

106TH CONGRESS
2^D SESSION

H. R. 4402

To amend the American Competitiveness and Workforce Improvement Act of 1998 to improve the use of amounts deposited into the H-1B Non-immigrant Petitioner Account for demonstration programs and projects to provide technical skills training for occupations for which there is a high demand for skilled workers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2000

Mr. GOODLING introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the American Competitiveness and Workforce Improvement Act of 1998 to improve the use of amounts deposited into the H-1B Nonimmigrant Petitioner Account for demonstration programs and projects to provide technical skills training for occupations for which there is a high demand for skilled workers, 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 “Training and Edu-
5 cation for American Workers Act of 2000”.

1 **SEC. 2. USE OF H-1B NONIMMIGRANT PETITIONER FEES.**

2 Section 414(c) the American Competitiveness and
3 Workforce Improvement Act of 1998 (as contained in title
4 IV of division C of the Omnibus Consolidated and Emer-
5 gency Supplemental Appropriations Act, 1999; Public
6 Law 105–277) is amended to read as follows:

7 “(c) DEMONSTRATION PROGRAMS AND PROJECTS TO
8 PROVIDE TECHNICAL SKILLS TRAINING FOR WORKERS;
9 LOAN FORGIVENESS FOR MATHEMATICS, SCIENCE, AND
10 READING TEACHERS.—

11 “(1) TECHNICAL SKILLS TRAINING FOR WORK-
12 ERS.—

13 “(A) IN GENERAL.—The Secretary of
14 Labor shall use 75 percent of the funds made
15 available under section 286(s)(2) of the Immi-
16 gration and Nationality Act (8 U.S.C.
17 1356(s)(2)) to establish demonstration pro-
18 grams or projects to provide technical skills
19 training for employed and unemployed workers
20 for any skill shortage related to a specialty oc-
21 cupation (as defined in section 214(i)(1) of the
22 Immigration and Nationality Act (8 U.S.C.
23 1184(i)(1)).

24 “(B) GRANTS.—The Secretary of Labor
25 shall award grants to carry out programs or
26 projects described in subparagraph (A) to—

1 “(i) local workforce investment boards
2 established under section 117 of the Work-
3 force Investment Act of 1998 (29 U.S.C.
4 2832);

5 “(ii) regional consortia of local boards
6 described in clause (i); or

7 “(iii) consortia (which may be local,
8 regional, or multi-state consortia)—

9 “(I) a majority of whose mem-
10 bers are a business or represent a
11 business;

12 “(II) whose membership shall in-
13 clude representatives of not less than
14 10 businesses or at least one non-
15 profit organization that represents not
16 less than 10 businesses; and

17 “(III) whose membership may in-
18 clude representatives of State and
19 local governments, educational institu-
20 tions, and labor organizations (for a
21 local area (as defined in section 101
22 of the Workforce Investment Act of
23 1998 (29 U.S.C. 2801)) in which em-
24 ployees are represented by labor orga-
25 nizations), nominated by local labor

1 federations, or (for a local area (as so
2 defined) in which no employees are
3 represented by such organizations),
4 other representatives of employees.

5 “(C) PRIORITY PROJECTS.—In awarding
6 grants under subparagraph (B), the Secretary
7 of Labor shall give priority to programs or
8 projects that train employed and unemployed
9 workers in skills that are in shortage in the
10 high technology, information technology, and
11 biotechnology fields, including software and
12 communications services, telecommunications,
13 systems installation and integration, computers
14 and communications hardware, health care
15 technology, biotechnology, and biomedical re-
16 search, manufacturing, and innovation services.

17 “(D) GRANTS APPLICATION REQUIRE-
18 MENT.—An application for a grant under this
19 paragraph shall include—

20 “(i) specific goals for each program or
21 project for which funds are sought, includ-
22 ing targets for measurable increases in
23 skill gains for those individuals being
24 trained under the project; and

1 “(ii) an agreement that the program
2 or project shall be subject to evaluations by
3 the Secretary of Labor to measure its ef-
4 fectiveness.

5 “(E) MATCHING FUNDS.—Each grantee
6 receiving funds under this paragraph shall dem-
7 onstrate the manner by which the grantee will
8 provide matching resources (in the form of
9 cash, in-kind contributions, or both) equal to at
10 least 25 percent of the total grant amount
11 awarded.

12 “(F) TARGET POPULATION.—Each grantee
13 receiving funds under this paragraph shall
14 make efforts actively to recruit and train indi-
15 viduals who traditionally are underrepresented
16 in information technology occupations, such as
17 minorities, women, low-wage workers, workers
18 residing in empowerment zones and enterprise
19 communities (as defined in section 1393(b) of
20 the Internal Revenue Code of 1986), and indi-
21 viduals with a disability.

22 “(2) LOAN FORGIVENESS FOR MATHEMATICS,
23 SCIENCE, AND READING TEACHERS.—

24 “(A) IN GENERAL.—Notwithstanding any
25 other provision of law, the Secretary of Labor

1 shall transfer 25 percent of the funds made
2 available to the Secretary of Labor under sec-
3 tion 286(s)(2) of the Immigration and Nation-
4 ality Act (8 U.S.C. 1356(s)(2)) to the Secretary
5 of Education.

6 “(B) USE OF FUNDS.—The Secretary of
7 Education shall use funds made available under
8 subparagraph (A) to carry out section 3 of the
9 Training and Education for American Workers
10 Act of 2000.”.

11 **SEC. 3. LOAN FORGIVENESS PROGRAM FOR MATHEMATICS,**
12 **SCIENCE, AND READING TEACHERS.**

13 (a) PROGRAM.—

14 (1) IN GENERAL.—The Secretary of Education
15 (in this section referred to as the “Secretary”) shall
16 carry out a program of assuming the obligation to
17 repay, pursuant to subsection (c), a loan made, in-
18 sured, or guaranteed under part B of title IV of the
19 Higher Education Act of 1965 or part D of such
20 title (excluding loans made under sections 428B and
21 428C of such Act or comparable loans made under
22 part D of such title) for any new borrower after Oc-
23 tober 1, 1998, who—

24 (A) has been employed as a full-time
25 teacher of mathematics, science, or a related

1 field, or has been a full-time teacher responsible
2 for providing reading instruction in any of
3 grades kindergarten through 3d grade, for 3
4 consecutive complete school years in a school
5 that qualifies under section 465(a)(2)(A) of the
6 Higher Education Act of 1965 for loan can-
7 cellation for a recipient of a loan under part E
8 of title IV of such Act who teaches in such
9 school;

10 (B) satisfies the requirements of sub-
11 section (d); and

12 (C) is not in default on a loan for which
13 the borrower seeks forgiveness.

14 (2) AWARD BASIS; PRIORITY.—

15 (A) AWARD BASIS.—Subject to subpara-
16 graph (B), loan repayment under this section
17 shall be on a first-come, first-serve basis and
18 subject to the availability of appropriations.

19 (B) PRIORITY.—The Secretary shall give
20 priority in providing loan repayment under this
21 section for a fiscal year to student borrowers
22 who received loan repayment under this section
23 for the preceding fiscal year.

1 (3) REGULATIONS.—The Secretary is author-
2 ized to prescribe such regulations as may be nec-
3 essary to carry out the provisions of this section.

4 (b) LOAN REPAYMENT.—

5 (1) ELIGIBLE AMOUNT.—The amount the Sec-
6 retary may repay on behalf of any individual under
7 this section shall not exceed—

8 (A) the sum of the principal amounts out-
9 standing (not to exceed \$3,000) of the individ-
10 ual's qualifying loans at the end of 3 consecu-
11 tive complete school years of service described
12 in subsection (a)(1)(A);

13 (B) an additional portion of such sum (not
14 to exceed \$1,000) at the end of each of the next
15 2 consecutive complete school years of such
16 service; and

17 (C) a total of not more than \$5,000.

18 (2) CONSTRUCTION.—Nothing in this section
19 shall be construed to authorize the refunding of any
20 repayment of a loan made under part B or D of title
21 IV of the Higher Education Act of 1965.

22 (3) INTEREST.—If a portion of a loan is repaid
23 by the Secretary under this section for any year, the
24 proportionate amount of interest on such loan which

1 accrues for such year shall be repaid by the Sec-
2 retary.

3 (c) REPAYMENT TO ELIGIBLE LENDERS.—The Sec-
4 retary shall pay to each eligible lender or holder for each
5 fiscal year an amount equal to the aggregate amount of
6 loans which are subject to repayment pursuant to this sec-
7 tion for such year.

8 (d) APPLICATION FOR REPAYMENT.—

9 (1) IN GENERAL.—Each eligible individual de-
10 siring loan repayment under this section shall sub-
11 mit a complete and accurate application to the Sec-
12 retary at such time, in such manner, and containing
13 such information as the Secretary may require.

14 (2) CONDITIONS.—

15 (A) YEARS OF SERVICE.—An eligible indi-
16 vidual may apply for loan repayment under this
17 section after completing the required number of
18 years of qualifying employment.

19 (B) OTHER QUALIFICATIONS.—An applica-
20 tion for loan repayment under this section shall
21 include such information as is necessary to
22 demonstrate that the applicant—

23 (i) if employed as a secondary school
24 teacher, is teaching a subject area that is
25 relevant to the borrower's academic major

1 as certified by the chief administrative offi-
2 cer of the public or nonprofit private sec-
3 ondary school (including public charter
4 schools) in which the borrower is employed;
5 and

6 (ii) if employed as an elementary
7 school teacher, has demonstrated, as cer-
8 tified by the chief administrative officer of
9 the public or nonprofit private elementary
10 school (including public charter school) in
11 which the borrower is employed, knowledge
12 and teaching skills in reading, writing,
13 mathematics, and other areas of the ele-
14 mentary school curriculum.

15 (e) TREATMENT OF CONSOLIDATION LOANS.—A loan
16 amount for a consolidation loan made under section 428C
17 of the Higher Education Act of 1965, or a Federal Direct
18 Consolidation Loan made under part D of title IV of such
19 Act, may be a qualified loan amount for the purpose of
20 this section only to the extent that such loan amount was
21 used by a borrower who otherwise meets the requirements
22 of this section to repay—

23 (1) a loan made under section 428 or 428H of
24 such Act; or

1 (2) a Federal Direct Stafford Loan, or a Fed-
2 eral Direct Unsubsidized Stafford Loan, made under
3 part D of title IV of such Act.

4 (f) FUNDS FOR PROGRAM.—The Secretary shall
5 carry out this section with funds made available under sec-
6 tion 414(c)(2) the American Competitiveness and Work-
7 force Improvement Act of 1998.

8 **SEC. 4. EFFECTIVE DATE.**

9 This Act, and the amendments made by this Act,
10 shall take effect on October 1, 2000.

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