

ProLiteracy Policy Update



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Comprehensive Immigration Reform Act S. 2611 Response to Senator Alexander's Proposed English as a Second Language Program

During the current debate over immigration reform in the U.S. Senate, Senator Lamar Alexander introduced a proposal to create a program to enable citizenship candidates to access English language and civics instruction. The proposed language has been incorporated into the pending Senate bill S. 2611.

ProLiteracy Worldwide is very concerned that the legislation will create a system and new federal bureaucracy that will be duplicative of services already available to citizenship candidates through the Adult Education and Family Literacy Act authorized by the Workforce Investment Act, Title II (WIA).

Approximately 43% of all enrollments in local programs currently funded under WIA are Limited English Proficiency learners. Local programs consistently report waiting lists. The existing adult education and literacy system of the U.S. has recognized expertise and knowledge about English language instruction, and has the means to provide staff development to new programs. Enrollment statistics demonstrate that citizenship candidates are aware that quality instruction is available through these programs.

The Office of Citizenship is currently not qualified to certify entities to provide English language instruction. Any new bureaucracy created will duplicate and compete with the existing adult education system under WIA; local programs are currently identified and certified to receive WIA funds by state eligible agencies defined in the legislation. These state agencies have resident knowledge about the capabilities of local non-profit and faith-based agencies to carry out the intent of the legislation.

S. 2611 would also necessitate the creation of an accountability system to monitor and evaluate the effectiveness of funded entities providing English language instruction. This system likewise already exists under WIA. The eligible state entity collects data about outcomes achieved by adult learners in programs funded under WIA and monitors and reports the effectiveness of the programs to the U.S. Department of Education through the National Reporting System. Data elements of interest to the Office of Citizenship could easily be added at a fraction of the cost of creating an entirely new data management system.

Absent an accountability system, we are concerned that a cottage industry of unqualified English language programs will come into existence to take advantage of federal funding that will become available under S. 2611 and that immigrants who access these programs will not receive instruction that increases their English proficiency to the required level.

The goal of any new policy for the provision of English language instruction in the U.S. should be to enhance and strengthen the existing adult education system that has demonstrated quality and results and not to duplicate services and create additional bureaucracy.

Attached is the relevant language in S. 2611 along with changes in red crafted by a task force of the National Coalition for Literacy.

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S.2611

Comprehensive Immigration Reform Act of 2006

SEC. 642. FUNDING FOR THE OFFICE OF CITIZENSHIP.

- (a) Authorization- The Secretary, acting through the Director of the Bureau of Citizenship and Immigration Services, is authorized to establish the United States Citizenship and Immigration Foundation (referred to in this subtitle as the 'Foundation').
- (b) Purpose- The Foundation shall be incorporated in the District of Columbia, exclusively for charitable and educational purposes to support the functions of the Office of Citizenship of the Bureau of Citizenship and Immigration Services.
- (c) Gifts-
- (1) TO FOUNDATION- The Foundation may solicit, accept, and make gifts of money and other property in accordance with section 501(c)(3) of the Internal Revenue Code of 1986.
 - (2) FROM FOUNDATION- The Office of Citizenship may accept gifts from the Foundation to support the functions of the Office.
- (d) Authorization of Appropriations- There are authorized to be appropriated such sums as may be necessary to carry out the mission of the Office of Citizenship.

SEC. 643. CIVICS INTEGRATION GRANT PROGRAM.

- (a) In General- The Secretary shall **fund a competitive grant program, operated through the eligible agency under Title II of the Workforce Investment Act responsible for adult education and literacy in the state, to provide financial assistance to nonprofit organizations, including faith-based organizations, to support--**
- (1) efforts by entities certified by the Office of Citizenship to provide civics and English as a second language courses; and
 - (2) other activities approved by the Secretary to promote civics and English as a second language.
- (b) Acceptance of Gifts- The Secretary may accept and use gifts from the Foundation for grants under this section.
- (c) Authorization of Appropriations- There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 644. STRENGTHENING AMERICAN CITIZENSHIP.

(a) Short Title- This section may be cited as the 'Strengthening American Citizenship Act of 2006'.

(b) Definition- In this section, the term 'Oath of Allegiance' means the binding oath (or affirmation) of allegiance required to be naturalized as a citizen of the United States, as prescribed in section 337(e) of the Immigration and Nationality Act, as added by subsection (h)(1)(B).

(c) English Fluency-

(1) EDUCATION GRANTS-

(A) ESTABLISHMENT- The Chief of the Office of Citizenship of the Department (referred to in this paragraph as the 'Chief') shall establish a competitive grant program, operated through eligible agency under Title II of the Workforce Investment Act responsible for adult education and literacy in the state. Such program shall provide funding, not to exceed \$500 per participant, to assist legal residents of the United States who declare an intent to apply for citizenship in the United States to meet the requirements under section 312 of the Immigration and Nationality Act (8 U.S.C. 1423).

(B) FORMULA – In general funds shall be distributed to states based on --

(i) the number of legal residents in each state, compared to the remaining states, submitting applications to the Chief.

(C) USE OF FUNDS- Grant funds awarded under this paragraph shall be distributed to states in accordance with the formula set forth in (B) and shall be forwarded by such eligible agency directly to an accredited institution of higher education or other qualified non-profit organization, including faith-based organizations (as determined by the eligible agency for tuition, fees, books, and other educational resources required by a course on the English language in which the legal resident is enrolled.

(C) APPLICATION- A legal resident desiring a grant under this paragraph shall submit an application to the Chief at such time, in such manner, and accompanied by such information as the Chief may reasonably require.

(D) PRIORITY- If insufficient funds are available to award grants to states in such amount to provide services to all qualified applicants, the Chief shall require states to inform local grantees to give priority to the least educated and most in need applicants.

(E) NOTICE- The Secretary, upon relevant registration of a legal resident with the Department, shall notify such legal resident of the availability of services in their state of residence and provide them with contact information regarding providers of such services funded by the eligible agency.(or we can say

provide them with contact information for the eligible agency which can provide them a list of grantees eligible to provide services under this section). Grants provided under this paragraph will be limited to legal residents who declare an intent to apply for United States citizenship.

(F) DEFINITION- For purposes of this subsection, the term 'legal resident' means a lawful permanent resident or a lawfully admitted alien who, in order to adjust status to that of a lawful permanent resident must demonstrate a knowledge of the English language or satisfactory pursuit of a course of study to acquire such knowledge of the English language.

(2) FASTER CITIZENSHIP FOR ENGLISH FLUENCY- Section 316 (8 U.S.C. 1427) is amended by adding at the end the following:

(g) A lawful permanent resident of the United States who demonstrates English fluency, in accordance with regulations prescribed by the Secretary of Homeland Security, in consultation with the Secretary of State, will satisfy the residency requirement under subsection (a) upon the completion of 4 years of continuous legal residency in the United States.'

(3) SAVINGS PROVISION- Nothing in this subsection shall be construed to--

(A) modify the English language requirements for naturalization under section 312(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1423(a)(1)); or

(B) influence the naturalization test redesign process of the Office of Citizenship (except for the requirement under subsection (h)(2)).

(d) American Citizenship Grant Program-

(1) IN GENERAL- The Secretary shall establish a competitive grant program to provide financial assistance for--

(A) efforts by entities (including veterans and patriotic organizations) certified by the Office of Citizenship to promote the patriotic integration of prospective citizens into the American way of life by providing civics, history, and English as a second language courses, with a specific emphasis on attachment to principles of the Constitution of the United States, the heroes of American history (including military heroes), and the meaning of the Oath of Allegiance; and

(B) other activities approved by the Secretary to promote the patriotic integration of prospective citizens and the implementation of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), including grants--

(i) to promote an understanding of the form of government and history of the United States; and

(ii) to promote an attachment to the principles of the Constitution of the United States and the well being and happiness of the people of the United States.

(2) ACCEPTANCE OF GIFTS- The Secretary may accept and use gifts from the United States Citizenship Foundation, if the foundation is established under subsection (e), for grants under this subsection.

(3) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated such sums as may be necessary to carry out this subsection.

(e) Funding for the Office of Citizenship-

(1) AUTHORIZATION- The Secretary, acting through the Director of the Bureau of Citizenship and Immigration Services, is authorized to establish the United States Citizenship Foundation (referred to in this subsection as the `Foundation'), an organization duly incorporated in the District of Columbia, exclusively for charitable and educational purposes to support the functions of the Office of Citizenship.

(2) DEDICATED FUNDING-

(A) IN GENERAL- Not less than 1.5 percent of the funds made available to the Bureau of Citizenship and Immigration Services from fees shall be dedicated to the functions of the Office of Citizenship, which shall include the patriotic integration of prospective citizens into--

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

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

(B) SENSE OF CONGRESS- It is the sense of Congress that dedicating increased funds to the Office of Citizenship should not result in an increase in fees charged by the Bureau of Citizenship and Immigration Services.

(3) GIFTS-

(A) TO FOUNDATION- The Foundation may solicit, accept, and make gifts of money and other property in accordance with section 501(c)(3) of the Internal Revenue Code of 1986.

(B) FROM FOUNDATION- The Office of Citizenship may accept gifts from the Foundation to support the functions of the Office.

(4) AUTHORIZATION OF APPROPRIATIONS- There are authorized to be appropriated such sums as may be necessary to carry out the mission of the Office of Citizenship, including the functions described in paragraph (2)(A).

(f) Restriction on Use of Funds- No funds appropriated to carry out a program under this subsection (d) or (e) may be used to organize individuals for the purpose of political activism or advocacy.

(g) Reporting Requirement-

(1) IN GENERAL- The Chief of the Office of Citizenship shall submit an annual report to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on the Judiciary of the Senate, the Committee on Education and the Workforce of the House of Representatives, and the Committee on the Judiciary of the House of Representatives.

(2) CONTENTS- The report submitted under paragraph (1) shall include--

(A) a list of the entities **funded by eligible agencies in each state** that have received funds from the Office of Citizenship during the reporting period under this section and the amount of funding received by each such entity;

(B) an evaluation of the extent to which grants received under this section successfully promoted an understanding of--

(i) the English language; and

(ii) American history and government, including the heroes of American history, the meaning of the Oath of Allegiance, and an attachment to the principles of the Constitution of the United States; and

(C) information about the number of legal residents who were able to achieve the knowledge described under paragraph (2) as a result of the grants provided under this section.