

114TH CONGRESS
1ST SESSION

H. R. 3201

To support the integration of immigrants to the United States into the economic, social, cultural, and civic life of their local communities and the Nation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2015

Mr. CÁRDENAS (for himself and Ms. ROS-LEHTINEN) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, 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 support the integration of immigrants to the United States into the economic, social, cultural, and civic life of their local communities and the Nation, 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 “New American Success
5 Act of 2015”.

1 **SEC. 2. TABLE OF CONTENTS.**

2 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Findings and declaration of policy.

TITLE I—GRANTS

- Sec. 101. Initial Entry, Adjustment, and Citizenship Assistance Grants.
- Sec. 102. Integration Success Grants.
- Sec. 103. Integration Success Fund.

TITLE II—ENGLISH LANGUAGE LEARNING

- Sec. 201. Waiver of English requirement for senior new Americans.

3 **SEC. 3. FINDINGS AND DECLARATION OF POLICY.**

4 (a) FINDINGS.—Congress makes the following find-
5 ings:

6 (1) According to the Migration Policy Institute,
7 there are 13,400,000 non-citizen residents in the
8 United States with limited proficiency in English.

9 (2) According to the Department of Homeland
10 Security, approximately 1,100,000 legal immigrants
11 enter the country annually. About half of these legal
12 immigrants lack full proficiency in English.

13 (3) According to the Bureau of Labor Statis-
14 tics, more than two-thirds of the foreign-born popu-
15 lation does not have a postsecondary degree, and
16 foreign-born adults are three times more likely to
17 lack a high school diploma or equivalent than native-
18 born adults.

19 (4) According to the Bureau of Labor Statis-
20 tics, 19 of the 30 fastest growing occupations re-

1 quire workers with some form of postsecondary edu-
2 cation or training.

3 (5) These statistics suggest that a lack of
4 English proficiency and limited education serve as
5 serious impediments to labor market success for im-
6 migrants.

7 (6) A century ago, during the last great wave
8 of immigration to this country, the public and pri-
9 vate sectors promoted the integration of newcomers
10 through the Settlement House movement, the found-
11 ing of the modern public library system, the estab-
12 lishment of universal public education.

13 (7) Although currently dozens of Federal and
14 State programs support, and thousands of govern-
15 ment agencies and nonprofit organizations operate,
16 programs that teach English, promote acquisition of
17 workforce skills, provide citizenship assistance, and
18 otherwise promote the integration of immigrants and
19 their children, such programs are often not coordi-
20 nated or aligned, limiting the capacity of such pro-
21 grams to identify and test promising practices, lever-
22 age resources, or bring effective interventions to
23 scale.

24 (8) It is in the national interest to facilitate the
25 rapid acquisition of English language skills by immi-

1 grants to the United States and to otherwise pro-
2 mote the integration of immigrants and their chil-
3 dren into the mainstream of our economy and soci-
4 ety.

5 (9) Empowering immigrants and their family
6 members to effectively integrate into the mainstream
7 of the economic, social, cultural, and civic life of
8 their local communities and the Nation as a whole
9 will ensure that United States immigration policies
10 result in more productive and competitive local
11 economies and more cohesive and harmonious com-
12 munities.

13 (10) Data, policies, and programs relevant to
14 immigrant integration crosscut the responsibilities of
15 numerous Federal agencies as well as those of State
16 and local governments and nongovernmental actors.

17 (11) The overlapping nature of integration
18 issues and the lack of coordination of immigration
19 policies and programs make it difficult for the Presi-
20 dent and Congress to understand and respond to
21 pressing integration challenges and opportunities.

22 (12) Improved coordination of integration goals,
23 policies, and programs across sectors and levels of
24 government would greatly enhance the ability of the
25 Federal Government to create and maintain an im-

1 migration system that is more suited to modern
2 times and benefits the interests of the Federal Gov-
3 ernment, communities with growing immigrant pop-
4 ulations, as well as immigrants and their family
5 members.

6 (b) DECLARATION OF POLICY.—It is the policy of the
7 United States to—

8 (1) promote the civic, linguistic, and economic
9 integration of immigrants and their young children
10 into the United States;

11 (2) establish national goals for integrating im-
12 migrants and their young children into the United
13 States, and measure the degree to which such goals
14 are met;

15 (3) assess and coordinate Federal policies, regu-
16 lations, and programs related to the integration of
17 immigrants, including an assessment of Federal
18 agency jurisdiction and budget concerns;

19 (4) consult with State and local governments on
20 integration challenges and opportunities for the pur-
21 pose of improving Federal integration policy and
22 program efforts;

23 (5) track the performance of Federal, State,
24 and local integration initiatives, including measures
25 of reach, effectiveness, and cost; and

1 (6) engage stakeholders at different government
2 and nongovernment levels to identify integration op-
3 portunities and challenges.

4 **TITLE I—GRANTS**

5 **SEC. 101. INITIAL ENTRY, ADJUSTMENT, AND CITIZENSHIP** 6 **ASSISTANCE GRANTS.**

7 (a) **AUTHORIZATION.**—The Secretary of Homeland
8 Security shall award Initial Entry, Adjustment, and Citi-
9 zenship Assistance grants to eligible entities.

10 (b) **ELIGIBILITY.**—An entity eligible to receive a
11 grant under this section is a unit of local government,
12 community-based organization, or public or private non-
13 profit organization—

14 (1) that provides direct assistance to immi-
15 grants to the United States; and

16 (2) that submits to the Secretary of Homeland
17 Security an application at such time, in such man-
18 ner, and containing such information as such Sec-
19 retary may reasonably require.

20 (c) **USE OF FUNDS.**—

21 (1) **IN GENERAL.**—Funds awarded under this
22 section may be used to provide to an eligible non-cit-
23 izen assistance relating to the immigration status of
24 such non-citizen, or related services. Such assistance
25 may include—

1 (A) screening to assess the eligibility of a
2 prospective applicant seeking a change in immi-
3 gration status;

4 (B) completing immigration applications;

5 (C) gathering proof of identification, em-
6 ployment, residence, and tax payment;

7 (D) gathering proof of relationships to eli-
8 gible family members;

9 (E) applying for any waivers for which an
10 applicant and qualifying family members may
11 be eligible;

12 (F) advising an applicant on the rights and
13 responsibilities of United States citizenship; and

14 (G) instruction—

15 (i) on the rights and responsibilities of
16 United States citizenship;

17 (ii) in civics and civics-based English
18 as a second language; and

19 (iii) in applying for United States citi-
20 zenship.

21 (2) IMMIGRANTS ELIGIBLE FOR ASSISTANCE.—

22 A non-citizen is eligible to receive the assistance de-
23 scribed in paragraph (1) if such non-citizen is—

24 (A) seeking to become a permanent resi-
25 dent or naturalized citizen; or

1 (B) seeking relief from removal in order
2 lawfully to remain in the United States.

3 (d) PRIORITY.—In awarding grants under this sec-
4 tion, priority shall be given to—

5 (1) entities that demonstrate intent to use
6 grant funds to serve individuals living in a State
7 with a foreign-born population of not less than 5
8 percent that has experienced an increase that is
9 higher than the national average in the population
10 of non-citizen residents during the most recent 10-
11 year period, based on data compiled by the Office of
12 Immigration Statistics or the United States Census
13 Bureau, or units of local government located within
14 such State; or

15 (2) entities that demonstrate intent to use
16 grant funds to serve individuals living in any of the
17 10 States with the highest number of non-citizen
18 residents, based on data compiled by the Office of
19 Immigration Statistics or the United States Census
20 Bureau, or units of local government located within
21 such State.

22 (e) CERTIFICATION.—In order to receive a payment
23 under this section, a participating entity shall submit to
24 the Secretary a certification that the proposed uses of
25 grant funds by the entity are consistent with this section

1 and meet all necessary criteria determined by the Sec-
2 retary.

3 (f) ANNUAL REPORT AND EVALUATION.—Not later
4 than 90 days after the end of each fiscal year for which
5 an entity receives grant funds under this section, the enti-
6 ty shall submit to the Secretary of Homeland Security the
7 following:

8 (1) A report that describes—

9 (A) the activities undertaken by the entity
10 that were funded entirely or partially by the
11 grant funds;

12 (B) the geographic area or areas served by
13 the grant funds;

14 (C) an estimate of the number of non-citi-
15 zens living in the jurisdiction or service area of
16 the entity, which demonstrates that the entity
17 made a reasonable effort to determine such
18 number;

19 (D) the number of non-citizens receiving
20 assistance that was funded entirely or partially
21 by grant funds received by the entity; and

22 (E) the primary languages spoken in the
23 jurisdiction or service area of the entity.

1 (2) An evaluation of any program of the entity
2 using grant funds under this section, including an
3 assessment of—

4 (A) the effectiveness of such program and
5 recommendations for improving the program;

6 (B) the future needs of immigrants to the
7 United States; and

8 (C) the future needs of States and units of
9 local government related to immigrant integra-
10 tion.

11 (g) STATE DEFINED.—In this section, the term
12 “State” means each of the several States, the District of
13 Columbia, the Commonwealth of Puerto Rico, the United
14 States Virgin Islands, Guam, American Samoa, and the
15 Commonwealth of the Northern Mariana Islands.

16 (h) EFFECTIVE PERIOD.—This section shall be in ef-
17 fect for a period of 10 fiscal years beginning with fiscal
18 year 2018.

19 **SEC. 102. INTEGRATION SUCCESS GRANTS.**

20 (a) GRANTS AUTHORIZED.—The Secretary of Home-
21 land Security may provide grants on a competitive basis
22 to improve the economic, linguistic, and civic integration
23 of immigrants and their children.

24 (b) ELIGIBILITY.—An entity eligible to receive a
25 grant under this section is a State or a unit of local gov-

1 ernment that submits to the Secretary an application at
2 such time, in such manner, and containing such informa-
3 tion as the Secretary may reasonably require, which may
4 include—

5 (1) a proposal outlining the methods the entity
6 intends to use to effectively carry out the activities
7 funded by the grant;

8 (2) a sociodemographic profile of non-citizens
9 living within the jurisdiction or service area of the
10 entity;

11 (3) a description of opportunities and chal-
12 lenges in improving the economic, linguistic, and
13 civic integration of immigrants; and

14 (4) a comprehensive plan to improve the coordi-
15 nation of relevant immigrant integration services.

16 (c) USE OF FUNDS.—An entity awarded a grant
17 under this section may use the grant funds—

18 (1) to expand access to, and improve the quality
19 of, programs supporting the economic advancement
20 of immigrants in areas that include financial lit-
21 eracy, small business development, employment navi-
22 gation, and training opportunities, including cultural
23 competency training for State, county, and local gov-
24 ernment officials that provide direct services to im-
25 migrants and their families;

1 (2) to expand programs that provide basic adult
2 education and contextualized English language skills
3 that improve the literacy, numeracy, workforce
4 skills, and educational attainment of immigrants
5 over the age of 18;

6 (3) to expand access to programs that assist
7 immigrants in learning English, obtaining recognized
8 postsecondary credentials or employment, or in
9 building measurable skills to lead to the attainment
10 of an industry-recognized credential or certificate;
11 and

12 (4) to educate immigrants about United States
13 history, civics, citizenship rights and responsibilities,
14 democracy, opportunities to engage in the civic life
15 of their community, unit of local government, and
16 State, and the navigation of local systems that sup-
17 port the economic, linguistic, and civic integration of
18 individuals and families.

19 (d) PRIORITY.—In awarding grants under this sec-
20 tion, priority shall be given to—

21 (1) an entity that uses not less than ten percent
22 of matching funds from non-Federal sources;

23 (2) an entity that collaborates with at least one
24 public or private entity to carry out the comprehen-
25 sive plan referred to under subsection (b)(4); and

1 (3) a State—

2 (A) that has a foreign born population of
3 not less than 5 percent and that has experi-
4 enced an increase in non-citizen residents that
5 is higher than the national average during the
6 most recent 10-year period, based on data com-
7 piled by the Office of Immigration Statistics or
8 the United States Census Bureau, or a unit of
9 local government located within such State; or

10 (B) that is one of the 10 States with the
11 highest number of non-citizen residents, based
12 on data compiled by the Office of Immigration
13 Statistics or the United States Census Bureau,
14 or a unit of local government located within
15 such State.

16 (e) CERTIFICATION.—In order to receive a payment
17 under this section, a participating entity shall provide the
18 Secretary with a certification that the proposed uses of
19 grant funds by the entity are consistent with this section
20 and meet all necessary criteria determined by the Sec-
21 retary.

22 (f) ANNUAL REPORT AND EVALUATION.—Not later
23 than 90 days after the end of each fiscal year for which
24 an entity receives a grant under this section, such entity
25 shall submit to the Secretary the following:

1 (1) A report that describes—

2 (A) the activities undertaken by the entity;

3 (B) the geographic area or areas served by
4 the grant funds; and

5 (C) a description of the sociodemographic
6 characteristics of individuals served by the
7 grant funds.

8 (2) An evaluation of any program of the entity
9 that receives grant funds, including an assessment
10 of—

11 (A) the effectiveness of such program and
12 recommendations for improving the program;

13 (B) the future needs of immigrants to the
14 United States; and

15 (C) the future needs of States and units of
16 local government related to immigrant integra-
17 tion.

18 (g) STATE DEFINED.—In this section, the term
19 “State” means each of the several States, the District of
20 Columbia, the Commonwealth of Puerto Rico, the United
21 States Virgin Islands, Guam, American Samoa, and the
22 Commonwealth of the Northern Mariana Islands.

23 (h) EFFECTIVE PERIOD.—This section shall be in ef-
24 fect for a period of 10 fiscal years beginning with fiscal
25 year 2018.

1 **SEC. 103. INTEGRATION SUCCESS FUND.**

2 (a) IN GENERAL.—There is established within the
3 general fund of the Treasury of the United States a sepa-
4 rate account which shall be known as the “Integration
5 Success Fund”. Twenty percent of the amounts deposited
6 into the Integration Success Fund shall remain available
7 until expended to carry out section 101, and 80 percent
8 of the amounts deposited into such fund shall remain
9 available until expended to carry out section 102.

10 (b) GIFTS, BEQUESTS, AND DEVISES.—The Sec-
11 retary of Homeland Security may solicit, accept, use, and
12 dispose of gifts, bequests, or devises of services or prop-
13 erty, both real and personal, for the purpose of awarding
14 grants under section 101, and 80 percent of the amounts
15 deposited into such fund shall remain available until ex-
16 pended to carry out section 102. Gifts, bequests, or devises
17 of money and proceeds from sales of other property re-
18 ceived as gifts, bequests, or devises shall be deposited in
19 the Integration Success Fund established by subsection
20 (a) and shall be available for disbursement to eligible enti-
21 ties in accordance with this title.

1 **TITLE II—ENGLISH LANGUAGE**
2 **LEARNING**

3 **SEC. 201. WAIVER OF ENGLISH REQUIREMENT FOR SENIOR**
4 **NEW AMERICANS.**

5 Section 312 of the Immigration and Nationality Act
6 (8 U.S.C. 1423) is amended by striking subsection (b) and
7 inserting the following:

8 “(b) The requirements under subsection (a) shall not
9 apply to any person who—

10 “(1) is unable to comply with such require-
11 ments because of physical or mental disability, in-
12 cluding developmental or intellectual disability; or

13 “(2) on the date on which the person’s applica-
14 tion for naturalization is filed under section 334—

15 “(A) is older than 65 years of age; and

16 “(B) has been living in the United States
17 for periods totaling at least 5 years after being
18 lawfully admitted for permanent residence.

19 “(c) The requirement under subsection (a)(1) shall
20 not apply to any person who, on the date on which the
21 person’s application for naturalization is filed under sec-
22 tion 334—

23 “(1) is older than 50 years of age and has been
24 living in the United States for periods totaling at

1 least 20 years after being lawfully admitted for per-
2 manent residence;

3 “(2) is older than 55 years of age and has been
4 living in the United States for periods totaling at
5 least 15 years after being lawfully admitted for per-
6 manent residence; or

7 “(3) is older than 60 years of age and has been
8 living in the United States for periods totaling at
9 least 10 years after being lawfully admitted for per-
10 manent residence.

11 “(d) The Secretary of Homeland Security may waive,
12 on a case-by-case basis, the requirement under subsection
13 (a)(2) on behalf of any person who, on the date on which
14 the person’s application for naturalization is filed under
15 section 334—

16 “(1) is older than 60 years of age; and

17 “(2) has been living in the United States for
18 periods totaling at least 10 years after being lawfully
19 admitted for permanent residence.”.

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