maintained by an entity receiving a grant under this
25 part, including—

1 “(A) any information that can be used to
2 distinguish or trace the identity of an indi-
3 vidual, such as a name, residential address, a
4 social security number, a date and place of
5 birth, or a parent’s maiden name; and

6 “(B) any other information that is linked
7 or linkable to an individual, such as medical,
8 educational, financial, and employment informa-
9 tion

10 **“SEC. 3042. REPORT.**

11 “A State or unit of local government that receives
12 funds under this part during a fiscal year shall submit
13 to the Attorney General a description and an evaluation
14 report on a date specified by the Attorney General regard-
15 ing the effectiveness of the programs carried out with a
16 grant under this part.”.

17 **SEC. 4. REQUIREMENTS FOR IMMIGRATION CONSULTANTS.**

18 Not later than 180 days after the date of the enact-
19 ment of this Act, the Commission, in consultation with the
20 Director of the Executive Office for Immigration Review
21 and the Secretary of Homeland Security, shall promulgate
22 regulations, in accordance with section 553 of title 5,
23 United States Code, that require an immigration consult-
24 ant—

1 (1) to disclose in all advertising or promotional
2 material and by displaying a notice at the regular
3 place of business (if any) of the consultant that the
4 consultant is not an immigration attorney, cannot
5 provide legal advice or legal services on immigration
6 matters, and is not authorized to represent aliens
7 before an immigration court or the Board of Immi-
8 gration Appeals or authorized to represent others be-
9 fore the Department of Homeland Security in con-
10 nection with an application for an immigration ben-
11 efit or an immigration proceeding;

12 (2) if the consultant enters into a written con-
13 tract for the provision of immigration consulting
14 services—

15 (A) to ensure that the contract states
16 that—

17 (i) the consultant is not an immigra-
18 tion attorney, cannot provide legal advice
19 or legal services on immigration matters,
20 and is not authorized to represent aliens
21 before an immigration court or the Board
22 of Immigration Appeals or authorized to
23 represent others before the Department of
24 Homeland Security in connection with an

1 application for an immigration benefit or
2 an immigration proceeding; and

3 (ii) the client has the right to have the
4 contract reviewed by an attorney;

5 (B) to provide the client with a copy of the
6 contract in English and, if requested by the cli-
7 ent, in one or more other languages;

8 (C) to inform the client of the right to re-
9 quest a copy of the contract in languages other
10 than English, as required by subparagraph (B);
11 and

12 (D) to ensure that the contract provides
13 the client with the right to rescind the contract
14 at any time during the 72-hour period after en-
15 tering into the contract;

16 (3) not to collect fees for immigration con-
17 sulting services before having rendered the services
18 for which the fees are charged;

19 (4) to return to the client any original docu-
20 ment obtained from the client (unless the original
21 document must be provided to a Federal or State
22 agency or another person and has been so provided)
23 and to furnish to the client for no additional charge
24 a copy of any document prepared or obtained by the
25 consultant for the client or otherwise used in connec-

1 tion with immigration consulting services for the cli-
2 ent (other than notes or other documents prepared
3 by the consultant for internal use in order to provide
4 such services); and

5 (5) to retain for not less than 3 years after
6 ceasing to provide immigration consulting services
7 for a client a copy of any document required by
8 paragraph (4) to be returned or furnished to the cli-
9 ent.

10 **SEC. 5. APPLICABILITY AND ENFORCEMENT.**

11 (a) GENERAL APPLICATION.—The requirements of
12 the regulations promulgated under section 4 apply, ac-
13 cording to their terms, to those persons, partnerships, and
14 corporations over which the Commission has authority
15 pursuant to section 5(a)(2) of the Federal Trade Commis-
16 sion Act (15 U.S.C. 45(a)(2)).

17 (b) ENFORCEMENT BY FEDERAL TRADE COMMIS-
18 SION.—

19 (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-
20 TICES.—A violation of a regulation promulgated
21 under section 4 shall be treated as a violation of a
22 regulation under section 18(a)(1)(B) of the Federal
23 Trade Commission Act (15 U.S.C. 57a(a)(1)(B)) re-
24 garding unfair or deceptive acts or practices.

1 (2) POWERS OF COMMISSION.—The Commis-
2 sion shall enforce the regulations promulgated under
3 section 4 in the same manner, by the same means,
4 and with the same jurisdiction, powers, and duties
5 as though all applicable terms and provisions of the
6 Federal Trade Commission Act (15 U.S.C. 41 et
7 seq.) were incorporated into and made a part of this
8 Act. Any person who violates such a regulation shall
9 be subject to the penalties and entitled to the privi-
10 leges and immunities provided in the Federal Trade
11 Commission Act.

12 (c) ACTIONS BY STATES.—

13 (1) IN GENERAL.—In any case in which the at-
14 torney general of a State, or an official or agency of
15 a State, has reason to believe that an interest of the
16 residents of such State has been or is threatened or
17 adversely affected by an act or practice in violation
18 of a regulation promulgated section 4, the State, as
19 *parens patriae*, may bring a civil action on behalf of
20 the residents of the State in an appropriate State
21 court or an appropriate district court of the United
22 States—

23 (A) to enjoin such act or practice;

24 (B) to enforce compliance with such regu-
25 lation;

1 (C) to obtain on behalf of residents of the
2 State—

3 (i) damages for actual monetary loss
4 from the violation, or up to \$10,000 in
5 damages for each such violation, whichever
6 is greater;

7 (ii) restitution; or

8 (iii) other compensation; or

9 (D) to obtain such other legal and equi-
10 table relief as the court may consider to be ap-
11 propriate.

12 (2) NOTICE.—Before filing an action under this
13 subsection, the attorney general, official, or agency
14 of the State involved shall provide to the Commis-
15 sion a written notice of such action and a copy of
16 the complaint for such action. If the attorney gen-
17 eral, official, or agency determines that it is not fea-
18 sible to provide the notice described in this para-
19 graph before the filing of the action, the attorney
20 general, official, or agency shall provide written no-
21 tice of the action and a copy of the complaint to the
22 Commission immediately upon the filing of the ac-
23 tion.

24 (3) AUTHORITY OF FEDERAL TRADE COMMIS-
25 SION.—

1 (A) IN GENERAL.—On receiving notice
2 under paragraph (2) of an action under this
3 subsection, the Commission shall have the
4 right—

5 (i) to intervene in the action;

6 (ii) upon so intervening, to be heard
7 on all matters arising therein; and

8 (iii) to file petitions for appeal.

9 (B) LIMITATION ON STATE ACTION WHILE
10 FEDERAL ACTION IS PENDING.—If the Commis-
11 sion or the Attorney General of the United
12 States has instituted a civil action for violation
13 of a regulation promulgated under section 4
14 (referred to in this subparagraph as the “Fed-
15 eral action”), no State attorney general, official,
16 or agency may bring an action under this sub-
17 section during the pendency of the Federal ac-
18 tion against any defendant named in the com-
19 plaint in the Federal action for any violation of
20 such regulation alleged in such complaint.

21 (4) RULE OF CONSTRUCTION.—For purposes of
22 bringing a civil action under this subsection, nothing
23 in this Act shall be construed to prevent an attorney
24 general, official, or agency of a State from exercising
25 the powers conferred on the attorney general, offi-

1 cial, or agency by the laws of such State to conduct
2 investigations, administer oaths and affirmations, or
3 compel the attendance of witnesses or the production
4 of documentary and other evidence.

5 (d) PRIVATE RIGHT OF ACTION.—

6 (1) IN GENERAL.—A person injured by an act
7 or practice in violation of a regulation promulgated
8 under section 4 may bring in an appropriate State
9 court or an appropriate district court of the United
10 States—

11 (A) an action to enjoin the violation;

12 (B) an action to recover damages for ac-
13 tual monetary loss from the violation, or to re-
14 ceive up to \$10,000 in damages for each such
15 violation, whichever is greater; or

16 (C) both such actions.

17 (2) WILLFUL OR KNOWING VIOLATIONS.—If the
18 court finds that the defendant acted willfully or
19 knowingly in committing a violation described in
20 paragraph (1), the court may, in its discretion, in-
21 crease the amount of the award to an amount equal
22 to not more than 3 times the amount available
23 under paragraph (1)(B).

24 (3) COSTS AND ATTORNEY'S FEES.—The court
25 shall award to a prevailing plaintiff in an action

1 under this subsection the costs of such action and
2 reasonable attorney's fees, as determined by the
3 court.

4 (4) NONEXCLUSIVE REMEDY.—The remedy pro-
5 vided by this subsection shall be in addition to any
6 other remedies available to the person.

7 (e) ADJUSTMENT FOR INFLATION.—Beginning on
8 the date that the Consumer Price Index is first published
9 by the Bureau of Labor Statistics that is at least 1 year
10 after the date of the enactment of this Act, and each year
11 thereafter, the amounts specified in subsections
12 (c)(1)(C)(i) and (d)(1)(B) shall be increased by the per-
13 centage increase in the Consumer Price Index published
14 on that date from the Consumer Price Index published
15 the previous year.

16 **SEC. 6. DEFINITIONS.**

17 In this Act:

18 (1) COMMISSION.—The term “Commission”
19 means the Federal Trade Commission.

20 (2) IMMIGRATION CONSULTANT.—The term
21 “immigration consultant” means a person engaged
22 in the provision of immigration consulting services,
23 except that such term does not include a person who
24 is—

1 (A) authorized to represent aliens before
2 an immigration court or the Board of Immigra-
3 tion Appeals; or

4 (B) authorized to represent others in con-
5 nection with an application or proceeding de-
6 scribed in paragraph (3)(A) before the Depart-
7 ment of Homeland Security in accordance with
8 regulations promulgated by the Secretary of
9 Homeland Security.

10 (3) IMMIGRATION CONSULTING SERVICES.—

11 (A) IN GENERAL.—The term “immigration
12 consulting services” means assistance, advice,
13 or services provided to an individual in connec-
14 tion with—

15 (i) application (or consideration of ap-
16 plication) by such individual for an immi-
17 gration benefit; or

18 (ii) an immigration proceeding involv-
19 ing such individual before or with the De-
20 partment of Homeland Security or the Ex-
21 ecutive Office for Immigration Review.

22 (B) INCLUSIONS.—Such term includes the
23 following:

24 (i) Assistance with procuring sup-
25 porting documentation requested by such

1 an agency, such as a birth certificate or
2 marriage license.

3 (ii) Referring a client to an attorney
4 for legal representation.

5 (iii) Assistance with complying with
6 requirements relating to biometric services.

7 (C) EXCLUSIONS.—Such term does not in-
8 clude the following:

9 (i) Completing a form of a Federal or
10 State agency or submitting such form to
11 such agency.

12 (ii) Translating the responses of a cli-
13 ent to the information requested on such a
14 form or in other communications with such
15 an agency.

16 (4) STATE.—The term “State” means each of
17 the several States, the District of Columbia, each
18 commonwealth, territory, or possession of the United
19 States, and each federally recognized Indian tribe.

20 **SEC. 7. DEFINITIONS.**

21 For the purposes of this Act—

22 (1) the term “web page interface” means an
23 online based platform that allows users, free of
24 charge, to translate online text on the web page,

1 upon request, without having to navigate to another
2 web page; and

3 (2) the term “mirrored pages” means web
4 pages that are translated in one or multiple lan-
5 guages from an English translation, and that are a
6 part of the website’s files.

○