

104TH CONGRESS
2D SESSION

S. 1677

To amend the Immigration and Nationality Act to establish the United States Citizenship Promotion Agency within the Immigration and Naturalization Service, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 16, 1996

Mrs. BOXER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to establish the United States Citizenship Promotion Agency within the Immigration and Naturalization Service, 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.**

4 This Act may be cited as the “Citizenship Promotion
5 Act of 1996”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) American democracy performs best when
2 the maximum number of people subject to its laws
3 participate in the political process, at all levels of
4 government.

5 (2) Citizenship actively exercised will better as-
6 sure that individuals both assert their rights and ful-
7 fill their responsibilities of membership within our
8 political community, thereby benefiting all citizens
9 and residents of the United States.

10 **SEC. 3. AMENDMENT TO THE IMMIGRATION AND NATION-**
11 **ALITY ACT.**

12 Title III of the Immigration and Nationality Act is
13 amended by adding at the end the following new chapter:

14 **“CHAPTER 5—CITIZENSHIP PROMOTION**

15 **“SEC. 371. DEFINITIONS.**

16 “As used in this chapter—

17 “(1) the term ‘Agency’ means the United States
18 Citizenship Promotion Agency; and

19 “(2) the term ‘Board’ means the National Advi-
20 sory Board on Citizenship established by section
21 373.

22 **“SEC. 372. THE UNITED STATES CITIZENSHIP PROMOTION**
23 **AGENCY.**

24 “(a) ESTABLISHMENT.—There is established within
25 the Immigration and Naturalization Service an agency to

1 be known as the United States Citizenship Promotion
2 Agency.

3 “(b) MISSION.—The Agency shall have as its mission
4 the following:

5 “(1) To carry out the functions relating to nat-
6 uralization arising under chapter 2 of this title.

7 “(2) To assist in the implementation of a com-
8 prehensive program of encouraging and assisting eli-
9 gible immigrants to become naturalized citizens as
10 soon thereafter as they become eligible to do so.

11 “(c) HEADED BY ASSOCIATE COMMISSIONER.—

12 “(1) APPOINTMENT.—The Agency shall be
13 headed by an Associate Commissioner for Citizen-
14 ship. Reasonable efforts shall be made to fill the po-
15 sition with a naturalized citizen of the United
16 States.

17 “(2) COMPENSATION.—The position of Associ-
18 ate Commissioner for Citizenship shall be a position
19 in the Senior Executive Service.

20 “(d) POWERS.—The Agency is authorized to exercise
21 all necessary and appropriate powers and duties to carry
22 out its mission, including the authority—

23 “(1) to enter into cooperative agreements with
24 Federal, State, and local governmental entities;

1 “(2) to enter into contracts, subject to the
2 availability of appropriations; and

3 “(3) to make grants to private and nonprofit
4 entities.

5 “(e) ROLE OF ADVISORY BOARD.—The Commis-
6 sioner and the Associate Commissioner for Citizenship
7 shall seek the consultation and advice of the Board regard-
8 ing the policies, practices, and procedures used by the
9 Agency in fulfillment of its duties.

10 “(f) TERMINATION OF EXISTING OFFICES AND POSI-
11 TIONS.—(1) There are transferred to the Agency all func-
12 tions being exercised before the date of enactment of the
13 Citizenship Promotion Act of 1996 by the Attorney Gen-
14 eral, the Commissioner, or the Service relating to the fol-
15 lowing:

16 “(A) The naturalization of persons under chap-
17 ter 2 of this title.

18 “(B) The encouragement and assistance of eli-
19 gible immigrants to become naturalized citizens.

20 “(2) Upon such date, the Commissioner shall abolish
21 or consolidate, as the case may be, any office or position
22 existing before such date within the Service that per-
23 formed functions transferred under paragraph (1), if such
24 office or position is not otherwise created by statute.

1 “(3) The personnel employed in connection with, and
2 the assets, liabilities, contracts, property, records, and un-
3 expended balances of appropriations, authorizations, allo-
4 cations, and other funds employed, used, held, arising
5 from, available to, or to be made available in connection
6 with the functions transferred under this paragraph (1),
7 subject to section 1531 of title 31, United States Code,
8 shall be transferred to the Agency.

9 **“SEC. 373. NATIONAL ADVISORY BOARD ON CITIZENSHIP.**

10 “(a) ESTABLISHMENT.—There is established the Na-
11 tional Advisory Board on Citizenship to advise the Associ-
12 ate Commissioner for Citizenship, the Attorney General,
13 the President, and Congress regarding the carrying out
14 of the Agency’s objectives.

15 “(b) COMPOSITION.—(1) The Board shall be com-
16 posed of 9 voting members, who shall be appointed by the
17 Attorney General, except as otherwise provided, as follows:

18 “(A) One member drawn from among individ-
19 uals having extensive academic experience in the
20 study of immigration.

21 “(B) Two members drawn from among individ-
22 uals having been recently naturalized, including at
23 least one who is engaged in nonprofessional employ-
24 ment.

1 “(C) Two members drawn from among individ-
2 uals having extensive recent experience in counseling
3 and advising resident aliens to become naturalized
4 citizens.

5 “(D) Two members drawn from among individ-
6 uals who have extensive experience working with the
7 immigrant community.

8 “(E) One member to be appointed by the Com-
9 mittee on the Judiciary of the Senate.

10 “(F) One member to be appointed by the Com-
11 mittee on the Judiciary of the House of Representa-
12 tives.

13 “(2) The Assistant Secretary of Education for Voca-
14 tional and Adult Education, or his or her designee, shall
15 serve on the Board in a nonvoting capacity.

16 “(3) The voting members shall serve staggered terms
17 in a manner to be prescribed by the Attorney General.

18 “(4) At the first meeting of the Board each year, the
19 members of the Board shall elect a chair and vice chair,
20 who shall serve for a term of one year.

21 “(5) The Board shall meet no more frequently than
22 quarterly each year to carry out its responsibilities under
23 subsection (c).

24 “(c) RESPONSIBILITIES.—(1) The Board shall have
25 the general responsibility to prepare independent biannual

1 reports relating to the administration of policies of the
2 Agency. Such reports may include minority reports, if
3 timely submitted.

4 “(2) In the course of carrying out its responsibilities,
5 the Board may do the following:

6 “(A) Review the policies, plans, and objectives
7 of the Agency, including the effectiveness thereof,
8 both short- and long-term.

9 “(B) Review programs and policies of other
10 Federal and State agencies under the area of over-
11 sight of the Agency, as is necessary, including the
12 effectiveness thereof, both short- and long-term.

13 “(C) Assess the resources and funds for the
14 Agency, and make reports and recommendations to
15 the Commissioner and Congress.

16 “(3) The Board shall give an annual oral report to
17 the Attorney General, the Commissioner, and the Associ-
18 ate Commissioner for Citizenship.

19 “(d) ADMINISTRATIVE MATTERS.—The Attorney
20 General shall approve the budget of the Board. The Attor-
21 ney General and the Commissioner shall provide adminis-
22 trative support, including staffing, to enable the Board to
23 fulfill its functions.

24 “(e) COMPENSATION.—While away from their homes
25 or regular places of business in the performance of duties

1 for the Board, Board members shall be compensated at
2 a rate not to exceed \$100 per day and shall be allowed
3 reasonable travel expenses.

4 “(f) APPLICABILITY OF FEDERAL ADVISORY COM-
5 MITTEE ACT.—The provisions of the Federal Advisory
6 Committee Act (5 U.S.C. App.) shall apply to the Board,
7 except to the extent that this section establishes contrary
8 policies or procedures.

9 **“SEC. 374. NATURALIZATION OUTREACH.**

10 “In order to enable the Agency to fulfill its natu-
11 ralization outreach duties, the Agency—

12 “(1) shall seek the assistance of appropriate
13 community groups, private voluntary agencies, and
14 other appropriate organizations; and

15 “(2) may enter into cooperative agreements
16 with, or make grants to, such other governmental,
17 private, and nonprofit entities (including entities
18 that encourage or facilitate community service or are
19 engaged in such service) that it considers useful in
20 carrying out such duties.

21 **“SEC. 375. FEES.**

22 “(a) NATURALIZATION EXAMINATIONS FEE AC-
23 COUNT.—There is established in the general fund of the
24 Treasury of the United States a separate account which
25 shall be known as the ‘Naturalization Examinations Fee

1 Account' (hereafter in this section referred to as the 'Ac-
2 count').

3 “(b) DEPOSITS.—(1) There shall be deposited into
4 the Account the following:

5 “(A) All funds in the Immigration Examina-
6 tions Fee Account that were collected pursuant to
7 section 344(a) before the date of the enactment of
8 the Citizenship Promotion Act of 1996 and that re-
9 main available for obligation on such date.

10 “(B) Except as provided in paragraph (2), all
11 fees paid to the Attorney General pursuant to sec-
12 tion 344(a) after such date.

13 “(2) Fees paid after such date pursuant to section
14 344(a) by applicants residing in the United States Virgin
15 Islands, and in Guam, shall be paid over to the treasury
16 of the Virgin Islands and the treasury of Guam, respec-
17 tively.

18 “(c) AMOUNT OF FEES.—The Attorney General shall
19 establish, and may revise from time to time, the amount
20 of the fees to be collected pursuant to section 344(a) for
21 deposit into the Account. The amount of such fees may
22 be set at a level that will ensure the full recovery of the
23 costs referred to in subsection (d)(1) and the costs of the
24 administration of such fees.

1 “(d) USE OF FUNDS.—(1) The Attorney General
2 may use funds in the Account to cover the following:

3 “(A) The costs of the Agency in carrying out
4 naturalization functions under chapter 2 of this title.

5 “(B) The costs of the Agency in encouraging
6 and assisting eligible immigrants in becoming natu-
7 ralized citizens under this chapter, including the fa-
8 cilitation of instruction of immigrants in the English
9 language.

10 “(C) The costs of the Agency in collecting fees
11 for deposit into the Account and in administering
12 the Account.

13 “(2) Amounts in the Account shall remain available
14 until expended.

15 “(e) ANNUAL FINANCIAL STATEMENTS.—The Attor-
16 ney General shall prepare and submit annually to Con-
17 gress statements of financial condition of the Account, in-
18 cluding beginning account balance revenues, withdrawals,
19 and ending account balance and projections for the ensu-
20 ing fiscal year.”.

21 **SEC. 4. CONFORMING AMENDMENTS.**

22 The Immigration and Nationality Act is amended—

23 (1) in section 286 (8 U.S.C. 1356)—

24 (A) in the second proviso of subsection

25 (m), by striking “and naturalization”; and

1 (B) in subsection (n), by striking “and
2 naturalization”; and

3 (2) in section 332 (8 U.S.C. 1443)—

4 (A) in subsection (a), by inserting after the
5 first sentence the following new sentence: “The
6 Attorney General shall discharge such provi-
7 sions through the United States Citizenship
8 Promotion Agency established under chapter 5
9 of this title.”; and

10 (B) by striking subsection (h).

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