

(1) the location of foreign workers admitted into the United States,

(2) the location of individuals in the United States requiring and desiring the educational assistance and training for which the funds can be applied, and

(3) the location of unemployed and underemployed United States workers.

**(c) Disbursement to States**

(1) Within the purposes and allocations established under this section, disbursements shall be made to the States, in accordance with grant applications submitted to and approved jointly by the Secretaries of Labor and Education, to be applied in a manner consistent with the guidelines established by such Secretaries in consultation with the States. In applying such grants, the States shall consider providing funding to joint labor-management trust funds and other such non-profit organizations which have demonstrated capability and experience in directly training and educating workers.

(2) Not more than 5 percent of the funds disbursed to any State under this section may be used for administrative expenses.

**(d) Limitation on Federal overhead**

The Secretaries shall provide that not more than 2 percent of the amount of funds disbursed to States under this section may be used by the Federal Government in the administration of this section.

**(e) Annual report**

The Secretary of Labor shall report annually to the Congress on the grants to States provided under this section.

**(f) "State" defined**

In this section, the term "State" has the meaning given such term in section 1101(a)(36) of title 8.

(Pub. L. 101-649, title VIII, § 801, Nov. 29, 1990, 104 Stat. 5087.)

**Editorial Notes**

**CODIFICATION**

Section was enacted as part of the Immigration Act of 1990, and not as part of the Adult Education and Family Literacy Act which comprises this subchapter.

Section was formerly classified to section 2920 of this title and to section 1506 of this title.

**PART B—STATE PROVISIONS**

**§ 3301. State administration**

Each eligible agency shall be responsible for the State or outlying area administration of activities under this subchapter, including—

(1) the development, implementation, and monitoring of the relevant components of the unified State plan in section 3112 of this title or the combined State plan in section 3113 of this title;

(2) consultation with other appropriate agencies, groups, and individuals that are involved in, or interested in, the development and implementation of activities assisted under this subchapter; and

(3) coordination and nonduplication with other Federal and State education, training,

corrections, public housing, and social service programs.

(Pub. L. 113-128, title II, § 221, July 22, 2014, 128 Stat. 1614.)

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Section effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section 506 of Pub. L. 113-128, set out as a note under section 3101 of this title.

**§ 3302. State distribution of funds; matching requirement**

**(a) State distribution of funds**

Each eligible agency receiving a grant under section 3291(b) of this title for a fiscal year—

(1) shall use not less than 82.5 percent of the grant funds to award grants and contracts under section 3321 of this title and to carry out section 3305 of this title, of which not more than 20 percent of such amount shall be available to carry out section 3305 of this title;

(2) shall use not more than 12.5 percent of the grant funds to carry out State leadership activities under section 3303 of this title; and

(3) shall use not more than 5 percent of the grant funds, or \$85,000, whichever is greater, for the administrative expenses of the eligible agency.

**(b) Matching requirement**

**(1) In general**

In order to receive a grant from the Secretary under section 3291(b) of this title each eligible agency shall provide, for the costs to be incurred by the eligible agency in carrying out the adult education and literacy activities for which the grant is awarded, a non-Federal contribution in an amount that is not less than—

(A) in the case of an eligible agency serving an outlying area, 12 percent of the total amount of funds expended for adult education and literacy activities in the outlying area, except that the Secretary may decrease the amount of funds required under this subparagraph for an eligible agency; and

(B) in the case of an eligible agency serving a State, 25 percent of the total amount of funds expended for adult education and literacy activities in the State.

**(2) Non-Federal contribution**

An eligible agency's non-Federal contribution required under paragraph (1) may be provided in cash or in kind, fairly evaluated, and shall include only non-Federal funds that are used for adult education and literacy activities in a manner that is consistent with the purpose of this subchapter.

(Pub. L. 113-128, title II, § 222, July 22, 2014, 128 Stat. 1614.)

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Section effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section