

PROVIDING FOR CONSIDERATION OF H.R. 1261, WORK-
FORCE REINVESTMENT AND ADULT EDUCATION ACT OF
2003

MAY 7, 2003.—Referred to the House Calendar and ordered to be printed

Ms. PRYCE of Ohio, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 221]

The Committee on Rules, having had under consideration House Resolution 221, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 1261, the Workforce Reinvestment and Adult Education Act of 2003, under a structured rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce.

The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read.

The rule makes in order only those amendments printed in this report. The rule provides that the amendments printed in this report may be considered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in this report. The rule provides one motion to recommit with or without instructions.

COMMITTEE VOTES

Pursuant to clause 3(b) of House rule XIII the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 57

Date: May 7, 2003.

Measure: H.R. 1261—Workforce Reinvestment and Adult Education Act of 2003.

Motion by: Mr. Frost.

Summary of motion: To make in order the amendment by Representative Kildee which codifies H.R. 1652, which would extend unemployment benefits for an additional 26 weeks for newly unemployed workers and 13 weeks for those workers who have previously exhausted their unemployment benefits.

Results: Defeated 3 to 7.

Vote by Members: Goss—Nay; Linder—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Frost—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

Rules Committee record vote No. 58

Date: May 7, 2003.

Measure: H.R. 1261—Workforce Reinvestment and Adult Education Act of 2003.

Motion by: Mr. McGovern.

Summary of motion: To make in order the amendment by Representative Tierney which strikes the authorization for states to take program dollars from veterans training programs, vocational rehabilitation programs, adult education programs and other mandatory partners to fund infrastructure and administrative costs for the Workforce Investment system. Would authorize a specific line item for infrastructure funding for the One-Stop Centers.

Results: Defeated 3 to 7.

Vote by Members: Goss—Nay; Linder—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Frost—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

Rules Committee record vote No. 59

Date: May 7, 2003.

Measure: H.R. 1261—Workforce Reinvestment and Adult Education Act of 2003.

Motion by: Mr. McGovern.

Summary of motion: To make in order the amendment by Representative Van Hollen, which restores current law which prohibits the use of Federal funds to discriminate in hiring based on religion.

Results: Defeated 3 to 7.

Vote by Members: Goss—Nay; Linder—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Frost—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

Rules Committee record vote No. 60

Date: May 7, 2003.

Measure: H.R. 1261—Workforce Reinvestment and Adult Education Act of 2003.

Motion by: Mr. Hastings of Florida.

Summary of motion: To make in order the amendment by Representative Ryan of Ohio, which allows for the hiring of 100,000 first responders (fire, police, and security personnel) to create jobs and ensure that communities have the emergency personnel they need.

Results: Defeated 3 to 7.

Vote by Members: Goss—Nay; Linder—Nay; Diaz-Balart—Nay; Hastings (WA)—Nay; Myrick—Nay; Sessions—Nay; Frost—Yea; McGovern—Yea; Hastings (FL)—Yea; Dreier—Nay.

SUMMARY OF AMENDMENTS MADE IN ORDER UNDER THE RULE

1. McKeon/Boehner: Manager's Amendment. Clarifies that if a state has more than one state unit for vocational rehabilitation, the representative of the designated state unit that serves the most individuals with disabilities would serve on the state workforce investment board. Makes Temporary Assistance for Needy Families (TANF) a mandatory partner in the one-stop career center system, unless the Governor of the state notifies the Secretaries of Labor and Health and Human Services that the Governor does not want the TANF program to be mandatory partner. Reinstates the requirement that youth providers be selected by competitive process, unless the local board determines that there are insufficient numbers of eligible providers of youth services in the local area involved. Revises the factors for the youth formula for allocation of funds to states to better reflect available data on youth. Also clarifies that the new formula applies only to funds appropriated in excess of the level of funds appropriated in 2003. Revises the formula for allocation of funds to states under the consolidated adult funding stream. The amendment includes a hold-harmless provision for states so that in each year each state will receive at least what the state would have received under the current formulas for the three adult employment and training programs. Revises the new formula to create a two-part formula reflective of the population to be served. Clarifies that reemployment services provided to unemployment claimants are core services. Increases the authorized level for the youth grants to \$1.25 billion. Clarifies that state-recognized tribes may continue to participate in the WIA program for Native Americans. Clarifies that housing assistance provided under the program for migrant and seasonal farmworker program may be permanent housing. Under Title II, the amendment clarifies that eligible agencies must demonstrate how they meet the goals established under this Section. Under Title II, the amendment ensures that eligible providers use grant funds under this section only after using funds available for similar services are used first. Concerning the Establishment of the National Institute for Literacy, the amendment provides that the Institute is under the direction of an Interagency Group, composed of the Department of Education, the Department of Labor, and the Department of Health and Human Services. This is current law. Under Title II, Internet Site.—The amendment ensures that the Institute website provides information consistent with the purposes established in this Section. Under Title II, Transition.—The amendment provides for an orderly transition in the implementation of this title. The amendment makes

additional clarifying, technical, and conforming amendments to Titles I and II. (10 minutes)

2. Allen: Eliminates the inclusion of an adult education representative on local Workforce Investment Boards. (10 minutes)

3. Vitter: Inserts language from Section 118 (relating to the Local plans of the WIA boards) into two parts of the bill: the Certification of One-Stop Centers (section 121) and Criteria for One-Stop Centers to be eligible for Infrastructure funds (section 122). (10 minutes)

4. Kline: Clarifies the methodology for determining the contributions that one-stop partner programs will make to the costs of infrastructure of the one-stop career center system. Requires that, when making the determination regarding the funds to be contributed, the Governor, in consultation with the State board, consider: the proportionate use of the one-stop centers by each partner; the costs of administration unrelated to the use of the one-stop centers by each partner; and other relevant factors. Requires that the funds provided by the one-stop partner programs for the infrastructure costs are to be provided from funds available for administrative costs under each program and that those funds shall be subject to whatever administrative cost limits are applicable to each program. (10 minutes)

5. Lewis (GA): Extends the eligibility criteria age for those to be served by the programs that are intended to target services to out of school youth to 24 years old. (10 minutes)

6. Hastings (FL): Increases the amounts that are required according to the formulas established under section 132(b)(2)(B) from 80 to 85 percent and reduces the discretionary amounts from 20 to 15 percent. (10 minutes)

7. Millender-McDonald: Clarifies the definition of eligible populations for job training services to include single parents, displaced homemakers, and pregnant single women. (10 minutes)

8. Kaptur: Requires the Department of Labor to establish a coordinated system that provides technical assistance to localities when such assistance would not be duplicative to assistance provided by a state. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKEON OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 6, strike lines 18 through 21 and insert the following:

“(III) if not included under subclause (I), the director of the State unit, defined in section 7(8)(B) of the Rehabilitation Act of 1973 (29 U.S.C. 705(8)(B)) except that in a State that has established 2 or more designated State units to administer the vocational rehabilitation program, the board representative shall be the director of the designated State unit that serves the most individuals with disabilities in the State;

Page 15, line 14, strike “(a) ONE-STOP PARTNERS.—” and all that follows through page 16, line 12, and insert the following:

(a) ONE-STOP PARTNERS.—

(1) REQUIRED PARTNERS.—Section 121(b)(1) (29 U.S.C. 2841(b)(1)) is amended—

(A) in subparagraph (B)—

- (i) by striking clauses (ii) and (v)
- (ii) by redesignating clauses (iii) and (iv) as clauses (ii) and (iii), respectively, and by redesignating clauses (vi) through (xii) as clauses (iv) through (x), respectively;
- (iii) in clause (ix) (as so redesignated), by striking “and”;
- (iv) in clause (x) (as so redesignated), by striking the period and inserting “; and”; and
- (v) by inserting after clause (x)(as so redesignated) the following:

“(xi) programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et. seq.), subject to subparagraph (C).”; and

(B) by adding after subparagraph (B) the following:

“(C) DETERMINATION BY THE GOVERNOR.—The program referred to in clauses (xi) of subparagraph (B) shall be included as a required partner for purposes of this title in a State unless the Governor of the State notifies the Secretary and the Secretary of Health and Human Services in writing of a determination by the Governor not to include such programs as required partners for purposes of this title in the State.”.

(2) ADDITIONAL PARTNERS.—Section 121(b)(2)(B) (29 U.S.C. 2841(b)(2)(B)) is amended—

(A) by striking clause (i) and redesignating clauses (ii) through (v) as clauses (i) through (iv) respectively;

(B) in clause (iii) (as so redesignated) by striking “and” at the end;

(C) in clause (iv) (as so redesignated) by striking the period and inserting a semicolon; and

(D) by adding at the end the following new clauses:

“(v) employment and training programs administered by the Social Security Administration, including the Ticket to Work program (established by Public Law 106–170);

“(vi) programs under part D of title IV of the Social Security Act (42 U.S.C. 451 et seq.) (relating to child support enforcement); and

“(vii) programs carried out in the local area for individuals with disabilities, including programs carried out by State agencies relating to mental health, mental retardation, and developmental disabilities, State Medicaid agencies, State Independent Living Councils, and Independent Living Centers.”.

Page 24, strike lines 2 and 3 and insert the following:

Section 123 is amended to read as follows:

“SEC. 123. ELIGIBLE PROVIDERS OF YOUTH ACTIVITIES.

“(a) IN GENERAL.—From the funds allocated under section 128(b) to a local area, the local board for such area shall award grants or contracts on a competitive basis to providers of youth activities identified based on the criteria in the State plan and shall conduct oversight with respect to such providers.

“(b) EXCEPTIONS.—A local board may award grants or contracts on a sole-source basis if such board determines there are an insufficient number of eligible providers of training services in the local area involved (such as rural areas) for grants to be awarded on a competitive basis under subsection (a).

Page 25, line 10, strike “(C) STATES.—” and all that follows through page 26, line 9, and insert the following:

“(C) STATES.—

“(i) IN GENERAL.—Of the remainder of the amount appropriated under section 137(a) for a fiscal year that is available after determining the amounts to be reserved under subparagraphs (A) and (B), the Secretary shall allot—

“(I) the amount of the remainder that is less than or equal to the total amount that was allotted to States for fiscal year 2003 under section 127(b)(1)(C) of this Act (as in effect on the day before the date of enactment of the Workforce Reinvestment and Adult Education Act of 2003) in accordance with the requirements of such section 127(b)(1)(C); and

“(II) the amount of the remainder, if any, in excess of the amount referred to in subclause (I) in accordance with clause (ii).

“(ii) FORMULAS FOR EXCESS FUNDS.—Subject to clauses (iii) and (iv), of the amounts described in clause (i)(II)—

“(I) 33 and $\frac{1}{3}$ percent shall be allotted on the basis of the relative number of individuals in the civilian labor force who are ages 16–19 in each State, compared to the total number of individuals in the civilian labor force who are ages 16–19 in all States;

“(II) 33 and $\frac{1}{3}$ percent shall be allotted on the basis of the relative number of unemployed individuals in each State, compared to the total number of unemployed individuals in all States; and”;

and

Page 26, line 13, strike “the” and insert “each”.

Page 28, strike lines 1 through 10.

Page 28, line 11, strike “formula” and insert “formulas”.

Page 28, strike lines 17 through 21.

Page 31, strike lines 14 through page 32, line 2, and insert the following:

“(i) 33 and $\frac{1}{3}$ percent shall be allotted on the basis of the relative number of individuals in the civilian labor force who are ages 16–19 in each local area, compared to the total number of individuals in the civilian labor force who are ages 16–19 in all local areas in the State;

“(ii) 33 and $\frac{1}{3}$ percent shall be allotted on the basis of the relative number of unemployed individuals in each local area, compared to the total number of unemployed individuals in all local areas in the State; and,” and

Page 33, strike lines 7 through 10, and insert the following:

“(ii) DISADVANTAGED YOUTH.—The term ‘disadvantaged youth’ means an individual who is age 16 through 21 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the poverty line.”

Page 36, line 11, insert “who are deficient in basic skills” after “disabilities”).

Page 44, line 1, strike “(b) ALLOTMENT” and all that follows through page 47, line 14 and insert the following:

“(b) ALLOTMENT AMONG STATES FOR ADULT EMPLOYMENT AND TRAINING ACTIVITIES.—

“(1) RESERVATION FOR OUTLYING AREAS.—From the amount made available under subsection (a)(2) for a fiscal year, the Secretary shall reserve not more than $\frac{1}{4}$ of 1 percent to provide assistance to outlying areas to carry out employment and training activities for adults and statewide workforce investment activities.

“(2) STATES.—Subject to paragraph (5), of the remainder of the amount referred to under subsection (a)(2) for a fiscal year that is available after determining the amount to be reserved under paragraph (1), the Secretary shall allot to the States for employment and training activities for adults and for statewide workforce investment activities—

“(A) 26 percent in accordance with paragraph (3); and

“(B) 74 percent in accordance with paragraph (4)

“(3) BASE FORMULA.—

“(A) FISCAL YEAR 2004.—

“(i) IN GENERAL.—Subject to clause (ii), the amount referred to in paragraph (2)(A) shall be allotted for fiscal year 2004 on the basis of allotment percentage of each State under section 6 of the Wagner-Peyser Act for fiscal year 2003.

“(ii) EXCESS AMOUNTS.—If the amount referred to in paragraph (2)(A) for fiscal year 2004 exceeds the amount that was available for allotment to the States under the Wagner-Peyser Act for fiscal year 2003, such excess amount shall be allotted on the basis of the relative number of individuals in the civilian labor force in each State, compared to the total number of individuals in the civilian labor force in all States, adjusted to ensure that no State receives less than $\frac{3}{10}$ of one percent of such excess amount.

“(iii) DEFINITION.—For purposes of this subparagraph, the term ‘allotment percentage’ means the percentage of the amounts allotted to States under section 6 of the Wagner-Peyser Act that is received by the State involved for fiscal year 2003.

“(B) FISCAL YEARS 2005 AND THEREAFTER.—

“(i) IN GENERAL.—Subject to clause(ii), the amount referred to in paragraph(2)(A) shall be allotted for fiscal year 2005 and each fiscal year thereafter on the basis of the allotment percentage of each State under this paragraph for the preceding fiscal year.

“(ii) EXCESS AMOUNTS.—If the amount referred to in paragraph (2)(A) for fiscal year 2005 or any fiscal year thereafter exceeds the amount that was available for allotment under this paragraph for the prior fiscal year, such excess amount shall be allotted on the basis of the relative number of individuals in the civilian labor force in each State, compared to the total number of individuals in the civilian labor force in all States, adjusted to ensure that no State receives less than $\frac{3}{10}$ of one percent of such excess amount.

“(iii) DEFINITION.—For purposes of this subparagraph, the term ‘allotment percentage’ means the percentage of the amounts allotted to States under this paragraph in a fiscal year that is received by the State involved for such fiscal year.

“(4) CONSOLIDATED FORMULA.—

“(A) IN GENERAL.—Subject to subparagraphs (B) and (C), of the amount referred to in paragraph (2)(B)—

“(i) 60 percent shall be allotted on the basis of the relative number of unemployed individuals in each State, compared to the total number of unemployed individuals in all States;

“(ii) 25 percent shall be allotted on the basis of the relative excess number of unemployed individuals in each State, compared to the total excess number of unemployed individuals in all States; and

“(iii) 15 percent shall be allotted on the basis of the relative number of disadvantaged adults in each State, compared to the total number of disadvantaged adults in all States.

“(B) MINIMUM AND MAXIMUM PERCENTAGES.—

“(i) MINIMUM PERCENTAGE.—The Secretary shall ensure that no State shall receive an allotment under this paragraph for a fiscal year that is less than 90 percent of the allotment percentage of the State under this paragraph for the preceding fiscal year.

“(ii) MAXIMUM PERCENTAGE.—Subject to clause (i), the Secretary shall ensure that no State shall receive an allotment for a fiscal year under this paragraph that is more than 130 percent of the allotment of the State under this paragraph for the preceding fiscal year.

“(C) SMALL STATE MINIMUM ALLOTMENT.—Subject to subparagraph (B), the Secretary shall ensure that no State shall receive an allotment under this paragraph that is less than $\frac{2}{10}$ of 1 percent of the amount available under subparagraph (A).

“(D) DEFINITIONS.—For the purposes of this paragraph:

“(i) ALLOTMENT PERCENTAGE.—The term ‘allotment percentage’, used with respect to fiscal year 2004 or a subsequent fiscal year, means a percentage of the amounts described in paragraph (2)(B) that is received through an allotment made under this paragraph for the fiscal year. The term, with respect to fiscal year 2003, means the percentage of the amounts allotted to

States under this chapter (as in effect on the day before the date of enactment of the Workforce Reinvestment and Adult Education Act of 2003) and under re-employment service grants received by the State involved for fiscal year 2003.

“(ii) DISADVANTAGED ADULT.—The term ‘disadvantaged adult’ means an individual who is age 22 through 72 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the poverty line.

“(iii) EXCESS NUMBER.—The term ‘excess number’ means, used with respect to the excess number of unemployed individuals within a State, the number that represents the number of unemployed individuals in excess of 4 and $\frac{1}{2}$ percent of the civilian labor force in the State.

“(5) ADJUSTMENTS IN ALLOTMENTS BASED ON DIFFERENCES WITH UNCONSOLIDATED FORMULAS.—

“(A) IN GENERAL.—The Secretary shall ensure that for any fiscal year no State has an allotment difference, as defined in subparagraph (C), that is less than zero. The Secretary shall adjust the amounts allotted to the States under this subsection in accordance with subparagraph (B) if necessary to carry out this subparagraph..

“(B) ADJUSTMENTS IN ALLOTMENTS.—

“(i) REDISTRIBUTION OF EXCESS AMOUNTS.—

“(I) IN GENERAL.—If necessary to carry out subparagraph (A), the Secretary shall reduce the amounts that would be allotted under paragraphs (3) and (4) to States that have an excess allotment difference, as defined in subclause (II), by the amount of such excess, and use such amounts to increase the allotments to States that have an allotment difference less than zero.

“(II) EXCESS AMOUNTS.—For purposes of subclause (I), the term ‘excess’ allotment difference means an allotment difference for a State that is—

“(aa) in excess of 3 percent of the amount described in subparagraph (C)(i)(II); or

“(bb) in excess of a percentage established by the Secretary that is greater than 3 percent of the amount described in subparagraph (C)(i)(II) if the Secretary determines that such greater percentage is sufficient to carry out subparagraph (A).

“(ii) USE OF AMOUNTS AVAILABLE UNDER NATIONAL RESERVE ACCOUNT.—If the funds available under clause (i) are insufficient to carry out subparagraph (A), the Secretary shall use funds reserved under section 132(a) in such amounts as are necessary to increase the allotments to States to meet the requirements of subparagraph (A). Such funds shall be used

in the same manner as the States use the other funds allotted under this subsection.

“(C) DEFINITION OF ALLOTMENT DIFFERENCE.—

“(i) IN GENERAL.—For purposes of this paragraph, the term ‘allotment difference’ means the difference between—

“(I) the total amount a State would receive of the amounts available for allotment under subsection (b)(2) for a fiscal year pursuant to paragraphs (3) and (4); and

“(II) the total amount the State would receive of the amounts available for allotment under subsection (b)(2) for the fiscal year if such amounts were allotted pursuant to the unconsolidated formulas (applied as described in clause (iii)) that were used in allotting funds for fiscal year 2003.

“(ii) UNCONSOLIDATED FORMULAS.—For purposes of clause (i), the unconsolidated formulas are:

“(I) The requirements for the allotment of funds to the States contained in section 132(b)(1)(B) of this Act (as in effect on the day before the date of enactment of the Workforce Reinvestment and Adult Education Act of 2003) that were applicable to the allotment of funds under such section for fiscal year 2003.

“(II) The requirements for the allotment of funds to the States contained in section 132(b)(2)(B) of this Act (as in effect on the day before the date of enactment of the Workforce Reinvestment and Adult Education Act of 2003) that were applicable to the allotment of funds under such section for fiscal year 2003.

“(III) The requirements for the allotment of funds to the States that were contained in section 6 of the Wagner-Peyser Act (as in effect on the day before the date of enactment of the Workforce Reinvestment and Adult Education Act of 2003) that were applicable to the allotment of funds under such Act for fiscal year 2003.

“(IV) The requirements for the allotment of funds to the States that were established by the Secretary for Reemployment Services Grants that were applicable to the allotment of funds for such grants for fiscal year 2003.

“(iii) PROPORTIONATE APPLICATION OF UNCONSOLIDATED FORMULAS BASED ON FISCAL YEAR 2003.—In calculating the amount under clause (i)(II), each of the unconsolidated formulas identified in clause (ii) shall be applied, respectively, only to the proportionate share of the total amount of funds available for allotment under subsection (b)(2) for a fiscal year that is equal to the proportionate share to which each of the unconsolidated formulas applied with respect to the total amount of funds allotted to the States under all of the unconsolidated formulas in fiscal year 2003.

“(iv) RULE OF CONSTRUCTION.—The amounts used to adjust the allotments to a State under subparagraph (B) for a fiscal year shall not be included in the calculation of the amounts under clause (i) for a subsequent fiscal year, including the calculation of allocation percentages for a preceding fiscal year applicable to paragraphs (3) and (4) and to the unconsolidated formulas described in clause (ii).”.

Page 50, line 1, strike “15 percent” and insert “25 percent”.

Page 50, line 5, insert “and” after the semicolon;

Page 50, strike lines 6 through 11.

Page 50, line 12, strike “(iv) 10 percent” and insert “(iii) 15 percent”.

Page 61, line 3, strike “and”.

Page 61, line 5, insert “and” after “employers;”.

Page 61, after line 5, insert the following:

“(iii) reemployment services provided to unemployment claimants.”.

Page 77, line 22, strike “\$1,001,000,000” and insert “\$1,250,000,000”.

Page 80, strike lines 4 through 14 (and redesignate subsection (b) and (c) of section 116 as subsections (a) and (b) respectively).

Page 80, after line 22, insert the following:

(d) MIGRANT AND SEASONAL FARMWORKER PROGRAMS.—Section 167(d) is amended by inserting “(including permanent housing)” after “housing”.

Page 91, line 20, strike “recipients” and insert “a recipient”.

Page 108, beginning at line 24, strike “the English language and math, and English language acquisition” and insert “the English language and basic math,”.

Page 126, line 25, strike “DEFINITION OF CRIMINAL OFFENDER.—” and insert “DEFINITIONS.—”.

Page 128, line 7, strike “, including essential workplace skills”.

Page 128, line 12, strike “family” and insert “Family”.

Page 129, line 16, strike the period and insert a semicolon.

Page 129, line 17, strike “whether or not”.

Page 129, line 24; page 130, lines 1, 4, 8, 10, 17, and 22; and page 131, lines 3, 10, and 14, strike the term “whether” each place such term appears.

Page 130, line 5, insert “when appropriate and scientifically based,” after “real-life contexts,”.

Page 131, line 15, strike “is of” and insert “are of”.

Page 131, after line 18, insert the following:

“(e) SPECIAL RULE.—Eligible providers may use grant funds under this title to serve children participating in family literacy programs assisted under this part, provided that other sources of funds available to provide similar services for such children are used first.

Page 140, strike lines 8 through 15 and insert the following:

(a) IN GENERAL.—There is established the National Institute for Literacy. The Institute shall be administered, in accordance with this part, under the supervision and direction of a Director. There shall be an agreement between an Interagency Group (comprised of the Secretary of Education, the Secretary of Labor, and the Secretary of Health and Human Services) and the Institute on how the

purposes of the Institute may be achieved effectively. Such agreement—

(1) shall be regularly reviewed, and modified as needed to remain current with any changes in the purposes of the Institute; and

(2) shall be updated no later than 1 year after the enactment of this part.

Page 140, lines 17 through 19, strike “The Board (established under section 216 of this part), in consultation with the Secretary of Education,” and insert “The Interagency Group”.

Page 140, line 23, insert “If a vacancy in the position of the Director of the Institute occurs, the Interagency Group shall appoint an Interim Director until such time as a new Director can be appointed.” after “and adults.”.

Page 141, lines 5 and 6, strike “, if approved by the Board,”.

Page 141, beginning at line 8, strike all of section 213 and insert the following:

SEC. 213. ADMINISTRATION.

(a) IN GENERAL.—The Director of the Institute shall be responsible for administering the Institute. The Director of the Institute shall—

(1) provide leadership for the Institute, consistent with the purposes described in section 211(b);

(2) supervise all employees in the Institute;

(3) assign responsibility to carry out the duties of the Institute among officers and employees, and offices of the Institute;

(4) prepare requests for appropriations for the Institute and submit those requests to the Interagency Group;

(5) oversee the expenditure of all funds allocated for the Institute to carry out the purposes under section 211(b); and

(6) ensure that the Institute’s standards for research quality are consistent with those promulgated by the Institute for Education Sciences.

(b) OFFICES.—The Institute shall have separate offices from the Department of Education, the Department of Labor, and the Department of Health and Human Services, and shall have maximum flexibility in its operations to carry out the purposes of the Institute.

(c) ADMINISTRATIVE SUPPORT.—The Secretary of Education shall provide administrative support for the Institute, including the administration of grants, contracts and cooperative agreements, personnel, legal counsel, and payroll.

Page 144, line 5, insert “Director of the” before “Institute”.

Page 144, line 17, strike “, when requested, policy and”.

Page 145, after line 23, insert the following (and make such conforming changes as are necessary):

(8) develop an Internet site that provides useful information to educators and the public on reading literacy that is consistent with the purposes described in section 211(b).

Page 146, lines 14 through 17, strike “The Institute, in consultation with the Board, may award fellowships, with such stipends and allowances as the Director of the Institute considers necessary,” and insert “The Director of the Institute may award fellowships, with such stipends and allowances as necessary,”.

Page 147, lines 3 and 4, strike “The Institute, in consultation with the Board,” and insert “The Director of the Institute”.

Page 148, line 16, strike “work closely with” and insert “provide advice to”.

Page 148, strike lines 20 through 24 (and make such conforming changes as are necessary).

Page 150, lines 10 and 11, strike “The Board, in consultation with the Director of the Institute,” and insert “The Director of the Institute”.

Page 151, line 18, strike “Labor and Human Resources” and insert “Health, Education, Labor, and Pensions”.

Page 152, after line 12, insert the following (and make such conforming changes as are necessary):

(3) the term “Interagency Group” means the Secretary of Education, the Secretary of Labor, and the Secretary of Health and Human Services;

(4) the term “literacy” means the ability to read, write, and speak the English language with competence, knowledge, and comprehension; and

Page 153, line 4, insert “the administration of” after “such amounts for”.

Page 153, after line 12, insert the following:

PART C—GENERAL PROVISIONS

SEC. 241. TRANSITION.

The Secretary shall take such actions as the Secretary determines to be appropriate to provide for the orderly implementation of this title.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ALLEN OF MAINE, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 13, line 7, insert “, administrators of entities providing adult education and literacy activities,” after “school systems”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE VITTER OF LOUISIANA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 18, line 5, insert “, and how the centers ensure that such providers meet the employment needs of local employers and participants” after “partners”.

Page 21, line 18, insert “how the centers ensure that such providers meet the needs of local employers and participants,” after “providers,”.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KLINE OF MINNESOTA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 18, line 18, strike “subsection (b)” and insert “subsection (b)(1)(B) and participating additional partner programs described in (b)(2)(B)”.

Page 18, strike lines 21 through 25 and insert the following:

“(B) DETERMINATION OF GOVERNOR.—Subject to subparagraph (C), the Governor, in consultation with the State board, shall determine the portion of funds to be provided under subparagraph (A) by each one-stop partner and in making such determination shall consider the proportionate use of the one-stop centers by each partner, the costs of administration for purposes not related to one-stop centers for each partner, and other relevant factors described in paragraph (3).

“(C) LIMITATIONS.—

“(i) PROVISION FROM ADMINISTRATIVE FUNDS.—The funds provided under this paragraph by each one-stop partner shall be provided only from funds available for the costs of administration under the program administered by such partner, and shall be subject to the limitations with respect to the portion of funds under such programs that may be used for administration.

“(ii) FEDERAL DIRECT SPENDING PROGRAMS.—Programs that are Federal direct spending under section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)) shall not, for purposes of this paragraph, be required to provide an amount in excess of the amount determined to be equivalent to the proportionate use of the one-stop centers by such programs in the State.”.

Page 19, line 3, insert “in accordance with the formula established under paragraph (3)” after “local area”.

Page 20, line 2, strike “subsection (b)” and insert “subsection (b)(1)(B) and participating partner programs described in subsection (b)(2)(B), or the noncash resources available under such programs”.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEWIS OF GEORGIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 36, line 4, strike “21” and insert “24”.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HASTINGS OF FLORIDA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 49, line 10, strike “80 percent” and insert “85 percent”.

Page 49, line 13, strike “20 percent” and insert “15 percent”.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MILLENDER-MCDONALD OF CALIFORNIA, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 65, line 14, insert “, including single parents, displaced homemakers, and pregnant single women,” after “individuals”.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KAPTUR OF OHIO, OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 86, line 20, insert “assistance regarding accounting and program operation practices (when such assistance would not be duplicative to assistance provided by the State),” after “this title,”.

Page 87, line 2, strike the period and insert “; and”

Page 87, after line 2, insert the following:

(5) by inserting, after subsection (c) (as redesignated by paragraph (3)), the following:

“(d) BEST PRACTICES COORDINATION.—The Secretary shall establish a system whereby States may share information regarding best practices with regards to the operation of workforce investment activities under this Act.”

