certification for aliens pursuant to part 656 of title 20, Code of Federal Regulation (or any successor regulation). The Secretary may not delegate this function to any agency of a State.

(2) SCHEDULE FOR DETERMINATION.—Except as provided in paragraph (3), the Secretary of Labor shall provide a response to an employer’s prevailing wage determination in no more than 20 calendar days from the date of receipt of such request. If the Secretary fails to reply during such 20-day period, then the determination proposed by the employer shall be valid prevailing wage.

(3) USE OF SURVEYS.—The Secretary of Labor shall accept an alternative wage survey provided by the employer unless the Secretary determines that the wage component of the Occupational Employment Statistics Survey is more accurate for the occupation in the labor market area.

(b) PLACEMENT OF JOB ORDER.—The Secretary of Labor shall maintain a website with links to the official website of each workforce agency of a State, and such official website shall contain instructions on the filing of an application for permanent labor certification. In order to satisfy the job order requirements of section 656.17(e)(1) of title 20, Code of Federal Regulation (or any successor regulation).

(c) TECHNICAL CORRECTIONS.—The Secretary of Labor shall establish a process by which employers seeking certification under section 212(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1151) may make technical corrections to applications in order to avoid a denial.

(d) ADMINISTRATIVE APPEALS.—Motions to reconsider, requests to conduct additional recruitment to correct an initial technical error. A technical error shall include any error that would not have a material effect on the employers’Prevailing Wage determination of able, willing, and qualified United States workers.

(e) APPLICATIONS UNDER PREVIOUS SYSTEM.—Not later than 180 days after the date of enactment of this Act, the Secretary of Labor shall process and issue decisions on all applications for permanent alien labor certification that were filed prior to March 22, 2007.

(f) EFFECTIVE DATE.—The provisions of this section shall take effect 90 days after the date of enactment of this Act, regardless of whether the Secretary of Labor has amended the regulations at part 656 of title 20, Code of Federal Regulation to implement such changes.

Subtitle D—miscellaneous

SEC. 1641. COMPLETION OF BACKGROUND AND SECURITY CHECKS.

Section 103 of the Immigration and Nationality Act (8 U.S.C. 1333) is amended by adding at the end the following new subsection:

"(1) REQUIREMENT FOR BACKGROUND CHECKS.—Notwithstanding any other provision of law, until appropriate background and security checks, as determined by the Secretary of Homeland Security, have been completed, and the information provided to and accepted by the Secretary with jurisdiction to grant or issue the benefit or documentation, on an in camera basis as may be necessary with respect to classified, law enforcement, or other information that cannot be disclosed publicly, the Secretary of Homeland Security, the Attorney General, or any court may not—

"(i) grant or order the grant of adjustment of status of an alien to that of an alien lawfully admitted for permanent residence;

"(ii) grant or order the grant of any other status, relief, protection from removal, or other benefit under the immigration laws; or

"(iii) issue any documentation evidence of or related to such grant by the Secretary, the Attorney General, or any court.

"(2) REQUIREMENT TO RESOLVE FRAUD ALLEGATIONS.—Notwithstanding any other provision of law, any suspected or alleged fraud relating to the granting of any status (including the granting of adjustment of status), relief, protection from removal, or other benefit under this Act has been investigated and resolved, the Secretary of Homeland Security and the Attorney General may not be required to—

"(i) grant or order the grant of adjustment of status of an alien to that of an alien lawfully admitted for permanent residence;

"(ii) grant or order the grant of any other status, relief, protection from removal, or other benefit under the immigration laws; or

"(iii) issue any documentation evidence of or related to such grant by the Secretary, the Attorney General, or any court.

"(3) ISSUE ANY DOCUMENTATION EVIDENCING OR RELATED TO SUCH GRANT BY THE SECRETARY, THE ATTORNEY GENERAL, OR ANY COURT."