

109TH CONGRESS
1ST SESSION

S. 834

To amend the Workforce Investment Act of 1998 to provide for integrated workforce training programs for adults with limited English proficiency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 18, 2005

Mr. BINGAMAN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Workforce Investment Act of 1998 to provide for integrated workforce training programs for adults with limited English proficiency, 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 “Limited English Pro-
5 ficiency and Integrated Workforce Training Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The Workforce Investment Act of 1998 sys-
9 tem is designed—

1 (A) to ensure universal access for individ-
2 uals in need of employment and training sys-
3 tems; and

4 (B) to equip workers with those skills that
5 contribute to lifelong education.

6 (2) The Workforce Investment Act of 1998 sys-
7 tem is designed to recognize and reinforce the link
8 between economic development and workforce devel-
9 opment to meet the joint demands of employers and
10 workers.

11 (3) The Workforce Investment Act of 1998 sys-
12 tem should address the ongoing shortage of essential
13 skills in the United States workforce in sectors with
14 economic growth to ensure the United States re-
15 mains competitive in the global economy.

16 (4) Immigrants accounted for over 50 percent
17 of the growth in the civilian workforce between 1990
18 and 2001, and assuming today's levels of immigra-
19 tion remain constant, immigrants will account for
20 half of the growth in the working age population be-
21 tween 2006 and 2015.

22 (5) The growth of the United States workforce
23 and the competitiveness of the United States econ-
24 omy is directly linked to immigrants, some of whom
25 are limited English proficient.

1 (6) The Workforce Investment Act of 1998 sys-
 2 tem may be significantly strengthened by funding
 3 the development of an employer centered integrated
 4 workforce training program for adults with limited
 5 English proficiency, taking into account the needs of
 6 the local and regional economy and the linguistic, so-
 7 cial, and cultural characteristics of the individual.

8 **SEC. 3. INTEGRATED WORKFORCE TRAINING PROGRAMS**
 9 **FOR ADULTS WITH LIMITED ENGLISH PRO-**
 10 **FICIENCY.**

11 Section 171 of the Workforce Investment Act of 1998
 12 (29 U.S.C. 2916) is amended by adding at the end the
 13 following:

14 “(e) INTEGRATED WORKFORCE TRAINING PRO-
 15 GRAMS FOR ADULTS WITH LIMITED ENGLISH PRO-
 16 FICIENCY.—

17 “(1) DEFINITIONS.—In this subsection:

18 “(A) INTEGRATED WORKFORCE TRAIN-
 19 ING.—The term ‘integrated workforce training’
 20 means training that integrates occupational
 21 skills training with language acquisition.

22 “(B) SECRETARY.—The term ‘Secretary’
 23 means the Secretary of Labor in consultation
 24 with the Secretary of Education.

1 “(2) DEMONSTRATION PROJECT.—In accord-
2 ance with subsection (b), the Secretary shall estab-
3 lish and implement a national demonstration project
4 designed to both analyze and provide data on work-
5 force training programs that integrate English lan-
6 guage acquisition and occupational training.

7 “(3) GRANTS.—

8 “(A) IN GENERAL.—In carrying out the
9 demonstration project, the Secretary shall make
10 not less than 10 grants, on a competitive basis,
11 to eligible entities to provide the integrated
12 workforce training programs. In awarding
13 grants under this subsection the Secretary shall
14 take into consideration awarding grants to eligi-
15 ble entities from diverse geographic areas, in-
16 cluding rural areas.

17 “(B) PERIODS.—The Secretary shall make
18 the grants for periods of not less than 24
19 months and not more than 48 months.

20 “(4) ELIGIBLE ENTITIES.—

21 “(A) IN GENERAL.—To be eligible to re-
22 ceive a grant under this subsection, an eligible
23 entity shall work in conjunction with a local
24 board and shall include as a principal partici-
25 pant one or more of the following:

1 “(i) An employer or employer associa-
2 tion.

3 “(ii) A nonprofit provider of English
4 language instruction.

5 “(iii) A provider of occupational or
6 skills training.

7 “(iv) A community-based organiza-
8 tion.

9 “(v) An educational institution, in-
10 cluding a 2- or 4-year college, or a tech-
11 nical or vocational school.

12 “(vi) A labor organization.

13 “(vii) A local board.

14 “(B) EXPERTISE.—To be eligible to re-
15 ceive a grant under this subsection, an eligible
16 entity shall have proven expertise in—

17 “(i) serving individuals with limited
18 English proficiency, including individuals
19 with lower levels of oral and written
20 English; and

21 “(ii) providing workforce programs
22 with training and English language in-
23 struction.

24 “(5) APPLICATIONS.—

1 “(A) IN GENERAL.—To be eligible to re-
2 ceive a grant under this subsection, an eligible
3 entity shall submit an application to the Sec-
4 retary at such time, in such manner, and con-
5 taining such information as the Secretary may
6 require.

7 “(B) CONTENTS.—Each application sub-
8 mitted under subparagraph (A) shall—

9 “(i) contain information, including ca-
10 pability statements, that demonstrates that
11 the eligible entity has the expertise de-
12 scribed in paragraph (4)(B); and

13 “(ii) include an assurance that the
14 program to be assisted shall—

15 “(I) establish a generalized adult
16 bilingual workforce training and edu-
17 cation model that integrates English
18 language acquisition and occupational
19 training, and incorporates the unique
20 linguistic and cultural factors of the
21 participants;

22 “(II) establish a framework by
23 which the employer, employee, and
24 other relevant members of the eligible
25 entity can create a career development

1 and training plan that assists both the
2 employer and the employee to meet
3 their long-term needs;

4 “(III) ensure that the framework
5 established under subclause (II) takes
6 into consideration the knowledge,
7 skills, and abilities of the employee
8 with respect to both the current and
9 economic conditions of the employer
10 and future labor market conditions
11 relevant to the local area; and

12 “(IV) establish identifiable meas-
13 ures so that the progress of the em-
14 ployee and employer and the relative
15 efficacy of the program can be evalu-
16 ated and best practices identified.

17 “(6) CRITERIA.—The Secretary shall establish
18 criteria for awarding grants under this subsection.

19 “(7) INTEGRATED WORKFORCE TRAINING PRO-
20 GRAMS.—

21 “(A) PROGRAM COMPONENTS.—

22 “(i) REQUIRED COMPONENTS.—Each
23 program that receives funding under this
24 subsection shall—

1 “(I) test an individual’s English
2 language proficiency levels to assess
3 oral and literacy gains from the begin-
4 ning and throughout program enroll-
5 ment;

6 “(II) combine training specific to
7 a particular occupation or occupa-
8 tional cluster, with—

9 “(aa) English language in-
10 struction, such as instruction
11 through an English as a Second
12 Language program, or an
13 English for Speakers of Other
14 Languages program;

15 “(bb) basic skills instruc-
16 tion; and

17 “(cc) supportive services;

18 “(III) effectively integrate public
19 and private sector entities, including
20 the local workforce investment system
21 and its functions, to achieve the goals
22 of the program; and

23 “(IV) require matching or in-
24 kind resources from private and non-
25 profit entities.

1 “(ii) PERMISSIBLE COMPONENTS.—

2 The program may offer other services, as
3 necessary to promote successful participa-
4 tion and completion, including work-based
5 learning, substance abuse treatment, and
6 mental health services.

7 “(B) GOAL.—Each program that receives
8 funding under this subsection shall be designed
9 to prepare limited English proficient adults for,
10 and place such adults in, employment in grow-
11 ing industries with identifiable career ladder
12 paths.

13 “(C) PROGRAM TYPES.—In selecting pro-
14 grams to receive funding under this subsection,
15 the Secretary shall select programs that meet 1
16 or more of the following criteria:

17 “(i) A program that—

18 “(I) serves unemployed, limited
19 English proficient individuals with sig-
20 nificant work experience or substan-
21 tial education but persistently low
22 wages; and

23 “(II) aims to prepare such indi-
24 viduals for, and place such individuals
25 in, higher paying employment, defined

1 for purposes of this subparagraph as
2 employment that provides at least 75
3 percent of the median wage in the
4 local area.

5 “(ii) A program that—

6 “(I) serves limited English pro-
7 ficient individuals with lower levels of
8 oral and written fluency, who are
9 working but at persistently low wages;
10 and

11 “(II) aims to prepare such indi-
12 viduals for, and place such individuals
13 in, higher paying employment,
14 through services provided at the work
15 site, or at a location central to several
16 work sites, during work hours.

17 “(iii) A program that—

18 “(I) serves unemployed, limited
19 English proficient individuals with
20 lower levels of oral and written flu-
21 ency, who have little or no work expe-
22 rience; and

23 “(II) aims to prepare such indi-
24 viduals for, and place such individuals
25 in, employment through services that

1 include subsidized employment, in ad-
2 dition to the components required in
3 subparagraph (A)(i).

4 “(iv) A program that includes funds
5 from private and nonprofit entities.

6 “(D) PROGRAM APPROACHES.—In select-
7 ing programs to receive funding under this sub-
8 section, the Secretary shall select programs
9 with different approaches to integrated work-
10 force training, in different contexts, in order to
11 obtain comparative data on multiple approaches
12 to integrated workforce training and English
13 language instruction, to ensure programs are
14 tailored to characteristics of individuals with
15 varying skill levels and to assess how different
16 curricula work for limited English proficient
17 populations. Such approaches may include—

18 “(i) bilingual programs in which the
19 workplace language component and the
20 training are conducted in a combination of
21 an individual’s native language and
22 English;

23 “(ii) integrated workforce training
24 programs that combine basic skills, lan-

1 guage instruction, and job specific skills
2 training; or

3 “(iii) sequential programs that provide
4 a progression of skills, language, and train-
5 ing to ensure success upon an individual’s
6 completion of the program.

7 “(8) EVALUATION BY ELIGIBLE ENTITY.—Each
8 eligible entity that receives a grant under this sub-
9 section for a program shall carry out a continuous
10 program evaluation and an evaluation specific to the
11 last phase of the program operations.

12 “(9) EVALUATION BY SECRETARY.—

13 “(A) IN GENERAL.—The Secretary shall
14 conduct an evaluation of program impacts of
15 the programs funded under the demonstration
16 project, with a random assignment, experi-
17 mental design impact study done at each work-
18 site at which such a program is carried out.

19 “(B) DATA COLLECTION AND ANALYSIS.—
20 The Secretary shall collect and analyze the data
21 from the demonstration project to determine
22 program effectiveness, including gains in lan-
23 guage proficiency, acquisition of skills, and job
24 advancement for program participants.

1 “(C) REPORT.—The Secretary shall pre-
2 pare and submit to the Committee on Health,
3 Education, Labor, and Pensions of the Senate
4 and the Committee on Education and the
5 Workforce of the House of Representatives, and
6 make available to the public, a report on the
7 demonstration project, including the results of
8 the evaluation.

9 “(10) TECHNICAL ASSISTANCE.—The Secretary
10 shall provide technical assistance to recipients of
11 grants under this subsection throughout the grant
12 periods.

13 “(11) AUTHORIZATION OF APPROPRIATIONS.—
14 In addition to amounts authorized to be appro-
15 priated under section 174(b), there are authorized to
16 be appropriated for fiscal year 2006—

17 “(A) \$10,000,000 to make grants under
18 paragraph (3); and

19 “(B) \$1,000,000 to carry out paragraph
20 (9).”.

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