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Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 201. SHORT TITLE.</b>		`This title may be cited as the `Adult Basic Skills and Family Literacy Education Act'.	<i>(a) SHORT TITLE- This title may be cited as the `Adult Education and Family Literacy Act Amendments of 2003'.</i>	Prefer Senate. The current title better reflects the mission of adult education. It recognizes that providers respond to a variety of participant needs. Adult education assists participants in job training programs, family literacy programs and provides English language assistance to new immigrants.  We support the Senate position in each instance where this term is used.
<b>SEC. 202. PURPOSE.</b>	It is the purpose of this title to create a partnership among the Federal Government, States, and localities to provide, on a voluntary basis, adult education and literacy services, in order to—	`It is the purpose of this title to provide instructional opportunities for adults seeking to improve their basic reading, writing, speaking, and math skills, and support States and local communities in providing, on a voluntary basis, adult basic skills and family literacy programs, in order to—	<i>(b) PURPOSE- Section 202 of the Adult Education and Family Literacy Act (20 U.S.C. 9201) is amended—</i>	Prefer Senate for Purpose
	(1) assist adults to become literate and obtain the knowledge and skills necessary for employment and self-sufficiency;	`(1) increase the basic reading, writing, speaking, and math skills necessary for adults to obtain employment and self-sufficiency and to successfully advance in the workforce;	Retains current law	
	(3) assist adults in the completion of a secondary school education	`(2) assist adults in the completion of a secondary school education (or its equivalent) and the transition to a postsecondary educational institution;	<i>(1) in paragraph (2), by striking `and' after the semicolon;</i> <i>(2) in paragraph (3), by striking `education.' and inserting `education and in the transition to postsecondary education; and'; and</i>	
	(2) assist adults who are parents to obtain the educational skills necessary to become full partners in the educational development of their children; and	`(3) increase the basic reading, writing, speaking, and math skills of parents to enable them to support the educational development of their children and make informed choices regarding their children's education; and	Retains current law	
	No comparable provision in current law	`(4) assist immigrants who are not proficient in English in improving their reading, writing, speaking, and math skills and acquiring an understanding of the American free enterprise system, individual freedom, and the responsibilities of citizenship.	<i>(3) by adding at the end the following:</i> <i>`(4) assist immigrants and other individuals with limited English proficiency in improving their reading, writing, speaking, and mathematics skills and acquiring an understanding of the American free enterprise system, individual freedom, and the responsibilities of citizenship.'.</i>	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 203. DEFINITIONS.</b>		***The House restated all of the definitions in current law, including those which they did not modify. The only definitions listed here are those that were changed in the House and Senate bills.		
Definition of Adult Education	(1) ADULT EDUCATION.—The term “adult education” means services or instruction below the postsecondary level for individuals—	<p>ˆIn this title:</p> <p>ˆ(1) ADULT BASIC SKILLS AND FAMILY LITERACY EDUCATION PROGRAMS- The term ‘adult basic skills and family literacy education programs’ means a sequence of academic instruction and educational services below the postsecondary level that increase an individual’s ability to read, write, and speak in English and perform mathematical computations leading to a level of proficiency equivalent to secondary school completion that is provided for individuals--</p>	<p>(1) in paragraph (1)-- (A) in the matter preceding subparagraph (A), by striking ‘services or instruction below the postsecondary level’ and inserting ‘academic instruction and education services below the postsecondary level that increase an individual’s ability to read, write, and speak in English and perform mathematics’;</p>	<p>Prefer Senate for definition of Adult Education.</p> <p>This is another instance where there is a strong focus on “basic skills,” which does not reflect the mission of adult education. The House definition appears to overlook the need for instruction in social studies and science which are required for GED preparation.</p>
	(A) who have attained 16 years of age;	ˆ(A) who are at least 16 years of age;	Retains current law	
	(B) who are not enrolled or required to be enrolled in secondary school under State law; and	ˆ(B) who are not enrolled or required to be enrolled in secondary school under State law; and	Retains current law	
	(C) who— (i) lack sufficient mastery of basic educational skills to enable the individuals to function effectively in society;	ˆ(C) who-- ˆ(i) lack sufficient mastery of basic reading, writing, speaking, and math skills to enable the individuals to function effectively in society;	(B) by striking subparagraph (C)(i) and inserting the following: ˆ(i) are basic skills deficient as defined in section 101;’;	
	(ii) do not have a secondary school diploma or its recognized equivalent, and have not achieved an equivalent level of education; or	ˆ(ii) do not have a secondary school diploma or the General Equivalency Diploma (GED) (including recognized alternative standards for individuals with disabilities), and have not achieved an equivalent level of education; or	Retains current law	
	iii) are unable to speak, read or write the English language	ˆ(iii) are unable to read, write, or speak the English language.	Retains current law	
Definition of Adult Education and Literacy Activities	<p>Defined as “activities described in section 231(b)” which specifies the following activities --</p> <p>(1) Adult education and literacy services, including workplace literacy services.</p> <p>(2) Family literacy services.</p> <p>(3) English literacy programs.</p>	No comparable provision. It appears the House deletes this provision	(2) in paragraph (2), by striking ‘activities described in section 231(b)’ and inserting ‘programs and services which include reading, writing, speaking, or mathematics skills, workplace literacy activities, family literacy activities, English language acquisition activities, or other activities necessary for the attainment of a secondary school diploma or its State recognized equivalent’;	Prefer Senate
Definition of Eligible Agency	4) ELIGIBLE AGENCY.—The term “eligible agency” means the sole entity or agency in a State or an outlying area responsible	(2) ELIGIBLE AGENCY- The term ‘eligible agency’-- ˆ(A) means the sole entity or agency in a State or an outlying area responsible for	Retains current law	Prefer Senate

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 203. DEFINITIONS Continued</b>	for administering or supervising policy for adult education and literacy in the State or outlying area, respectively, consistent with the law of the State or outlying area, respectively.	administering or supervising policy for adult basic skills and family literacy education programs in the State or outlying area, respectively, consistent with the law of the State or outlying area, respectively; and (B) may be the State educational agency, the State agency responsible for administering workforce investment activities, or the State agency responsible for administering community or technical colleges.		
<b>Definition of Eligible Provider</b>	(5) ELIGIBLE PROVIDER.—The term “eligible provider” means—	(3) ELIGIBLE PROVIDER- The term “eligible provider” means--	<i>(3) in paragraph (5)--  (A) by inserting “an organization that has demonstrated effectiveness in providing adult education, that may include” after “means”;</i>	Prefer Senate for Definition of Eligible Provider
	(A) a local educational agency;	(A) a local educational agency;	Retains current law	
	(B) a community –based organization of demonstrated effectiveness;	(B) a community-based or faith-based organization of demonstrated effectiveness;	<i>(B) in subparagraph (B), by striking “of demonstrated effectiveness”;</i>	We support retaining the emphasis on organizations of “demonstrated effectiveness.”  We oppose singling out faith-based organizations which already participate in adult education programs.
	(C) a volunteer literacy organization of demonstrated effectiveness;	(C) a volunteer literacy organization of demonstrated effectiveness;	<i>(C) in subparagraph (C), by striking “of demonstrated effectiveness”; and</i>	
	(D) an institution of higher education;	(D) an institution of higher education;	Retains current law	
	(E) a public or private nonprofit agency;	(E) a public or private educational agency;	Retains current law	We support the Senate. The House would allow participation by for-profit organizations, for which there would be no accountability and no recourse for students who did not receive quality services.
	(F) a library;	(F) a library;	Retains current law	
	(G) a public housing authority;	(G) a public housing authority;	Retains current law	
	(I) a consortium of the agencies, organizations, institutions, libraries, or authorities described in any of subparagraphs (A) through (H).	(I) a consortium of the agencies, organizations, institutions, libraries, or authorities described in any of subparagraphs (A) through (H).	<i>(D) in subparagraph (I), by inserting “or coalition” after “consortium”;</i>	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 203. DEFINITIONS Continued</b>  <b>Definition of English Language Acquisition Program</b>	(6) ENGLISH LITERACY PROGRAM.—The term “English literacy program” means a program of instruction designed to help individuals of limited English proficiency achieve competence in the English language.	`4) ENGLISH LANGUAGE ACQUISITION PROGRAM- The term `English language acquisition program' means a program of instruction designed to help individuals with limited English proficiency achieve competence in reading, writing, and speaking the English language.	4) in paragraph (6)-- A) by striking `LITERACY PROGRAM' and inserting `LANGUAGE ACQUISITION PROGRAM'; (B) by striking `literacy program' and inserting `language acquisition program'; and (C) by inserting `reading, writing, and speaking' after `competence in';	
<b>Definition of Essential Components of Reading Instruction</b>	No provision in current law	5) ESSENTIAL COMPONENTS OF READING INSTRUCTION- The term `essential components of reading instruction' has the meaning given to that term in section 1208 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368).	(7) ESSENTIAL COMPONENTS OF READING INSTRUCTION- The term `essential components of reading instruction' has the meaning given the term in section 1208 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368).'; and	
<b>Definition of Family Literacy Education Programs</b>	FAMILY LITERACY SERVICES.—The term “family literacy services” means services that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family, and that integrate all of the following activities:  (A) Interactive literacy activities between parents and their children. (B) Training for parents regarding how to be the primary teacher for their children and full partners in the education of their children.  (C) Parent literacy training that leads to economic self-sufficiency.  (D) An age-appropriate education to prepare children for success in school and life experiences.	6) FAMILY LITERACY EDUCATION PROGRAMS- The term `family literacy education programs' means educational programs that—  `A) assist parents and students, on a voluntary basis, in achieving the purposes of this title as described in section 202; and `B) are of sufficient intensity in terms of hours and of sufficient duration to make sustainable changes in a family, are based upon scientific research-based principles, and for the purpose of substantially increasing the ability of parents and children to read, write, and speak English integrate-- `i) interactive literacy activities between parents and their children; `ii) training for parents regarding how to be the primary teacher for their children and full partners in the education of their children; `iii) parent literacy training that leads to economic self-sufficiency; and `iv) an age-appropriate education to prepare children for success in school and life experiences.	Retains current law	Prefer Senate. The House bill appears to limit program instruction to basic reading, writing and speaking English.  It ignores the limited amount of research-based instruction available for adult education. Current law for Even Start Programs requires the use of scientifically based reading research for children and for adults-- to the extent it is available. The same definition should be used for Title II programs.
<b>Definition of Individual Of Limited English Proficiency</b>	The term “individual of limited English proficiency” means an adult or out-of-school youth who has limited ability in speaking, reading, writing, or understanding the English language, and—	`9) INDIVIDUAL WITH LIMITED ENGLISH PROFICIENCY- The term `individual with limited English proficiency' means an adult or out-of-school youth who has limited ability in reading, writing, speaking, or understanding the English language, and--	Retains current law	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 203. DEFINITIONS Continued</b>	(A) whose native language is a language other than English; or  (B) who lives in a family or community environment where a language other than English is the dominant language.	` (A) whose native language is a language other than English; or ` (B) who lives in a family or community environment where a language other than English is the dominant language.		
<b>Definition of Literacy</b>	LITERACY.—The term “literacy” means an individual’s ability to read, write, and speak in English, compute, and solve problems, at levels of proficiency necessary to function on the job, in the family of the individual, and in society.	` (11) LITERACY- The term `literacy' means the ability to read, write, and speak the English language with competence, knowledge, and comprehension	Retains current law	Prefer Senate. It recognizes the key academic skills necessary for adults as well as the life roles of adult learners.
<b>Definition of Reading</b>	No comparable provision in current law	(15) READING- The term `reading' has the meaning given to that term in section 1208 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368).	No comparable provision	
<b>Definition of Scientifically Based Reading Research</b>	No comparable provision in current law	16) SCIENTIFICALLY BASED READING RESEARCH- The term `scientifically based reading research' has the meaning given to that term in section 1208 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368).	No comparable provision	
<b>Definition of State Educational Agency</b>	No comparable provision in current law	` (19) STATE EDUCATIONAL AGENCY- The term `State educational agency' has the meaning given to that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).	No comarable provision	
<b>Definition of Workplace Literacy Services</b>	(18) WORKPLACE LITERACY SERVICES- The term `workplace literacy services' means literacy services that are offered for the purpose of improving the productivity of the workforce through the improvement of literacy skills.	(20) WORKPLACE LITERACY PROGRAM- The term `workplace literacy program' means an educational program that is offered in collaboration between eligible providers and employers or employee organizations for the purpose of improving the productivity of the workforce through the improvement of reading, writing, speaking, and math skills.	` (19) <i>WORKPLACE LITERACY PROGRAM- The term `workplace literacy program' means an educational program designed to improve the productivity of the workforce through the improvement of literacy skills that is offered by an eligible provider in collaboration with an employer or an employee organization at a workplace, at an off-site location, or in a simulated workplace environment.</i>	Prefer House

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 204. HOME SCHOOLS</b>	Nothing in this title shall be construed to affect home schools, or to compel a parent engaged in home schooling to participate in an English literacy program, family literacy services, or adult education.	Nothing in this title shall be construed to affect home schools, whether or not a home school is treated as a home school or a private school under State law, or to compel a parent engaged in home schooling to participate in an English language acquisition program, a family literacy education program, or an adult basic skills and family literacy education program.	Nothing in this title shall be construed to affect home schools, whether a home school is treated as a home school or a private school under State law, or to compel a parent engaged in home schooling to participate in an English literacy program, family literacy services, or adult education.	
<b>SEC. 205. AUTHORIZA- TION OF APROPRIA- TIONS</b>	Current law provides “such sums” for fiscal years 1999 through 2003	There are authorized to be appropriated to carry out this title \$584,300,000 for fiscal year 2004 and such sums as may be necessary for fiscal years 2005 through 2009.	<i>Section 205 of the Adult Education and Family Literacy Act (20 U.S.C. 9204) is amended-- (1) by striking `1999' and inserting `2004'; and (2) by striking `2003' and inserting `2009'.</i>	
<b>SEC. 211- RESERVATION OF FUNDS</b>	(a) RESERVATION OF FUNDS.—From the sum appropriated under section 205 for a fiscal year, the Secretary—	(a) RESERVATION OF FUNDS- From the sums appropriated under section 205 for a fiscal year, the Secretary--	(a) <i>RESERVATION OF FUNDS- From the sum appropriated under section 205 for a fiscal year, the Secretary</i>	
	(1) shall reserve 1.5 percent to carry out section 242, except that the amount so reserved shall not exceed \$8,000,000;	1) shall reserve 1.75 percent to carry out the National Institute for Literacy Establishment Act;	<i>(1) shall reserve 1.5 percent to carry out section 242, except that the amount so reserved shall not exceed \$10,000,000;</i>	
	(2) shall reserve 1.5 percent to carry out section 243, except that the amount so reserved shall not exceed \$8,000,000; and	3) shall reserve up to 1.55 percent to carry out section 242.	<i>2) shall reserve 1.5 percent to carry out section 243 and subsection (f)(4), except that the amount so reserved shall not exceed \$8,000,000;</i>	
	(3) shall make available, to the Secretary of Labor, 1.72 percent for incentive grants under section 503.	(2) shall reserve up to 1.72 percent for incentive grants under section 213; and	<i>3) shall make available, to the Secretary of Labor, 1.72 percent for incentive grants under section 136(i); and</i>	Support House provision. NCSDAE supports a separate section for Incentive Grants in Title II

Section/ Topic	Current Law	House	Senate	Council Position
SEC. 211. RESERVATION OF FUNDS Continued				
	No provision in current law	No comparable provision	<i>(4) shall reserve 12 percent of the amount that remains after reserving funds under paragraphs (1), (2) and (3) to carry out section 244.</i>	
<b>Grants to Eligible Agencies</b>	(b) GRANTS TO ELIGIBLE AGENCIES- (1) IN GENERAL- From the sum appropriated under section 205 and not reserved under subsection (a) for a fiscal year, the Secretary shall award a grant to each eligible agency having a State plan approved under section 224 in an amount equal to the sum of the initial allotment under subsection (c)(1) and the additional allotment under subsection (c)(2) for the eligible agency for the fiscal year, subject to subsections (f) and (g), to enable the eligible agency to carry out the activities assisted under this subtitle.	(b) GRANTS TO ELIGIBLE AGENCIES- (1) IN GENERAL- From the sums appropriated under section 205 and not reserved under subsection (a) for a fiscal year, the Secretary shall award a grant to each eligible agency having a State plan approved under section 224 in an amount equal to the sum of the initial allotment under subsection (c)(1) and the additional allotment under subsection (c)(2) for the eligible agency for the fiscal year, subject to subsections (f) and (g).	Retains current law	
	(2) PURPOSE OF GRANTS- The Secretary may award a grant under paragraph (1) only if the eligible entity involved agrees to expend the grant for adult education and literacy activities in accordance with the provisions of this subtitle.	(2) PURPOSE OF GRANTS- The Secretary may award a grant under paragraph (1) only if the eligible agency involved agrees to expend the grant in accordance with the provisions of this title.	Retains current law	
<b>Initial Allotment (Other than Outlying Area)</b>	(B) \$250,000, in the case of any other eligible agency.	Retains current law	<i>2) in subsection (c)(1)(B), by striking '\$250,000' and inserting '\$350,000';</i>	Prefer Senate if appropriations are increased by \$6.5 million
<b>Definition of Qualifying Adult (To be used for Purposes of Allocating Funds Among States)</b>	(d) QUALIFYING ADULT- For the purpose of subsection (c)(2), the term 'qualifying adult' means an adult who--	(d) QUALIFYING ADULT- For the purpose of subsection (c)(2), the term 'qualifying adult' means an adult who--	<i>(d) QUALIFYING ADULT- For the purpose of subsection (c)(2), the term 'qualifying adult' means an adult who--</i>	
	(1) is at least 16 years of age, but less than 61 years of age	(1) is at least 16 years of age;	<i>(1) is not less than 16 years of age;</i>	
	(2) is beyond the age of compulsory school attendance under the law of the State or outlying area;	(2) is beyond the age of compulsory school attendance under the law of the State or outlying area;	<i>(2) is beyond the age of compulsory school attendance under the law of the State or outlying area;</i>	

Section/ Topic	Current Law	House	Senate	Council Position
SEC. 211. RESERVATION OF FUNDS Continued				
<b>Special Rule</b>	e) SPECIAL RULE- (1) IN GENERAL- From amounts made available under subsection (c) for the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, the Secretary shall award grants to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau to carry out activities described in this subtitle in accordance with the provisions of this subtitle that the Secretary determines are not inconsistent with this subsection.	`e) SPECIAL RULE- (1) IN GENERAL- From amounts made available under subsection (c) for the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, the Secretary shall award grants to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau to carry out activities described in this title in accordance with the provisions of this title as determined by the Secretary	Senate retains current law	
	(2) AWARD BASIS- The Secretary shall award grants pursuant to paragraph (1) on a competitive basis and pursuant to recommendations from the Pacific Region Educational Laboratory in Honolulu, Hawaii.	No comparable provision	<i>(4) in subsection (e)-- (A) by striking paragraph (2) and inserting the following: (2) AWARD BASIS- The Secretary shall award grants pursuant to paragraph (1) on a competitive basis and pursuant to recommendations from the Pacific Region Educational Laboratory in Honolulu, Hawaii.'; and</i>	
	(3) TERMINATION OF ELIGIBILITY- Notwithstanding any other provision of law, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau shall not receive any funds under this subtitle for any fiscal year that begins after September 30, 2001.	(2) TERMINATION OF ELIGIBILITY- Notwithstanding any other provision of law, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau shall be eligible to receive a grant under this title until an agreement for the extension of United States education assistance under the Compact of Free Association for each of the Freely Associated States becomes effective.	<i>(B) in paragraph (3), by striking `shall' and all that follows through the period and inserting `shall be eligible to receive a grant under this title until the date when an agreement for the extension of the United States education assistance under the Compact of Free Association for each of the Freely Associated States becomes effective.'; and</i>	This is an update to current law contained in both House and Senate
	4) ADMINISTRATIVE COSTS- The Secretary may provide not more than 5 percent of the funds made available for grants under this subsection to pay the administrative costs of the Pacific Region Educational Laboratory regarding activities assisted under this subsection.	(3) ADMINISTRATIVE COSTS- The Secretary may provide not more than 5 percent of the funds made available for grants under this subsection to pay the administrative costs of the Pacific Region Educational Laboratory regarding activities assisted under this subsection.	Retains current law	

Section/ Topic	Current Law	House	Senate	Council Position
SEC. 211. RESERVATION OF FUNDS Continued				
<b>Hold Harmless</b>	(f) HOLD-HARMLESS- (1) IN GENERAL- Notwithstanding subsection (c)-- (A) for fiscal year 1999, no eligible agency shall receive an allotment under this subtitle that is less than 90 percent of the payments made to the State or outlying area of the eligible agency for fiscal year 1998 for programs for which funds were authorized to be appropriated under section 313 of the Adult Education Act (as such Act was in effect on the day before the date of the enactment of the Workforce Investment Act of 1998); and (B) for fiscal year 2000 and each succeeding fiscal year, no eligible agency shall receive an allotment under this subtitle that is less than 90 percent of the allotment the eligible agency received for the preceding fiscal year under this subtitle.	(f) HOLD-HARMLESS PROVISIONS- (1) IN GENERAL- Notwithstanding subsection (c), and subject to paragraphs (2) and (3), for fiscal year 2004 and each succeeding fiscal year, no eligible agency shall receive an allotment under this title that is less than 90 percent of the allotment the eligible agency received for the preceding fiscal year under this title.	<i>(f) HOLD-HARMLESS PROVISIONS- (1) IN GENERAL- Notwithstanding subsection (c) and subject to paragraph (2), for fiscal year 2004 and each succeeding fiscal year, no eligible agency shall receive an allotment under this section that is less than 90 percent of the allotment the eligible agency received for the preceding fiscal year under this section</i>	
	No comparable provision in current law.	2) EXCEPTION- An eligible agency that receives for the preceding fiscal year only an initial allotment under subsection 211(c)(1) (and no additional allotment under 211(c)(2)) shall receive an allotment equal to 100 percent of the initial allotment.	<i>(2) 100 PERCENT ALLOTMENT- Notwithstanding paragraphs (1) and (2) of subsection (e), an eligible agency that receives only an initial allotment under subsection (c)(1) (and no additional allotment under subsection (c)(2)) shall receive an allotment under this section that is equal to 100 percent of the initial allotment under subsection (c)(1).</i>	New Provision
	(2)RATABLE REDUCTION- If for any fiscal year the amount available for allotment under this subtitle is insufficient to satisfy the provisions of paragraph (1), the Secretary shall ratably reduce the payments to all eligible agencies, as necessary.	(3) RATABLE REDUCTION- If for any fiscal year the amount available for allotment under this title is insufficient to satisfy the provisions of paragraph (1), the Secretary shall ratably reduce the payments to all eligible agencies, as necessary.	<i>(3) RATABLE REDUCTION- If for any fiscal year the amount available for allotment under this subtitle is insufficient to satisfy the provisions of paragraphs (1) and (2), the Secretary shall ratably reduce the payments to all eligible agencies, as necessary.</i>	
	No comparable provision in current law.	No comparable provision	<i>(4) ADDITIONAL ASSISTANCE- (A) IN GENERAL- From amounts reserved under subsection (a)(2), the Secretary shall make grants to eligible agencies described in subparagraph (B) to enable such agencies to provide activities authorized under chapter 2.</i>	New Provision

Section/ Topic	Current Law	House	Senate	Council Position
SEC. 211. RESERVATION OF FUNDS Continued				
			<p><i>^(B) ELIGIBILITY- An eligible agency is eligible to receive a grant under this paragraph for a fiscal year if the amount of the allotment such agency receives under this section for the fiscal year is less than the amount such agency would have received for the fiscal year if the allotment formula under this section as in effect on September 30, 2003, were in effect for such year.</i></p> <p><i>^(C) AMOUNT OF GRANT- The amount of a grant made to an eligible agency under this paragraph for a fiscal year shall be the difference between--</i></p> <p><i>^(i) the amount of the allotment such agency would have received for the fiscal year if the allotment formula under this section as in effect on September 30, 2003, were in effect for such year; and</i></p> <p><i>^(ii) the amount of the allotment such agency receives under this section for the fiscal year.'.</i></p>	
<b>SEC. 212. PERFOR- MANCE ACCOUNT- ABILITY SYSTEM</b>	(a) PURPOSE- The purpose of this section is to establish a comprehensive performance accountability system, comprised of the activities described in this section, to assess the effectiveness of eligible agencies in achieving continuous improvement of adult education and literacy activities funded under this subtitle, in order to optimize the return on investment of Federal funds in adult education and literacy activities.	(a) PURPOSE- The purpose of this section is to establish a comprehensive performance accountability system, composed of the activities described in this section, to assess the effectiveness of eligible agencies in achieving continuous improvement of adult basic skills and family literacy education programs funded under this title, in order to optimize the return on investment of Federal funds in adult basic skills and family literacy education programs.	<i>Section 212 of the Adult Education and Family Literacy Act (20 U.S.C. 9212) is amended--</i>	
	(b) ELIGIBLE AGENCY PERFORMANCE MEASURES- (1) IN GENERAL- For each eligible agency, the eligible agency performance measures shall consist of--	(b) ELIGIBLE AGENCY PERFORMANCE MEASURES- (1) IN GENERAL- For each eligible agency, the eligible agency performance measures shall consist of--	Retains current Law	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 212. PERFORMANCE ACCOUNT- ABILITY SYSTEM Continued</b>				
	(A)(i) the core indicators of performance described in paragraph (2)(A); and	(A)(i) the core indicators of performance described in paragraph (2)(A); and	Retains current Law	
	(ii) additional indicators of performance (if any) identified by the eligible agency under paragraph (2)(B); and	(ii) employment performance indicators identified by the eligible agency under paragraph (2)(B); and	<i>(1) in subsection (b)-- (A) in paragraph (1)(A)(ii), by striking `additional indicators of performance (if any)' and inserting `employment performance indicators';</i>	
	(2) INDICATORS OF PERFORMANCE- (A) CORE INDICATORS OF PERFORMANCE- The core indicators of performance shall include the following:	(2) INDICATORS OF PERFORMANCE- (A) CORE INDICATORS OF PERFORMANCE- The core indicators of performance shall include the following	Retains current law	
	(i) Demonstrated improvements in literacy skill levels in reading, writing, and speaking the English language, numeracy, problem solving, English language acquisition, and other literacy skills.	(i) Measurable improvements in basic skill levels in reading, writing, and speaking the English language and basic math, leading to proficiency in each skill	<i>(B) in paragraph (2)-- (i) in subparagraph (A)--1) in clause (i), by striking `Demonstrated' and inserting `Measurable';</i>	Prefer Senate. It includes basic skills but recognizes the broader range of skills needed by adult learners.
	(ii) Placement in, retention in, or completion of, postsecondary education, training, unsubsidized employment or career advancement.	(iii) Placement in postsecondary education or other training programs	<i>(II) by striking clause (ii) and inserting the following: (ii) Placement in, retention in, or completion of, postsecondary education or other training programs.'; and</i>	Prefer House. Adult education shouldn't be held accountable for attainment of a bachelor's degree or other long-term degrees or certification after leaving adult education.
	(iii) Receipt of a secondary school diploma or its recognized equivalent.	(ii) Receipt of a secondary school diploma or the General Equivalency Diploma (GED) (including recognized alternative standards for individuals with disabilities).	<i>(III) in clause (iii), by inserting `(including recognized alternative standards for individuals with disabilities)' after `equivalent';</i>	House use incorrect term for General Education Development (GED) Certificate.
	No comparable provision in current law.	B) EMPLOYMENT PERFORMANCE INDICATORS- Consistent with applicable Federal and State privacy laws, an eligible agency shall identify in the State plan the following individual participant employment performance indicators-- (i) entry into employment; (ii) retention in employment; and (iii) increase in earnings.	<i>(ii) by redesignating subparagraph (B) as subparagraph (C); (iii) by inserting after subparagraph (A), the following: (B) EMPLOYMENT PERFORMANCE INDICATORS- An eligible agency shall identify in the State plan individual participant employment performance indicators, including entry into unsubsidized employment, retention in unsubsidized employment, and career</i>	Prefer Senate  We support the more flexible Senate language. Until all states have access to UI records and privacy issues have been addressed, it is unfair to require all states to collect employment data or to include performance indicators related to employment in state by state comparisons. The documentation of increased earnings

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 212. PERFORMANCE ACCOUNT- ABILITY SYSTEM Continued</b>				
			<i>advancement. The State workforce investment board shall assist the eligible agency in obtaining and using quarterly wage records to collect data for such indicators, consistent with applicable Federal and State privacy laws.</i>	will be a great burden so programs when some states use follow-up surveys and other use data matching. States using surveys will be at a great disadvantage since surveys response is often limited and actual performance may not be captured.
	(B) ADDITIONAL INDICATORS- An eligible agency may identify in the State plan additional indicators for adult education and literacy activities authorized under this subtitle.	The House deletes this provision	<i>(iv) in subparagraph (C), as redesignated by clause (ii), by inserting `relevant' after `additional'; and</i>	
	No provision in current law	No comparable provision	<i>(v) by adding at the end the following: `(D) INDICATORS FOR WORKPLACE LITERACY PROGRAMS- Special accountability measures may be negotiated for workplace literacy programs.'; and</i>	Support Senate  New provision only contained in Senate bill
	(3) LEVELS OF PERFORMANCE- (A) ELIGIBLE AGENCY ADJUSTED LEVELS OF PERFORMANCE FOR CORE INDICATORS- (i) IN GENERAL- For each eligible agency submitting a State plan, there shall be established, in accordance with this subparagraph, levels of performance for each of the core indicators of performance described in paragraph (2)(A) for adult education and literacy activities authorized under this subtitle. The levels of performance established under this subparagraph shall, at a minimum--	(3) LEVELS OF PERFORMANCE- `(A) ELIGIBLE AGENCY ADJUSTED LEVELS OF PERFORMANCE FOR CORE INDICATORS- `(i) IN GENERAL- For each eligible agency submitting a State plan, there shall be established, in accordance with this subparagraph, levels of performance for each of the core indicators of performance described in paragraph (2)(A) for adult basic skills and family literacy education programs authorized under this title. The levels of performance established under this subparagraph shall, at a minimum--	Retains current law	
	(I) be expressed in an objective, quantifiable, and measurable form; and	`(I) be expressed in an objective, quantifiable, and measurable form; and	Retains current law	
	(II) show the progress of the eligible agency toward continuously improving in performance.	`(II) show the progress of the eligible agency toward continuously and significantly improving the agency's performance outcomes in an objective, quantifiable, and measurable form.	<i>(C) in paragraph (3)-- (i) in subparagraph (A)-- (I) in clause (i)(II), by striking `in performance' and inserting `the agency's performance outcomes in an objective, quantifiable, and measurable form';</i>	Support Senate. House refers to "significantly" improving performance. This is not measurable.

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 212. PERFORMANCE ACCOUNT- ABILITY SYSTEM</b> Continued				
	(ii) IDENTIFICATION IN STATE PLAN- Each eligible agency shall identify, in the State plan submitted under section 224, expected levels of performance for each of the core indicators of performance for the first 3 program years covered by the State plan.	` (ii) IDENTIFICATION IN STATE PLAN- Each eligible agency shall identify, in the State plan submitted under section 224, expected levels of performance for each of the core indicators of performance for the first 3 program years covered by the State plan.	<i>(II) in clause (ii), by striking `3 programs years' and inserting `2 program years'; (III) in clause (iii), by striking `FIRST 3 YEARS' and inserting `FIRST 2 YEARS';</i>	
	(iii) AGREEMENT ON ELIGIBLE AGENCY ADJUSTED LEVELS OF PERFORMANCE FOR FIRST 3 YEARS- In order to ensure an optimal return on the investment of Federal funds in adult education and literacy activities authorized under this subtitle, the Secretary and each eligible agency shall reach agreement on levels of performance for each of the core indicators of performance, for the first 3 program years covered by the State plan, taking into account the levels identified in the State plan under clause (ii) and the factors described in clause (iv). The levels agreed to under this clause shall be considered to be the eligible agency adjusted levels of performance for the eligible agency for such years and shall be incorporated into the State plan prior to the approval of such plan.	` (iii) AGREEMENT ON ELIGIBLE AGENCY ADJUSTED LEVELS OF PERFORMANCE FOR FIRST 3 YEARS- In order to ensure an optimal return on the investment of Federal funds in adult basic skills and family literacy education programs authorized under this title, the Secretary and each eligible agency shall reach agreement on levels of student proficiency for each of the core indicators of performance, for the first 3 program years covered by the State plan, taking into account the levels identified in the State plan under clause (ii) and the factors described in clause (iv). The levels agreed to under this clause shall be considered to be the eligible agency adjusted levels of performance for the eligible agency for such years and shall be incorporated into the State plan prior to the approval of such plan.	<i>(IV) in clause (iii), by striking `first 3 program years' and inserting `first 2 program years';</i>	
	(iv) FACTORS- The agreement described in clause (iii) or (v) shall take into account-- (I) how the levels involved compare with the eligible agency adjusted levels of performance established for other eligible agencies, taking into account factors including the characteristics of participants when the participants entered the program, and the services or instruction to be provided; and	(iv) FACTORS- The agreement described in clause (iii) or (v) shall take into account-- ` (I) how the levels involved compare with the eligible agency's adjusted levels of performance, taking into account factors including the characteristics of participants when the participants entered the program; and	Retains current law	Support Senate as it includes "the services to be provided" which is key to performance.
	(II) the extent to which such levels involved promote continuous improvement in performance on the	` (II) the extent to which such levels promote continuous and significant improvement in performance on the student proficiency	Retains current law	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 212. PERFORMANCE ACCOUNT- ABILITY SYSTEM Continued</b>				
	performance measures by such eligible agency and ensure optimal return on the investment of Federal funds.	measures used by such eligible agency and ensure optimal return on the investment of Federal funds.		
	(v) AGREEMENT ON ELIGIBLE AGENCY ADJUSTED LEVELS OF PERFORMANCE FOR 4TH AND 5TH YEARS- Prior to the fourth program year covered by the State plan, the Secretary and each eligible agency shall reach agreement on levels of performance for each of the core indicators of performance for the fourth and fifth program years covered by the State plan, taking into account the factors described in clause (iv). The levels agreed to under this clause shall be considered to be the eligible agency adjusted levels of performance for the eligible agency for such years and shall be incorporated into the State plan.	(v) AGREEMENT ON ELIGIBLE AGENCY ADJUSTED LEVELS OF PERFORMANCE FOR SECOND 3 YEARS- Prior to the fourth program year covered by the State plan, the Secretary and each eligible agency shall reach agreement on levels of student proficiency for each of the core indicators of performance for the fourth, fifth, and sixth program years covered by the State plan, taking into account the factors described in clause (iv). The levels agreed to under this clause shall be considered to be the eligible agency adjusted levels of performance for the eligible agency for such years and shall be incorporated into the State plan.	<i>(V) in clause (v), by striking `4TH AND 5TH' and inserting `3RD AND 4TH'; (VI) in clause (v), by striking `to the fourth' and inserting `to the third'; (VII) in clause (v), by striking `fourth and fifth' and inserting `third and fourth'; and</i>	
	(vi) REVISIONS- If unanticipated circumstances arise in a State resulting in a significant change in the factors described in clause (iv)(II), the eligible agency may request that the eligible agency adjusted levels of performance agreed to under clause (iii) or (v) be revised. The Secretary, after collaboration with the representatives described in section 136(j), shall issue objective criteria and methods for making such revisions.	(vi) REVISIONS- If unanticipated circumstances arise in a State resulting in a significant change in the factors described in clause (iv)(I), the eligible agency may request that the eligible agency adjusted levels of performance agreed to under clause (iii) or (v) be revised.	<i>(VIII) in clause (vi), by striking `(II)' and inserting `(I)';</i>	
	B) LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS- The eligible agency may identify, in the State plan, eligible agency levels of performance for each of the additional indicators described in paragraph (2)(B). Such levels shall be considered to be eligible agency adjusted levels of performance for purposes of this subtitle.	(B) LEVELS OF EMPLOYMENT PERFORMANCE- The eligible agency shall identify, in the State plan, eligible agency levels of performance for each of the employment performance indicators described in paragraph (2)(B). Such levels shall be considered to be eligible agency adjusted levels of performance for purposes of this title.	<i>(ii) in subparagraph (B)-- (I) by striking the heading and inserting `LEVELS OF EMPLOYMENT PERFORMANCE'; (II) by striking `may' and inserting `shall'; and (III) by striking `additional' and inserting `employment'; and</i>	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 212. PERFORMANCE ACCOUNT- ABILITY SYSTEM</b> Continued				
	No comparable provision in current law.	No comparable provision	<i>(iii) by adding at the end the following: `C) ALTERNATIVE ASSESSMENT SYSTEMS- Eligible agencies may approve the use of assessment systems that are not commercially available standardized systems if such systems meet the Standards for Educational and Psychological Testing issued by the Joint Committee on Standards for Educational and Psychological Testing of the American Educational Research Association, the American Psychological Association, and the National Council on Measurement in Education.';</i>	Support Senate.
	(c) REPORT- (1) IN GENERAL- Each eligible agency that receives a grant under section 211(b) shall annually prepare and submit to the <b>SEC. 212 Continued</b> <b>SEC. 212 Continued</b> Secretary a report on the progress of the eligible agency in achieving eligible agency performance measures, including information on the levels of performance achieved by the eligible agency with respect to the core indicators of performance.	(c) REPORT- `1) IN GENERAL- Each eligible agency that receives a grant under section 211(b) shall annually prepare and submit to the Secretary, the Governor, the State legislature, eligible providers, and the general public within the State, a report on the progress of the eligible agency in achieving eligible agency performance measures, including the following:	<i>(2) in subsection (c)-- (A) in paragraph (1)-- (i) by inserting `the Governor, the State legislature, and the State workforce investment board' after `Secretary'; and (ii) by striking `including' and all that follows through the period and inserting `including the following:</i>	
	No comparable provision in current law	`B) The number and type of each eligible provider that receives funding under such grant.	`B) <i>The number and type of each eligible provider that receives funding under such grant.</i>	New provision
	No comparable provision in current law	No comparable provision	`C) <i>The number of enrollees 16 to 18 years of age who enrolled in adult education not later than 1 year after participating in secondary school education.';</i>	Support House.  Push-outs from public schools are a growing burden for adult education programs. Even so, burdening adult education with a labor intensive data collection process is not the answer.
	(2) INFORMATION DISSEMINATION- The Secretary-- (A) shall make the information contained	(2) INFORMATION DISSEMINATION- The Secretary-- `A) shall make the information contained in	<i>(B) in paragraph (2)(A), by inserting `eligible providers and' after `available to'; and</i>	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 212. PERFORMANCE ACCOUNT- ABILITY SYSTEM</b> Continued				
	in such reports available to the general public through publication and other appropriate methods; (B) shall disseminate State-by-State comparisons of the information; and (C) shall provide the appropriate committees of Congress with copies of such reports.	such reports available to the general public through publication and other appropriate methods; (B) shall disseminate State-by-State comparisons of the information; and (C) shall provide the appropriate committees of the Congress with copies of such reports.		
	No provision in current law	No comparable provision	<i>(C) by adding at the end the following: (3) DATA ACCESS- The report made available under paragraph (2) shall indicate which eligible agencies did not have access to State unemployment insurance wage data in measuring employment performance indicators.'; and</i>	New Senate provision included to address the lack of access to data in many states.  We support the more flexible Senate language. As stated earlier, until all states have access to UI records and privacy issues have been addressed, it is unfair to include performance indicators related to employment in state by state comparisons.
	No provision in current law	No comparable provision	<i>(3) by adding at the end the following: (d) PROGRAM IMPROVEMENT- (1) IN GENERAL- If the Secretary determines that an eligible agency did not meet its adjusted levels of performance for the core indicators of performance described in subsection (b)(2)(A) for any program year, the eligible agency shall-- (A) work with the Secretary to develop and implement a program improvement plan for the 2 program years succeeding the program year in which the eligible agency did not meet its adjusted levels of performance; and (B) revise its State plan under section 224, if necessary, to reflect the changes agreed to in the program improvement plan. (2) FURTHER ASSISTANCE- If, after the period described in paragraph (1)(A), the Secretary has provided technical assistance to the eligible agency but determines that the eligible agency did not meet its adjusted levels of performance for</i>	New Senate provision to provide assistance to state not meeting performance indicators.  Support Senate. This provision provides assistance to those states having difficult meeting performance levels for core indicators of performance.

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 212. PERFORMANCE ACCOUNT- ABILITY SYSTEM</b> Continued				
			<i>the core indicators of performance described in subsection (b)(2)(A), the Secretary may require the eligible agency to make further revisions to the program improvement plan described in paragraph (1). Such further revisions shall be accompanied by further technical assistance from the Secretary.'</i>	

Section/ Topic	Current Law	House	Senate	Council Position
SEC. 213. INCENTIVE GRANTS FOR STATES				
	Contained in Title I	<p>(a) IN GENERAL- From funds appropriated under section 211(a)(2), the Secretary may award grants to States for exemplary performance in carrying out programs under this title. Such awards shall be based on States meeting or exceeding the core indicators of performance established under section 212(b)(2)(A) and may be based on the performance of the State in serving populations, such as those described in section 224(b)(10), including the levels of service provided and the performance outcomes, and such other factors relating to the performance of the State under this title as the Secretary determines appropriate.</p> <p>(b) USE OF FUNDS- The funds awarded to a State under this paragraph may be used to carry out any activities authorized under this title, including demonstrations and innovative programs for hard-to-serve populations</p>	<i>Contained in Title I</i>	<p>Support House.</p> <p>Forty-four (44) state adult education programs met their performance standards in FY 02.</p> <p>Twenty-one (21) state Title I programs met their performance standards. As a result, twenty-three (23) adult education programs are performing but are not being rewarded. Adult education programs cannot intercede in Title I programs to help them meet their standards. WIA provisions should reward state programs that do well. Even in states where both Title I and Title II programs meet their performance standards, adult education does not always receive its fair share of any incentive grant award.</p> <p>Considering adult education is currently serving only 3 million (includes those served with federal, state and local funds) of the 94 million individuals eligible to receive services, funds should not be taken from adult education unless there is a good opportunity for those services to be returned to the program.</p>

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 221. STATE ADMIN- ISTRATION</b>	Each eligible agency shall be responsible for the State or outlying area administration of activities under this subtitle, including—	`Each eligible agency shall be responsible for the following activities under this title:	Retains current law	
	(1) the development, submission, and implementation of the State plan;	(1) The development, submission, implementation, and monitoring of the State plan.	<i>Section 221(1) of the Adult Education and Family Literacy Act (20 U.S.C. 9221(1)) is amended by striking `and implementation' and inserting `implementation, and monitoring'.</i>	
	(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 subtitle; and	(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 title.	Retains current law	
	(3) coordination and nonduplication with other Federal and State education, training, corrections, public housing, and social service programs.	(3) Coordination and avoidance of duplication with other Federal and State education, training, corrections, public housing, and social service programs.	Retains current law	
<b>SEC. 222. STATE DISTRIBUTION OF FUNDS</b>	(a) STATE DISTRIBUTION OF FUNDS- Each eligible agency receiving a grant under this subtitle for a fiscal year—	(a) STATE DISTRIBUTION OF FUNDS- Each eligible agency receiving a grant under this title for a fiscal year—	<i>Section 222 of the Adult Education and Family Literacy Act (20 U.S.C. 9222) is amended-- (1) in subsection (a)—</i>	
	(1) shall use not less than 82.5 percent of the grant funds to award grants and contracts under section 231 and to carry out section 225, of which not more than 10 percent of the 82.5 percent shall be available to carry out section 225;	(1) shall use an amount not less than 82.5 percent of the grant funds to award grants and contracts under section 231 and to carry out section 225, of which not more than 10 percent of such amount shall be available to carry out section 225;	<i>(A) in paragraph (1)-- (i) by striking `82.5' the first place such term appears and inserting `80'; and (ii) by striking `the 82.5 percent' and inserting `such amount';</i>	Support Senate.
	(2) shall use not more than 12.5 percent of the grant funds to carry out State leadership activities under section 223; and	(2) shall use not more than 12.5 percent of the grant funds to carry out State leadership activities under section 223; and	<i>(B) in paragraph (2), by striking `not more than 12.5 percent' and inserting `not more than 15 percent'; and</i>	Support the Senate bill, allowing the use of 15 percent of grant funds for state leadership activities.

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 222. STATE DISTRIBUTION OF FUNDS Continued</b>	(3) shall use not more than 5 percent of the grant funds, or \$65,000, whichever is greater, for the administrative expenses of the eligible agency.	(3) shall use not more than 5 percent of the grant funds, or \$75,000, whichever is greater, for the administrative expenses of the eligible agency.	<i>(C) in paragraph (3), by striking ` \$65,000' and inserting ` \$75,000'; and</i>	We support the increase in administrative funds.
<b>Matching Requirement</b>	(b) MATCHING REQUIREMENT- (1) IN GENERAL- In order to receive a grant from the Secretary under section 211(b) 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 equal to—	(b) MATCHING REQUIREMENT- (1) IN GENERAL- In order to receive a grant from the Secretary under section 211(b), each eligible agency shall provide, for the costs to be incurred by the eligible agency in carrying out the adult basic skills and family literacy education programs for which the grant is awarded, a non-Federal contribution in an amount at least equal to—	<i>(2) in subsection (b)(1), by striking `equal to' and inserting `that is not less than'.</i>	
	(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.	(A) in the case of an eligible agency serving an outlying area, 12 percent of the total amount of funds expended for adult basic skills and family literacy education programs 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 basic skills and family literacy education programs in the State.	Retains current law	
	(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 subtitle.	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 basic skills and family literacy education programs in a manner that is consistent with the purpose of this title.	Retains current law	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 223. STATE LEADERSHIP ACTIVITIES</b>				
	(a) IN GENERAL- Each eligible agency shall use funds made available under section 222(a)(2) for one or more of the following adult education and literacy activities:	(a) IN GENERAL- Each eligible agency may use funds made available under section 222(a)(2) for any of the following adult basic skills and family literacy education programs:	<i>Section 223 of the Adult Education and Family Literacy Act (20 U.S.C. 9223) is amended ( ) in subsection (a)-- A) in the matter preceding paragraph (1), by inserting `to develop or enhance the adult education system of the State' after `activities';</i>	
	(1) The establishment or operation of professional development programs to improve the quality of instruction provided pursuant to local activities required under section 231(b), including instruction incorporating phonemic awareness, systematic phonics, fluency, and reading comprehension, and instruction provided by volunteers or by personnel of a State or outlying area.	(1) The establishment or operation of professional development programs to improve the quality of instruction provided pursuant to local activities required under section 231(b), including instruction incorporating the essential components of reading instruction and instruction provided by volunteers or by personnel of a State or outlying area.	<i>(B) in paragraph (1), by striking `instruction incorporating' and all that follows through the period and inserting `instruction incorporating the essential components of reading instruction and instruction provided by volunteers or by personnel of a State or outlying area.';</i>	
	(2) The provision of technical assistance to eligible providers of adult education and literacy activities.	2) The provision of technical assistance to eligible providers of adult basic skills and family literacy education programs for development and dissemination of scientific research-based instructional practices in reading, writing, speaking, math, and English language acquisition programs.	<i>(C) in paragraph (2), by inserting ` , including development and dissemination of instructional and programmatic practices based on the most rigorous research available in reading, writing, speaking, mathematics, English language acquisition programs, distance learning and staff training' after `activities'</i>	Prefer Senate. At the present time, the availability of scientific research-based instructional practices is limited, primarily because there has not been the same investment in research for adult education as there has been for K-12. Although we support such research-based instructional practices, the Senate best reflects current status.
	(3) The provision of technology assistance, including staff training, to eligible providers of adult education and literacy activities to enable the eligible providers to improve the quality of such activities.	(4) The provision of technology assistance, including staff training, to eligible providers of adult basic skills and family literacy education programs, including distance learning activities, to enable the eligible providers to improve the quality of such activities.	Retains current law	
	5) The monitoring and evaluation of the quality of, and the improvement in, adult education and literacy activities.	No comparable provision	<i>(D) in paragraph (5), by striking `monitoring and';</i>	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 223. STATE LEADERSHIP ACTIVITIES</b>				
	(4) The support of State or regional networks of literacy resource centers.	Contains no comparable provision	Retains current law	Support Senate. A number of states use this option. It should be retained.
	No comparable provision in current law.	(5) The development and implementation of technology applications or distance learning, including professional development to support the use of instructional technology.	<i>(E) by striking paragraph (6) and inserting the following: (6) The development and implementation of technology applications, translation technology, or distance learning, including professional development to support the use of instructional technology.; and</i>	
	6) Incentives for-- (A) program coordination and integration; and (B) performance awards.	No comparable provision	Replaces this provision with a new (6) dealing with technology.	
	No comparable provision in current law.	(6) Coordination with other public programs, including welfare-to-work, workforce development, and job training programs.	No comparable provision.	
	(9) Coordination with existing support services, such as transportation, child care, and other assistance designed to increase rates of enrollment in, and successful completion of, adult education and literacy activities, to adults enrolled in such activities.	(7) Coordination with existing support services, such as transportation, child care, and other assistance designed to increase rates of enrollment in, and successful completion of, adult basic skills and family literacy education programs, for adults enrolled in such activities.	<i>(F) by striking paragraph (7) through paragraph (11) and inserting the following: (7) Coordination with-- (A) other partners carrying out activities authorized under this Act; (B) existing support services, such as transportation, child care, mental health services, and other assistance designed to increase rates of enrollment in, and successful completion of adult education and literacy activities, for adults enrolled in such activities.</i>	
	(7) Developing and disseminating curricula, including curricula incorporating phonemic awareness, systematic phonics, fluency, and reading comprehension.	No comparable provision	<i>(8) Developing and disseminating curricula, including curricula incorporating the essential components of reading instruction as they relate to adults.</i>	Support Senate.
	No comparable provision in current law.	(3) The provision of assistance to eligible providers in developing, implementing, and reporting measurable progress in achieving the objectives of this title.	<i>(9) The provision of assistance to eligible providers in developing, implementing, and reporting measurable progress in achieving the objectives of this subtitle.</i>	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 223. STATE LEADERSHIP ACTIVITIES</b>				
	(11) Linkages with postsecondary educational institutions.	(8) The development and implementation of a system to assist in the transition from adult basic education to postsecondary education.	` <i>(10) The development and implementation of a system to assist in the transition from adult basic education to postsecondary education, including linkages with postsecondary educational institutions.</i>	
	10) Integration of literacy instruction and occupational skill training, and promoting linkages with employers.	No comparable provision	` <i>(11) Integration of literacy and English language instruction with occupational skill training, and promoting linkages with employers</i>	Support Senate.
	No comparable provision in current law	9) Activities to promote workplace literacy programs.	` <i>(12) Activities to promote workplace literacy programs.</i>	
		10) Activities to promote and complement local outreach initiatives described in section 242(7).	` <i>(13) Activities to promote and complement local outreach initiatives described in section 243(b)(3)(F).</i>	
	8) Other activities of statewide significance that promote the purpose of this title.	11) Other activities of statewide significance, including assisting eligible agencies in achieving progress in improving the skill levels of adults who participate in programs under this title.	` <i>(17) Other activities of statewide significance that promote the purpose of this title.'; and</i>	
	No comparable provision in current law	No comparable provision	` <i>(14) In cooperation with efforts funded under sections 242 and 243, the development of curriculum frameworks and rigorous content standards that-- `<i>(A) specify what adult learners should know and be able to do in the areas of reading and language arts, mathematics, and English language acquisition; and</i> `<i>(B) take into consideration the following:</i> `<i>(i) State academic standards established under section 1111(b) of the Elementary and Secondary Education Act of 1965.</i> `<i>(ii) The current adult skills and literacy assessments used in the State.</i> `<i>(iii) The core indicators of performance established under section 212(b)(2)(A).</i> `<i>(iv) Standards and academic requirements for enrollment in non-remedial, for-credit, courses in State supported postsecondary education institutions.</i></i>	Support Senate.  This provision is optional. A number of states are interested in developing content standards and are seeking technical assistance that the Department of Education can facilitate.

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 223. STATE LEADERSHIP ACTIVITIES</b>				
			<i>^(v) Where appropriate, the basic and literacy skill content of occupational and industry skill standards widely used by business and industry in the State.</i>	
	No comparable provision in current law	No comparable provision	<i>^(15) In cooperation with efforts funded under sections 242 and 243, development and piloting of- ^(A) new assessment tools and strategies that identify the needs and capture the gains of students at all levels, with particular emphasis on-- ^(i) students at the lowest achievement level; ^(ii) students who have limited English proficiency; and ^(iii) adults with learning disabilities; ^(B) options for improving teacher quality and retention; and ^(C) assistance in converting research into practice.</i>	Support Senate. Many of the existing assessment instruments are not suitable for use with the listed populations. We need to make an investment in better instruments if we are to operate a truly performance based program.
	No comparable provision in current law	No comparable provision	<i>^(16) The development and implementation of programs and services to meet the needs of adult learners with learning disabilities or limited English proficiency.</i>	Support Senate
	(b) COLLABORATION- In carrying out this section, eligible agencies shall collaborate where possible, and avoid duplicating efforts, in order to maximize the impact of the activities described in subsection (a).	b) COORDINATION- In carrying out this section, eligible agencies shall coordinate where possible, and avoid duplicating efforts, in order to maximize the impact of the activities described in subsection (a).	<i>(2) in subsection (c), by striking `being State- or outlying area-imposed' and inserting `being imposed by the State or outlying area'.</i>	
	(c) STATE-IMPOSED REQUIREMENTS- Whenever a State or outlying area implements any rule or policy relating to the administration or operation of a program authorized under this subtitle that has the effect of imposing a requirement that is not imposed under Federal law (including any rule or policy	c) STATE-IMPOSED REQUIREMENTS- Whenever a State or outlying area implements any rule or policy relating to the administration or operation of a program authorized under this title that has the effect of imposing a requirement that is not imposed under Federal law (including any rule or policy based on a State or outlying area	Retains current law	

Section/ Topic	Current Law	House	<i>Senate</i>	Council Position
<b>SEC. 223. STATE LEADERSHIP ACTIVITIES</b>				
	based on a State or outlying area interpretation of a Federal statute, regulation, or guideline), the State or outlying area shall identify, to eligible providers, the rule or policy as being State- or outlying area-imposed.	interpretation of a Federal statute, regulation, or guideline), the State or outlying area shall identify, to eligible providers, the rule or policy as being imposed by the State or outlying area.		

Section/Topic	Current Law	House	Senate	Council Position
<b>SEC. 224. STATE PLAN</b>				
	(a) 5-YEAR PLANS- (1) IN GENERAL- Each eligible agency desiring a grant under this subtitle for any fiscal year shall submit to, or have on file with, the Secretary a 5-year State plan.	(a) 6-YEAR PLANS- (1) IN GENERAL- Each eligible agency desiring a grant under this title for any fiscal year shall submit to, or have on file with, the Secretary a 6-year State plan.	<i>Section 224 of the Adult Education and Family Literacy Act (20 U.S.C. 9224) is amended-</i> <i>(1) in subsection (a)--</i> <i>(A) by striking the heading and inserting '4-YEAR PLANS'; and</i> <i>(B) in paragraph (1), by striking '5' and inserting '4';</i>	Support House.
	(2) COMPREHENSIVE PLAN OR APPLICATION- The eligible agency may submit the State plan as part of a comprehensive plan or application for Federal education assistance.	2) COMPREHENSIVE PLAN OR APPLICATION- The eligible agency may submit the State plan as part of a comprehensive plan or application for Federal education assistance.	Retains current law.	
	(b) PLAN CONTENTS- In developing the State plan, and any revisions to the State plan, the eligible agency shall include in the State plan or revisions-- (1) an objective assessment of the needs of individuals in the State or outlying area for adult education and literacy activities, including individuals most in need or hardest to serve;	(b) PLAN CONTENTS- The eligible agency shall include in the State plan or any revisions to the State plan-- (1) an objective assessment of the needs of individuals in the State or outlying area for adult basic skills and family literacy education programs, including individuals most in need or hardest to serve;	<i>(2) in subsection (b)--</i>  <i>(A) in paragraph (1), by inserting 'and the role of provider and cooperating agencies in preparing the assessment' after 'serve';</i>	
	(2) a description of the adult education and literacy activities that will be carried out with any funds received under this subtitle;	(2) a description of the adult basic skills and family literacy education programs that will be carried out with funds received under this title;	<i>(B) by striking paragraph (2) and inserting the following:</i> <i>(2) a description of how the eligible agency will address the adult education and literacy needs identified under paragraph (1) in each workforce development area of the State, using funds received under this subtitle, as well as other Federal, State, or local funds received in partnership with other agencies for the purpose of adult literacy as applicable;';</i>	Prefer the House language. Senate language impractical, burdensome and limits state flexibility. One interpretation of the Senate provision is to require local plans to be organized to coincide with the LWIB regions. Rearranging every adult education service delivery area to coincide would be chaotic and unworkable with the 5% local administration caps. States develop geographical regions to deliver adult education and literacy services. It is not possible to draw those regions to match the various regional designations drawn by all of our partners: the LWIBs, the state library regions, the social services regions, the public health regions, and other partner agencies.

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<b>SEC. 224. STATE PLAN</b>				
				<p>Seldom are all of those regional designations the same. The regional designations reflect the needs of the target population and the staffing budgets of the service provider. Thus, the regions often overlap each other.</p> <p>One way to strengthen collaboration is to ensure that Title II adult education providers are members of the LWIB.</p>
	(3) a description of how the eligible agency will evaluate annually the effectiveness of the adult education and literacy activities based on the performance measures described in section 212;	(3) a description of how the eligible agency will evaluate and measure annually the effectiveness and improvement of the adult basic skills and family literacy education programs based on the performance measures described in section 212 including—	<i>(C) in paragraph (3)-- (i) by inserting `and measure' after `evaluate'; (ii) by inserting `and improvement' after `effectiveness'; and (iii) by striking `212' and inserting `212, including—</i>	
	No comparable provision in current law	(A) how the eligible agency will evaluate and measure annually such effectiveness on a grant-by-grant basis; and (B) how the eligible agency-- (i) will hold eligible providers accountable regarding the progress of such providers in improving the academic achievement of participants in adult education programs under this title and regarding the core indicators of performance described in section 212(b)(2)(A); and  (ii) will use technical assistance, sanctions, and rewards (including allocation of grant funds based on performance and termination of grant funds based on nonperformance);	<i>`(A) how the eligible agency will evaluate and measure annually such effectiveness on a grant-by-grant basis; and (B) how the eligible agency-- (i) will hold eligible providers accountable regarding the progress of such providers in improving the academic achievement of participants in adult education programs under this subtitle and regarding the core indicators of performance described in section 212(b)(2)(A); and  (ii) will use technical assistance, sanctions, and rewards (including allocation of grant funds based on performance and termination of grant funds based on performance);</i>	<p>Support a revised version provision as follows:</p> <p>Amend (B)(ii) to read:</p> <p>“(B) Once a state has developed valid, measurable and reliable performance data, how the eligible agency--”</p>
	(4) a description of the performance measures described in section 212 and how such performance measures will ensure the improvement of adult education and literacy activities in the State or outlying area;	(4) a description of the performance measures described in section 212 and how such performance measures have significantly improved adult basic skills and family literacy education programs in the State or outlying area;	<i>D) in paragraph (4), by striking `will ensure the improvement of' and inserting `improved';</i>	Support Senate. (House uses word “significantly” which is not defined or measurable.)

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<b>SEC. 224. STATE PLAN</b>				
	No comparable provision in current law	No comparable provision	<i>E) by redesignating paragraphs (5) through (12) as paragraphs (6) through (13), respectively; (F) by inserting after paragraph (4) the following:  `5) a description of how the eligible agency will improve teacher quality, the professional development of eligible providers, and instruction;`;</i>	(New provision)
	(5) an assurance that the eligible agency will award not less than one grant under this subtitle to an eligible provider who offers flexible schedules and necessary support services (such as child care and transportation) to enable individuals, including individuals with disabilities, or individuals with other special needs, to participate in adult education and literacy activities, which eligible provider shall attempt to coordinate with support services that are not provided under this subtitle prior to using funds for adult education and literacy activities provided under this subtitle for support services;	(5) an assurance that the eligible agency will, in addition to meeting all of the other requirements of this title, award not less than one grant under this title to an eligible provider that— (A) offers flexible schedules and necessary support services (such as child care and transportation) to enable individuals, including individuals with disabilities, or individuals with other special needs, to participate in adult basic skills and family literacy education programs; and  (B) attempts to coordinate with support services that are not provided under this title prior to using funds for adult basic skills and family literacy education programs provided under this title for support services;	<i>(G) in paragraph (6) (as redesignated by subparagraph (E)), by striking `who' and all that follows through the semicolon and inserting `that— `A) offers flexible schedules and coordinates with necessary Federal, State, and local support services (such as child care, transportation, mental health services, and case management) to enable individuals, including individuals with disabilities or individuals with other special needs, to participate in adult education and literacy activities; and  (B) attempts to coordinate with support services that are not provided under this subtitle prior to using funds for adult education and literacy activities provided under this subtitle for support services;`;</i>	
	6) an assurance that the funds received under this subtitle will not be expended for any purpose other than for activities under this subtitle;	(6) an assurance that the funds received under this title will not be expended for any purpose other than for activities under this title;	Retains current law	
	(7) a description of how the eligible agency will fund local activities in accordance with the considerations described in section 231(e);	(7) a description of how the eligible agency will fund local activities in accordance with the measurable goals described in section 231(d);	Retains current law	Prefer Senate. The House bill assumes that each consideration is applicable to each local project seeking funds. The Senate bill reflects current practice and applies such considerations as appropriate to individual grantees.
	(8) an assurance that the eligible agency will expend the funds under this subtitle only in a manner consistent with fiscal requirements in section 241;	(8) an assurance that the eligible agency will expend the funds under this title only in a manner consistent with fiscal requirements in section 241;		

Section/Topic	Current Law	House	Senate	Council Position
<b>SEC. 224. STATE PLAN</b>				
	(9) a description of the process that will be used for public participation and comment with respect to the State plan;	(9) a description of the process that will be used for public participation and comment with respect to the State plan, which process-- (A) shall include consultation with the State workforce investment board, the State board responsible for administering community or technical colleges, the Governor, the State educational agency, the State board or agency responsible for administering block grants for temporary assistance to needy families under title IV of the Social Security Act, the State council on disabilities, the State vocational rehabilitation agency, other State agencies that promote the improvement of adult basic skills and family literacy education programs, and direct providers of such programs; and  (B) may include consultation with the State agency on higher education, institutions responsible for professional development of adult basic skills and family literacy education programs instructors, representatives of business and industry, refugee assistance programs, and faith-based organizations;	<i>(H) in paragraph (10) (as redesignated by subparagraph (E)), by striking `plan' and inserting `plan, which process--` (A) shall include the State Workforce Investment Board, the Governor, State officials representing public schools, community colleges, welfare agencies, agencies that provide services to individuals with disabilities, other State agencies that promote or operate adult education and literacy activities, and direct providers of such adult literacy services;  (B) may include consultation with the State agency for higher education, institutions responsible for professional development of adult education and literacy education program instructors, institutions of higher education, representatives of business and industry, refugee assistance programs, and community-based organizations, as defined in section 101;';</i>	Prefer Senate provision
	(10) a description of how the eligible agency will develop program strategies for populations that include, at a minimum—	(10) a description of the eligible agency's strategies for serving populations that include, at a minimum--	<i>(I) in paragraph (11) (as redesignated by subparagraph (E))-- (i) by inserting `<u>assess potential population needs</u> and' after `will';</i>	
	(A) low-income students;	(A) low-income individuals;	<i>(ii) in subparagraph (A), by striking `students' and inserting `individuals';</i>	
	(B) individuals with disabilities;	B) individuals with disabilities;	Retains current law	
	(C) single parents and displaced homemakers; and	No comparable provision	Retains current law	Support Senate. These are at-risk populations.
	No comparable provision in current law	(C) the unemployed;	<i>(iii) in subparagraph (C), by striking `and' after the semicolon; and (iv) by adding at the end the following:  (E) the unemployed; and</i>	

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<b>SEC. 224. STATE PLAN</b>				
	No comparable provision	(D) the underemployed; and	<i>`(F) those who are employed, but at levels below self-sufficiency, as defined in section 101.';</i>	
	(D) individuals with multiple barriers to educational enhancement, including individuals with limited English proficiency;	(E) individuals with multiple barriers to educational enhancement, including individuals with limited English proficiency;	Retains current law	
	(11) a description of how the adult education and literacy activities that will be carried out with any funds received under this subtitle will be integrated with other adult education, career development, and employment and training activities in the State or outlying area served by the eligible agency; and	(11) a description of how the adult basic skills and family literacy education programs that will be carried out with any funds received under this title will be integrated with other adult education, career development, and employment and training activities in the State or outlying area served by the eligible agency;	<i>(J) in paragraph (12) (as redesignated by subparagraph (E))-- (i) by inserting `and how the plan submitted under this subtitle is coordinated with the plan submitted by the State under title I' after `eligible agency'; and (ii) by striking `and' after the semicolon;</i>	
	(12) a description of the steps the eligible agency will take to ensure direct and equitable access, as required in section 231(c)(1).	(12) a description of the steps the eligible agency will take to ensure direct and equitable access, as required in section 231(c)(1), including-- `A) how the State will build the capacity of community-based and faith-based organizations to provide adult basic skills and family literacy education programs; and  (B) how the State will increase the participation of business and industry in adult basic skills and family literacy education programs; and	<i>(K) in paragraph (13) (as redesignated by subparagraph (E)), by striking `231(c)(1).'</i> <i>and inserting `231(c)(1), including—</i>  <i>(A) how the State will build the capacity of organizations that provide adult education and literacy activities; and</i>  <i>(B) how the State will increase the participation of business and industry in adult education and literacy activities;'; and</i>	Prefer Senate
		(13) a description of how the eligible agency will consult with any State agency responsible for postsecondary education to develop adult education that prepares students to enter postsecondary education without the need for remediation upon completion of secondary school equivalency programs.	<i>(L) by adding at the end the following: (14) a description of how the eligible agency will consult with any State agency responsible for postsecondary education to develop adult education programs and services (including academic skill development and support services) that prepare students to enter postsecondary education upon completion of secondary school programs or their recognized equivalent;</i>	Prefer Senate

Section/Topic	Current Law	House	Senate	Council Position
<b>SEC. 224. STATE PLAN</b>				
	No comparable provision in current law	No comparable provision	<i>“(15) a description of how the eligible agency will consult with the State agency responsible for workforce development to develop adult education programs and services that are designed to prepare students to enter the workforce; and</i>	Prefer Senate
	No comparable provision in current law	No comparable provision	<i>“(16) a description of how the eligible agency will improve the professional development of eligible providers of adult education and literacy activities.”;</i>	Prefer Senate
	(c) PLAN REVISIONS- When changes in conditions or other factors require substantial revisions to an approved State plan, the eligible agency shall submit the revisions to the State plan to the Secretary.	(c) PLAN REVISIONS- When changes in conditions or other factors require substantial revisions to an approved State plan, the eligible agency shall submit the revisions of the State plan to the Secretary.	<i>(3) in subsection (c), by adding at the end the following: “At the end of the first 2-year period of the 4-year State plan, the eligible agency shall review and, as needed, revise the 4-year State plan.”; and</i>	Prefer House. Plan revisions are very labor intensive. They should be filed as needed rather than according to a preset schedule.
	d) CONSULTATION- The eligible agency shall—  (1) submit the State plan, and any revisions to the State plan, to the Governor of the State or outlying area for review and comment; and  (2) ensure that any comments by the Governor regarding the State plan, and any revision to the State plan, are submitted to the Secretary.	<i>“(d) CONSULTATION- The eligible agency shall—  “(1) submit the State plan, and any revisions to the State plan, to the Governor, the chief State school officer, or the State officer responsible for administering community or technical colleges, or outlying area for review and comment; and  “(2) ensure that any comments regarding the State plan by the Governor, the chief State school officer, or the State officer responsible for administering community or technical colleges, and any revision to the State plan, are submitted to the Secretary.</i>	<i>(4) in subsection (d)—  (A) in paragraph (1), by inserting “, the chief State school officer, the State officer responsible for administering community and technical colleges, and the State Workforce Investment Board” after “Governor”; and  (B) in paragraph (2), by striking “comments” and all that follows through the period and inserting “comments regarding the State plan by the Governor, the chief State school officer, the State officer responsible for administering community and technical colleges, and the State Workforce Investment Board, and any revision to the State plan, are submitted to the Secretary.”.</i>	
	(e) PEER REVIEW- The Secretary shall establish a peer review process to make recommendations regarding the approval of State plans.	No comparable House provision	Retains current law	
	(f) PLAN APPROVAL- A State plan submitted to the Secretary shall be approved by the Secretary unless the	(e) PLAN APPROVAL- A State plan submitted to the Secretary shall be approved by the Secretary only if the plan is consistent	Retains current law	Support Senate. It ensures states receive timely feedback and approval.

Section/Topic	Current Law	House	Senate	Council Position
<b>SEC. 224. STATE PLAN</b>				
	Secretary makes a written determination, within 90 days after receiving the plan, that the plan is inconsistent with the specific provisions of this subtitle.	with the specific provisions of this title.		

Section/Topic	Current Law	House	Senate	Council Position
<b>SEC. 225. PROGRAMS FOR CORRECTIONS EDUCATION AND OTHER INSTITUTIONALIZED INDIVIDUALS</b>	(a) PROGRAM AUTHORIZED- From funds made available under section 222(a)(1) for a fiscal year, each eligible agency shall carry out corrections education or education for other institutionalized individuals.	`(a) PROGRAM AUTHORIZED- From funds made available under section 222(a)(1) for a fiscal year, each eligible agency shall carry out corrections education and education for other institutionalized individuals	<i>Section 225 of the Adult Education and Family Literacy Act (20 U.S.C. 9225) is amended--</i>  Retains current law for (a)	
	(b) USES OF FUNDS- The funds described in subsection (a) shall be used for the cost of educational programs for criminal offenders in correctional institutions and for other institutionalized individuals, including academic programs for—	(b) USES OF FUNDS- The funds described in subsection (a) shall be used for the cost of educational programs for criminal offenders in correctional institutions and for other institutionalized individuals, including academic programs for—	<i>(1) in subsection (b)--</i>  Retains current law for introductory provision	
	(1) basic education;	(1) basic skills education;	<i>(A) in paragraph (1), by striking 'basic education' and inserting 'adult education and literacy activities';</i>	Support Senate.
	(2) special education programs as determined by the eligible agency;	(2) special education programs as determined by the eligible agency;	<i>(B) in paragraph (2), by inserting 'and' after the semicolon;</i>  Essentially retains current law	
	(3) English literacy programs; and	`(3) reading, writing, speaking, and math programs; and	<i>(C) by striking paragraph (3); and</i>  Strikes current law provision	
	(4) secondary school credit programs.	(4) secondary school credit or diploma programs or their recognized equivalent	<i>(D) by redesignating paragraph (4) as paragraph (3); and</i> Retains current law	
	(c) PRIORITY- Each eligible agency that is using assistance provided under this section to carry out a program for criminal offenders in a correctional institution shall give priority to serving individuals who are likely to leave the correctional institution with 5 years of participation in the program.	(c) PRIORITY- Each eligible agency that is using assistance provided under this section to carry out a program for criminal offenders within a correctional institution shall give priority to serving individuals who are likely to leave the correctional institution within 5 years of participation in the program.	Retains current law	
	(d) DEFINITION OF CRIMINAL OFFENDER-	(d) DEFINITIONS- For purposes of this section:	<i>(2) in subsection (d), by striking 'DEFINITION OF CRIMINAL OFFENDER-' and inserting 'DEFINITIONS- In this section:'.</i>	

Section/Topic	Current Law	House	Senate	Council Position
<b>SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS</b>				
	(a) GRANTS AND CONTRACTS- From grant funds made available under section 211(b), each eligible agency shall award multiyear grants or contracts, on a competitive basis, to eligible providers within the State or outlying area to enable the eligible providers to develop, implement, and improve adult education and literacy activities within the State.	(a) GRANTS AND CONTRACTS- From grant funds made available under section 211(b), each eligible agency shall award multiyear grants or contracts, on a competitive basis, to eligible providers within the State or outlying area that meet the conditions and requirements of this title to enable the eligible providers to develop, implement, and improve adult basic skills and family literacy education programs within the State	<i>Section 231 of the Adult Education and Family Literacy Act (20 U.S.C. 9241) is amended</i>  Retains current law for this provision	
	(b) REQUIRED LOCAL ACTIVITIES- The eligible agency shall require that each eligible provider receiving a grant or contract under subsection (a) use the grant or contract to establish or operate one or more programs that provide services or instruction in one or more of the following categories:	(b) LOCAL ACTIVITIES- The eligible agency shall require eligible providers receiving a grant or contract under subsection (a) to establish or operate one or more programs of instruction that provide services or instruction in one or more of the following categories	Retains current law	
	(1) Adult education and literacy services, including workplace literacy services.	(1) Adult basic skills and family literacy education programs (including proficiency in reading, writing, speaking, and math).	<i>(1) in subsection (b)-- (A) in paragraph (1), by striking 'workplace literacy services' and inserting 'workplace literacy programs'; and</i>	Prefer Senate with the addition of language including family literacy.
	Current law includes workplace literacy in (1)	(2) Workplace literacy programs.	The Senate retains this provision in (1) with a minor wording change (see above)	
	(3) English literacy programs.	(3) English language acquisition programs.	<i>(B) in paragraph (3), by striking 'literacy' and inserting 'language acquisition';</i>	
	(2) Family literacy services.	(4) Family literacy education programs	Retains current law	
	(c) DIRECT AND EQUITABLE ACCESS; SAME PROCESS- Each eligible agency receiving funds under this subtitle shall ensure that-- (1) all eligible providers have direct and equitable access to apply for grants or contracts under this section; and (2) the same grant or contract	(c) DIRECT AND EQUITABLE ACCESS; SAME PROCESS- Each eligible agency receiving funds under this title shall ensure that-- (1) all eligible providers have direct and equitable access to apply for grants or contracts under this section; and (2) the same grant or contract announcement	Retains current law	

Section/Topic	Current Law	House	Senate	Council Position
<b>SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS</b>				
	announcement process and application process is used for all eligible providers in the State or outlying area.	process and application process is used for all eligible providers in the State or outlying area.		
	(d) SPECIAL RULE- Each eligible agency awarding a grant or contract under this section shall not use any funds made available under this subtitle for adult education and literacy activities for the purpose of supporting or providing programs, services, or activities for individuals who are not individuals described in subparagraphs (A) and (B) of section 203(1), except that such agency may use such funds for such purpose if such programs, services, or activities are related to family literacy services. In providing family literacy services under this subtitle, an eligible provider shall attempt to coordinate with programs and services that are not assisted under this subtitle prior to using funds for adult education and literacy activities under this subtitle for activities other than adult education activities.	(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.	Retains current law	
	(e) CONSIDERATIONS- In awarding grants or contracts under this section, the eligible agency shall consider—	(d) MEASURABLE GOALS- The eligible agency shall require eligible providers receiving a grant or contract under subsection (a) to demonstrate—	(2) in subsection (e)—  Retains current law	Prefer Senate. Not all considerations apply to all grantees. The Senate bill reflects current practice and applies such considerations as appropriate to individual grantees.
	(1) the degree to which the eligible provider will establish measurable goals for participant outcomes;	(1) the eligible provider's measurable goals for participant outcomes to be achieved annually on the core indicators of performance and employment performance indicators described in section 212(b)(2);	(A) in paragraph (1), by inserting `to be achieved annually on the core indicators of performance and employment performance indicators described in section 212(b)(2)' after `outcomes';	

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<b>SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS</b>				
	(2) the past effectiveness of an eligible provider in improving the literacy skills of adults and families, and, after the 1-year period beginning with the adoption of an eligible agency's performance measures under section 212, the success of an eligible provider receiving funding under this subtitle in meeting or exceeding such performance measures, especially with respect to those adults with the lowest levels of literacy;	(2) the past effectiveness of the eligible provider in improving the basic academic skills of adults and, for eligible providers receiving grants in the prior year, the success of the eligible provider receiving funding under this title in meeting or exceeding its performance goals in the prior year;	Retains current law	
	(3) the commitment of the eligible provider to serve individuals in the community who are most in need of literacy services, including individuals who are low-income or have minimal literacy skills;	(3) the commitment of the eligible provider to serve individuals in the community who are the most in need of basic academic skills instruction services, including individuals who are low-income or have minimal reading, writing, speaking, and math skills, or limited English proficiency;	<i>(B) by striking paragraph (3) and inserting the following: (3) the commitment of the eligible provider to be responsive to local needs and to serve individuals in the community who were identified by the assessment as most in need of adult literacy services, including individuals who are low-income, have minimal literacy skills, have learning disabilities, or have limited English proficiency;'</i>	Prefer Senate. It includes individuals with learning disabilities.
	(4) whether or not the program—	(4) the program—	Retains current law	
	(A) is of sufficient intensity and duration for participants to achieve substantial learning gains; and	(A) is of sufficient intensity and duration for participants to achieve substantial learning gains; and	Retains current law	
	(B) uses instructional practices, such as phonemic awareness, systematic phonics, fluency, and reading comprehension that research has proven to be effective in teaching individuals to read;	(B) uses instructional practices that include the essential components of reading instruction;	<i>(C) in paragraph (4)(B), by striking ', such as' and all that follows through the semicolon and inserting 'that include the essential components of reading instruction;'</i>	
	(5) whether the activities are built on a strong foundation of research and effective educational practice;	(5) educational practices are based on scientifically based research;	<i>(D) in paragraph (5), by striking 'research' and inserting 'the most rigorous research available;'</i>	Support Senate. Due to the limited investment in adult education research, and the episodic nature of adult education enrollment and attendance, few longitudinal studies of randomized trial, research and control groups have been conducted. We must base our practices upon the most rigorous research available until such investment can be made and its resulted translated into improved practices.

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<b>SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS</b>				
	(6) whether the activities effectively employ advances in technology, as appropriate, including the use of computers;	(6) the activities of the eligible provider effectively employ advances in technology, as appropriate, including the use of computers;	Retains current law	
	(7) whether the activities provide learning in real life contexts to ensure that an individual has the skills needed to compete in the workplace and exercise the rights and responsibilities of citizenship;	(7) the activities provide instruction in real-life contexts, when appropriate and scientifically based, to ensure that an individual has the skills needed to compete in the workplace and exercise the rights and responsibilities of citizenship;	<i>(E) in paragraph (7), by inserting ` , when appropriate and based on the most rigorous research available,' after `real life contexts';</i>	Support Senate
	(8) whether the activities are staffed by well-trained instructors, counselors, and administrators;	(8) the activities are staffed by well-trained instructors, counselors, and administrators;	Retains current law	
	(9) whether the activities coordinate with other available resources in the community, such as by establishing strong links with elementary schools and secondary schools, postsecondary educational institutions, one-stop centers, job training programs, and social service agencies;	(9) the activities are coordinated with other available resources in the community, such as through strong links with elementary schools and secondary schools, postsecondary educational institutions, one-stop centers, job training programs, community-based and faith-based organizations, and social service agencies;	<i>(F) in paragraph (9), by inserting `education, job-training, and social service' after `other available';</i>	Support Senate
	(10) whether the activities offer flexible schedules and support services (such as child care and transportation) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs;	(10) the activities offer flexible schedules and support services (such as child care and transportation) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs;	<i>(G) in paragraph (10)— (i) by inserting `coordination with Federal, State, and local' after `schedules and'; and (ii) by striking `and transportation' and inserting ` , transportation, mental health services, and case management';</i>	
	(11) whether the activities maintain a high-quality information management system that has the capacity to report participant outcomes and to monitor program performance against the eligible agency performance measures; and	(11) whether the activities maintain a high-quality information management system that has the capacity to report participant outcomes and to monitor program performance against the eligible agency performance measures; and	<i>(H) in paragraph (11)-- (i) by inserting `measurable' after `report'; (ii) by striking `eligible agency'; (iii) by inserting `established by the eligible agency' after `performance measures'; and (iv) by striking `and' after the semicolon;</i>	

Section/Topic	Current Law	House	Senate	Council Position
<b>SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS</b>				
	(12) whether the local communities have a demonstrated need for additional English literacy programs.	(12) the local communities have a demonstrated need for additional English language acquisition programs;	<i>(I) in paragraph (12), by striking `literacy programs.` and inserting `language acquisition programs and civics education programs;`; and</i>	
	No comparable provision in current law	(13) the capacity of the eligible provider to produce valid information on performance results, including enrollments and measurable participant outcomes;	<i>(J) by adding at the end the following: ` (13) the capacity of the eligible provider to produce information on performance results, including enrollments and measurable participant outcomes;</i>	Support House
	No comparable provision in current law	(14) adult basic skills and family literacy education programs offer rigorous reading, writing, speaking, and math content that are based on scientific research; and	<i>`(14) whether reading, writing, speaking, mathematics, and English language acquisition instruction provided by the eligible provider are based on the best practices derived from the most rigorous research available;</i>	Support Senate. Per our earlier note, there is not the research base for adult education to inform practice at this time. We agree the most rigorous research available should be used.
	No comparable provision in current law	(15) applications of technology, and services to be provided by the eligible providers, are of sufficient intensity and duration to increase the amount and quality of learning and lead to measurable learning gains within specified time periods.	<i>(15) whether the eligible provider's applications of technology and services to be provided are sufficient to increase the amount and quality of learning and lead to measurable learning gains within specified time periods; and</i>	

Section/Topic	Current Law	House	Senate	Council Position
<b>SEC. 232. LOCAL APPLICATION</b>	Each eligible provider desiring a grant or contract under this subtitle shall submit an application to the eligible agency containing such information and assurances as the eligible agency may require, including—	Each eligible provider desiring a grant or contract under this title shall submit an application to the eligible agency containing such information and assurances as the eligible agency may require, including—	<i>Section 232 of the Adult Education and Family Literacy Act (20 U.S.C. 9242) is amended—</i>	
	(1) a description of how funds awarded under this subtitle will be spent; and	(1) a description of how funds awarded under this title will be spent consistent with the requirements of this title;	<i>(1) in paragraph (1)--(A) by inserting `consistent with the requirements of this subtitle' after `spent'; and(B) by striking `and' after the semicolon</i>	
	(2) a description of any cooperative arrangements the eligible provider has with other agencies, institutions, or organizations for the delivery of adult education and literacy activities.	(2) a description of any cooperative arrangements the eligible provider has with other agencies, institutions, or organizations for the delivery of adult basic skills and family literacy education programs; and	<i>(2) in paragraph (2), by striking the period at the end and inserting `; and'; and</i>	Prefer Senate
	No comparable provision in current law	(3) each of the demonstrations required by section 231(d).	<i>(3) by adding at the end the following: `(3) information that addresses each of the considerations required under section 231(e).'</i>	Prefer Senate. Not all considerations apply to all grantees. The Senate bill reflects current practice and applies such considerations as appropriate to individual grantees
<b>SEC. 233. LOCAL ADMINISTRATIVE COST LIMITS</b>	(a) IN GENERAL- Subject to subsection (b), of the amount that is made available under this subtitle to an eligible provider—	(a) IN GENERAL- Subject to subsection (b), of the amount that is made available under this title to an eligible provider—	<i>Section 233 of the Adult Education and Family Literacy Act (20 U.S.C. 9243) is amended—</i>	
	(1) not less than 95 percent shall be expended for carrying out adult education and literacy activities; and	(1) at least 95 percent shall be expended for carrying out adult basic skills and family literacy education programs; and	Retains current law	
	(2) the remaining amount, not to exceed 5 percent, shall be used for planning, administration, personnel development, and interagency coordination.	(2) the remaining amount shall be used for planning, administration, personnel and professional development, development of measurable goals in reading, writing, speaking, and math, and interagency coordination.	<i>(1) in subsection (a)(2)-- (A) by inserting `and professional' after `personnel'; and (B) by inserting `development of measurable goals in reading, writing, and speaking the English language, and in mathematical computation,' after `development,'; and</i>	
	(b) SPECIAL RULE- In cases where the cost limits described in subsection (a) are too restrictive to allow for adequate planning, administration, personnel development, and interagency coordination, the eligible provider shall negotiate with the eligible agency in order to determine an adequate level of funds to be used for noninstructional purposes.	(b) SPECIAL RULE- In cases where the cost limits described in subsection (a) are too restrictive to allow for adequate planning, administration, personnel development, and interagency coordination, the eligible provider may negotiate with the eligible agency in order to determine an adequate level of funds to be used for noninstructional purposes.	<i>(2) in subsection (b)-- (A) by inserting `and professional' after `personnel'; and (B) by inserting `development of measurable goals in reading, writing, and speaking the English language, and in mathematical computation,' after `development,.'</i>	Prefer Senate. Local programs are at different levels of development. Some need more infrastructure. This provision insures the state will take that into account and negotiate appropriately.

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 241. ADMINIS- TRATIVE PROVISIONS</b>				
	(a) SUPPLEMENT NOT SUPPLANT- Funds made available for adult education and literacy activities under this subtitle shall supplement and not supplant other State or local public funds expended for adult education and literacy activities.	(a)SUPPLEMENT NOT SUPPLANT- Funds made available for adult basic skills and family literacy education programs under this title shall supplement and not supplant other State or local public funds expended for adult basic skills and family literacy education programs.	Retains current law	Prefer Senate
	(b) MAINTENANCE OF EFFORT- (1) IN GENERAL- (A) DETERMINATION- An eligible agency may receive funds under this subtitle for any fiscal year if the Secretary finds that the fiscal effort per student or the aggregate expenditures of such eligible agency for adult education and literacy activities, in the second preceding fiscal year, was not less than 90 percent of the fiscal effort per student or the aggregate expenditures of such eligible agency for adult education and literacy activities, in the third preceding fiscal year.	(b) MAINTENANCE OF EFFORT- (1) IN GENERAL- (A) DETERMINATION- An eligible agency may receive funds under this title for any fiscal year if the Secretary finds that the fiscal effort per student or the aggregate expenditures of such eligible agency for activities under this title, in the second preceding fiscal year, were not less than 90 percent of the fiscal effort per student or the aggregate expenditures of such eligible agency for adult basic skills and family literacy education programs, in the third preceding fiscal year.	<i>Section 241(b) of the Adult Education and Family Literacy Act (20 U.S.C. 9251(b)) is amended—</i> <i>(1) in paragraph (1)(A)--(A) by striking 'adult education and literacy activities' both places such terms appear and inserting 'activities under this subtitle';</i> <i>and</i> <i>(B) by striking 'was' and inserting 'were';</i> <i>and</i>	
	(B) PROPORTIONATE REDUCTION- Subject to paragraphs (2), (3), and (4), for any fiscal year with respect to which the Secretary determines under subparagraph (A) that the fiscal effort or the aggregate expenditures of an eligible agency for the preceding program year were less than such effort or expenditures for the second preceding program year, the Secretary—	(B) PROPORTIONATE REDUCTION- Subject to paragraphs (2), (3), and (4), for any fiscal year with respect to which the Secretary determines under subparagraph (A) that the fiscal effort or the aggregate expenditures of an eligible agency for the preceding program year were less than such effort or expenditures for the second preceding program year, the Secretary—	Retains current law	
	(i) shall determine the percentage decreases in such effort or in such expenditures; and	(i) shall determine the percentage decreases in such effort or in such expenditures; and	Retains current law	
	(ii) shall decrease the payment made under this subtitle for such program year to the agency for adult education and literacy activities by the lesser of such percentages.	(ii) shall decrease the payment made under this title for such program year to the agency for adult basic skills and family literacy education programs by the lesser of such percentages.	Retains current law	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 241. ADMINIS- TRATIVE PROVISIONS</b>				
	(2) COMPUTATION- In computing the fiscal effort and aggregate expenditures under paragraph (1), the Secretary shall exclude capital expenditures and special one-time project costs.	(2) COMPUTATION- In computing the fiscal effort and aggregate expenditures under paragraph (1), the Secretary shall exclude capital expenditures and special one-time project costs.	Retains current law	
	3) DECREASE IN FEDERAL SUPPORT- If the amount made available for adult education and literacy activities under this subtitle for a fiscal year is less than the amount made available for adult education and literacy activities under this subtitle for the preceding fiscal year, then the fiscal effort per student and the aggregate expenditures of an eligible agency required in order to avoid a reduction under paragraph (1)(B) shall be decreased by the same percentage as the percentage decrease in the amount so made available	(3) DECREASE IN FEDERAL SUPPORT- If the amount made available for adult basic skills and family literacy education programs under this title for a fiscal year is less than the amount made available for adult basic skills and family literacy education programs under this title for the preceding fiscal year, then the fiscal effort per student and the aggregate expenditures of an eligible agency required in order to avoid a reduction under paragraph (1)(B) shall be decreased by the same percentage as the percentage decrease in the amount so made available.	Retains current law	
	(4) WAIVER- The Secretary may waive the requirements of this subsection for 1 fiscal year only, if the Secretary determines that a waiver would be equitable due to exceptional or uncontrollable circumstances, such as a natural disaster or an unforeseen and precipitous decline in the financial resources of the State or outlying area of the eligible agency. If the Secretary grants a waiver under the preceding sentence for a fiscal year, the level of effort required under paragraph (1) shall not be reduced in the subsequent fiscal year because of the waiver.	(4) WAIVER- The Secretary may waive the requirements of this subsection for not more than 1 fiscal year, if the Secretary determines that a waiver would be equitable due to exceptional or uncontrollable circumstances, such as a natural disaster or an unforeseen and precipitous decline in the financial resources of the State or outlying area of the eligible agency. If the Secretary grants a waiver under the preceding sentence for a fiscal year, the level of effort required under paragraph (1) shall not be reduced in the subsequent fiscal year because of the waiver.	<i>(2) in paragraph (4)-- (A) by inserting 'not more than' after 'this subsection for'; and (B) by striking 'only'.</i>	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 242 NATIONAL INSTITUTE FOR LITERACY</b>				
	No comparable provision.	<b>SEC. 211. SHORT TITLE; PURPOSE.</b> (a) SHORT TITLE- This part may be cited as the `National Institute for Literacy Establishment Act'.	No comparable provision. Retains current law.	We support the Senate provision in its entirety for the National Institute for Literacy. It retains a strong focus on meeting the needs of the adult education community.
	(a) PURPOSE- The purpose of this section is to establish a National Institute for Literacy that—	(b) PURPOSE- The purpose of this part is to establish a National Institute for Literacy to provide national leadership in promoting reading research, reading instruction, and professional development in reading based on scientifically based research by--	<i>in subsection (a)—</i>  (Retains current law)	
	(1) provides national leadership regarding literacy;	(1) disseminating widely information on scientifically based reading research to improve academic achievement for children, youth, and adults;	<i>(A) in paragraph (1), by striking `literacy' and inserting `effective literacy programs for children, youth, adults, and families';</i>	
	(2) coordinates literacy services and policy; and	(2) identifying and disseminating information about schools, local educational agencies, and State educational agencies that have effectively developed and implemented classroom reading programs that meet the requirements of subpart 1 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6361 et seq.), including those State educational agencies, local educational agencies, and schools that are identified as effective through the External Evaluation of Reading First under section 1205 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6365);	<i>(B) in paragraph (2), by inserting `and disseminates information on' after `coordinates'; and</i>	
	(3) serves as a national resource for adult education and literacy programs by—	(3) serving as a national resource for information on reading instruction programs that contain the essential components of reading instruction as supported by scientifically based reading research, and that can lead to improved reading outcomes for children, youth, and adults;	Retains current law	
	(A) providing the best and most current information available, including the work of the National Institute of Child Health	No comparable provision	<i>(C) by striking paragraph (3)(A) and inserting the following: `A) coordinating and participating in the</i>	

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<b>SEC. 242 NATIONAL INSTITUTE FOR LITERACY</b>				
	and Human Development in the area of phonemic awareness, systematic phonics, fluency, and reading comprehension, to all recipients of Federal assistance that focuses on reading, including programs under titles I and VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq. and 7401 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), and this Act; and		<i>Federal effort to identify and disseminate information on literacy that is derived from scientifically based research, or the most rigorous research available and effective programs that serve children, youth, adults, and families; and</i> ;	
	(B) supporting the creation of new ways to offer services of proven effectiveness.	No comparable provision	Retains current law	
	No comparable provision in current law	(4) developing print and electronic materials that describe and model the application of scientifically based reading research;	No comparable provision.	
	No comparable provision in current law	(5) providing national and regional reading leadership for State and local personnel for the application and implementation of scientifically based reading research;	No comparable provision	
	No comparable provision in current law	(6) coordinating efforts among Federal agencies, especially the Department of Labor, the Department of Health and Human Services, and the National Institute of Child Health and Human Development, that provide reading programs, conduct research, and provide services to recipients of Federal financial assistance under titles I and III of the Elementary and Secondary Education Act of 1965, the Head Start Act, the Individuals with Disabilities Education Act, and the Adult Basic Skills and Family Literacy Education Act, and each Bureau funded school (as defined in title XI of the Education Amendments of 1978 (25 U.S.C. 2001 et seq.)); and	No comparable provision	
		(7) informing the Congress, Federal departments and agencies, schools of education, and the public of successful local,		

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<b>SEC. 242 NATIONAL INSTITUTE FOR LITERACY</b>				
		State, and Federal program activities in reading instruction that are determined to be effective based on the findings of scientifically based reading research.		
	(b) ESTABLISHMENT- (1) IN GENERAL- There is established the National Institute for Literacy (in this section referred to as the `Institute'). The Institute shall be administered under the terms of an interagency agreement entered into by the Secretary of Education with the Secretary of Labor and the Secretary of Health and Human Services (in this section referred to as the `Interagency Group'). The Interagency Group may include in the Institute any research and development center, institute, or clearinghouse established within the Department of Education, the Department of Labor, or the Department of Health and Human Services the purpose of which is determined by the Interagency Group to be related to the purpose of the Institute.	<b>SEC. 212. ESTABLISHMENT.</b> (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.	Retains current law	
	No comparable provision in current law	(b) DIRECTOR- (1) APPOINTMENT- The Interagency Group shall appoint a Director of the Institute, who has an understanding of, supports, and is familiar with scientifically based reading research, instruction, and professional development applicable to children, youth, and adults. 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. (2) PAY- The Director of the Institute shall receive the rate of basic pay for level IV of the Executive Schedule. (3) TERM- The Director of the Institute shall be appointed for an initial term of 3 years and may serve not more than 1 additional term of 3 years.	No comparable provision	

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<b>SEC. 242 NATIONAL INSTITUTE FOR LITERACY</b>				
	(2) OFFICES- The Institute shall have offices separate from the offices of the Department of Education, the Department of Labor, and the Department of Health and Human Services.	(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.	Retains current law	
	No comparable provision in current law.	(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.	No comparable provision	
	(3) RECOMMENDATIONS- The Interagency Group shall consider the recommendations of the National Institute for Literacy Advisory Board (in this section referred to as the `Board') established under subsection (e) in planning the goals of the Institute and in the implementation of any programs to achieve the goals. If the Board's recommendations are not followed, the Interagency Group shall provide a written explanation to the Board concerning actions the Interagency Group takes that are inconsistent with the Board's recommendations, including the reasons for not following the Board's recommendations with to the actions. The Board may also request a meeting of the Interagency Group to discuss the Board's recommendations.	No comparable provision	<i>(2) by striking subsection (b)(3) and inserting the following: (3) RECOMMENDATIONS- The Interagency Group, in consultation with the National Institute for Literacy Advisory Board (in this section referred to as the `Board') established under subsection (e), shall plan the goals of the Institute and the implementation of any programs to achieve the goals. The Board may also request a meeting of the Interagency Group to discuss any recommendations the Board may make.';</i>	
	(4) DAILY OPERATIONS- The daily operations of the Institute shall be administered by the Director of the Institute	No comparable provision	Retains current law	
	(c) DUTIES- (1) IN GENERAL- In order to provide leadership for the improvement and expansion of the system for delivery of literacy services, the Institute is	<b>SEC. 214. DUTIES.</b> (a) IN GENERAL- In order to provide leadership for the improvement and expansion of the system for delivery of scientifically based reading instructional	<i>(3) in subsection (c)-- (A) in paragraph (1)-- (i) in subparagraph (A)- (1) by striking `to establish' and inserting `to maintain';</i>	

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	<p>authorized-- (A) to establish a national electronic data base of information that disseminates information to the broadest possible audience within the literacy and basic skills field, and that includes—</p>	<p>practices, the Director of the Institute shall-- (1) establish a national electronic database of effective reading programs for children, youth, and adults that include the essential components of reading instruction, and disseminate such information to parents, teachers, State and Federal elected officials, and the public; (2) develop print and electronic materials for professional development that provide applications of scientifically based reading research, and instructional practices in reading for children, youth, and adults; (3) provide technical assistance to the Congress, school Boards, Federal agencies, State departments of education, adult education programs, local school districts, local public and private schools, and schools of education, on scientifically based reading instructional practices including diagnostic and assessment instruments and instructional materials; (4) collaborate and support Federal research programs in reading instruction, including, where appropriate, those areas of study addressed by the National Institute of Child Health and Human Development, the Institute for Education Sciences, the National Science Foundation, the Department of Labor, and the National Research Council; (5) coordinate with the Department of Education, the Department of Labor, the Department of Health and Human Services, and the National Institute of Child Health and Human Development on all programs that include improving reading instructional practices for children, youth, and adults, and teacher training in reading instructional practices; (6) use and support the collection of the best possible information in carrying out this section, and where appropriate, including reviews of research on instruction using the criteria for quality identified by the Institute for Education Sciences;</p>		

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<b>SEC. 242 NATIONAL INSTITUTE FOR LITERACY</b>				
		(7) conduct reviews of research, including randomized field trials, on reading programs, and conduct reviews of Federal reading policies and reading program implementation using a board of visitors as described in subchapter 300 of the National Science Foundation Administrative Manual; and (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).		
	(i) effective practices in the provision of literacy and basic skills instruction, including instruction in phonemic awareness, systematic phonics, fluency, and reading comprehension, and the integration of literacy and basic skills instruction with occupational skills training;	No comparable provision	<i>(II) in clause (i), by striking `phonemic awareness, systematic phonics, fluency, and reading comprehension' and inserting `the essential components of reading instruction'</i>	
	(ii) public and private literacy and basic skills programs, and Federal, State, and local policies, affecting the provision of literacy services at the national, State, and local levels;	No comparable provision	<i>Retains current law</i>	
	(iii) opportunities for technical assistance, meetings, conferences, and other opportunities that lead to the improvement of literacy and basic skills services; and	No comparable provision	<i>(III) in clause (iii), by striking `and' after the semicolon;</i>	
	(iv) a communication network for literacy programs, providers, social service agencies, and students;	No comparable provision	Retains current law	
	No comparable provision	No comparable provision	<i>IV)in clause (iv), by inserting `and' after the semicolon; and (V) by adding at the end the following: `(v) a list of local adult education and literacy programs;';</i>	
	(B) to coordinate support for the provision of literacy and basic skills services across Federal agencies and at the State and local levels;	No comparable provision	Retains current law	

Section/ Topic	Current Law	House	Senate	Council Position
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	(C) to coordinate the support of reliable and replicable research and development on literacy and basic skills in families and adults across Federal agencies, especially with the Office of Educational Research and Improvement in the Department of Education, and to carry out basic and applied research and development on topics that are not being investigated by other organizations or agencies, such as the special literacy needs of individuals with learning disabilities;	No comparable provision	<i>(ii) in subparagraph (C)-- (I) by striking `reliable and replicable research' and inserting `reliable and replicable research as defined by the Institute of Education Sciences'; and (II) by striking `especially with the Office of Educational Research and Improvement in the Department of Education,';</i>	
	(D) to collect and disseminate information on methods of advancing literacy that show great promise, including phonemic awareness, systematic phonics, fluency, and reading comprehension based on the work of the National Institute of Child Health and Human Development;	No comparable provision	<i>(iii) in subparagraph (D), by striking `phonemic awareness, systematic phonics, fluency, and reading comprehension based on' and inserting `the essential components of reading instruction and'</i>	
	(E) to provide policy and technical assistance to Federal, State, and local entities for the improvement of policy and programs relating to literacy;	No comparable provision	Retains current law	
	(F) to fund a network of State or regional adult literacy resource centers to assist State and local public and private nonprofit efforts to improve literacy by—  (i) encouraging the coordination of literacy services;  (ii) enhancing the capacity of State and local organizations to provide literacy services; and  (iii) serving as a link between the Institute and providers of adult education and literacy activities for the purpose of sharing information, data, research, expertise, and literacy resources	No comparable provision	Retains current law	

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	(G) to coordinate and share information with national organizations and associations that are interested in literacy and workforce investment activities;	No comparable provision	Retains current law	
	(H) to advise Congress and Federal departments and agencies regarding the development of policy with respect to literacy and basic skills; and	No comparable provision	<i>(iv) in subparagraph (H), by striking `and' after the semicolon;</i>  (Technical, retains current law)	
	(I) to undertake other activities that lead to the improvement of the Nation's literacy delivery system and that complement other such efforts being undertaken by public and private agencies and organizations.	No comparable provision	<i>(v) in subparagraph (I), by striking the period at the end and inserting a semicolon; and</i>  (Technical, retains current law)	
	No comparable provision in current law	No comparable provision	<i>(vi) by adding at the end the following: (J) to work cooperatively with the Department of Education to assist States that are pursuing the implementation of standards-based educational improvements for adults through the dissemination of training, technical assistance, and related support and through the development and dissemination of related standards-based assessment instruments; and</i>	
	No comparable provision in current law	No comparable provision	<i>(K) to identify rigorous research on the effectiveness of instructional practices and organizational strategies relating to literacy programs on the acquisition of skills in reading, writing, English acquisition, and mathematics.'; and</i>	
			<i>(B) by adding at the end the following:  `3) COORDINATION- In identifying the reliable and replicable research the Institute will support, the Institute shall use standards for research quality that are consistent with those of the Institute of Education Sciences.';</i>	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 242 NATIONAL INSTITUTE FOR LITERACY</b>				
	(d) LITERACY LEADERSHIP- (1) IN GENERAL- The Institute, in consultation with the Board, may award fellowships, with such stipends and allowances that the Director considers necessary, to outstanding individuals pursuing careers in adult education or literacy in the areas of instruction, management, research, or innovation.	<b>SEC. 215. LEADERSHIP IN SCIENTIFICALLY BASED READING INSTRUCTION.</b> (a) IN GENERAL- The Director of the Institute may award fellowships, with such stipends and allowances as necessary, to outstanding individuals who are pursuing careers in scientifically based research in reading instruction or pre-service or in-service training in reading instruction, including teaching children and adults to read.	Retains current law	
	(2) FELLOWSHIPS- Fellowships awarded under this subsection shall be used, under the auspices of the Institute, to engage in research, education, training, technical assistance, or other activities to advance the field of adult education or literacy, including the training of volunteer literacy providers at the national, State, or local level.	(b) FELLOWSHIPS- Fellowships awarded under this subsection shall be used, under the auspices of the Institute, to engage in research, education training, technical assistance, or other activities to advance the field of scientifically based reading instruction for children, youth, and adults, including the training of volunteers in such reading skills instruction.	Retains current law	
	(3) INTERNS AND VOLUNTEERS- The Institute, in consultation with the Board, may award paid and unpaid internships to individuals seeking to assist the Institute in carrying out its mission. Notwithstanding section 1342 of title 31, United States Code, the Institute may accept and use voluntary and uncompensated services as the Institute determines necessary.	(c) INTERNS AND VOLUNTEERS- The Director of the Institute may award paid and unpaid internships to individuals seeking to assist the Institute in carrying out its mission. Notwithstanding section 1342 of title 31, United States Code, the Institute may accept and use voluntary and uncompensated services as the Institute deems necessary.	Retains current law	
	(e) NATIONAL INSTITUTE FOR LITERACY ADVISORY BOARD- (1) ESTABLISHMENT- (A) IN GENERAL- There shall be a National Institute for Literacy Advisory Board (in this section referred to as the 'Board'), which shall consist of 10 individuals appointed by the President with the advice and consent of the Senate.	<b>SEC. 216. NATIONAL INSTITUTE FOR LITERACY ADVISORY BOARD.</b> (a) ESTABLISHMENT- (1) IN GENERAL- There shall be a National Institute for Literacy Advisory Board, which shall consist of 10 individuals appointed by the President with the advice and consent of the Senate.	Retains current law	

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	(B) COMPOSITION- The Board shall be comprised of individuals who are not otherwise officers or employees of the Federal Government and who are representative of entities such as--	(2) COMPOSITION- The Board shall be comprised of individuals who are not otherwise officers or employees of the Federal Government and who are knowledgeable about scientifically based reading instruction, and the findings of scientifically based reading research. The members of the Board may include--  (A) representatives from teacher training institutions where scientifically based reading instruction is a major component of pre-service training; (B) teachers who have been successful in teaching children to read proficiently; (D) volunteer tutors in reading who are using scientifically based reading instruction; (E) reading researchers who have conducted scientifically based research; and (F) other qualified individuals knowledgeable about scientifically based reading instruction, including adult education.	Retains current law	
	(i) literacy organizations and providers of literacy services, including nonprofit providers, providers of English literacy programs and services, social service organizations, and eligible providers receiving assistance under this subtitle;	No comparable provision	<i>(4) in subsection (e)-- (A) in paragraph (1)(B)— (i) in clause (i), by striking `literacy programs' and inserting `language acquisition programs';</i>	
	(ii) businesses that have demonstrated interest in literacy programs;	(C) members of the business community who have developed successful employee reading instruction programs;	<i>(ii) in clause (ii), by striking `literacy programs' and inserting `or have participated in or partnered with workplace literacy programs';</i>	
	(iii) literacy students, including literacy students with disabilities;	No comparable provision	Retains current law	
	(iv) experts in the area of literacy research;	No comparable provision	<i>(iii) in clause (iv), by inserting `, including adult literacy research' after `research';</i>	

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	(v) State and local governments;	No comparable provision	Retains current law	
	(vi) State Directors of adult education; and	No comparable provision	<i>(iv) in clause (vi), by striking `and' after the semicolon;</i>  <i>(Technical, retains current law)</i>	
	(vii) representatives of employees, including representatives of labor organizations.	No comparable provision	<i>(v) in clause (vii), by striking the period at the end and inserting `; and'; and</i>  <i>(Technical, retains current law)</i>	
	No comparable provision in current law	No comparable provision	<i>(vi) by adding at the end the following:</i>  <i>`(viii) institutions of higher education.';</i>	
	(2) DUTIES- The Board shall-- (A) make recommendations concerning the appointment of the Director and staff of the Institute;  (B) provide independent advice on the operation of the Institute; and  (C) receive reports from the Interagency Group and the Director.	(b) DUTIES- The Board shall-- (1) provide advice to the Director of the Institute to ensure that the purposes of the Institute under section 211 are carried out effectively; and (2) approve the annual report to the Congress;	<i>(B) in paragraph (2)—</i>  <i>(i) in subparagraph (B), by striking `and' after the semicolon;</i>  <i>(ii) in subparagraph (C), by striking the period at the end and inserting `; and'; and</i>  <i>(iii) by adding at the end the following:</i>  <i>(D) review the biennial report submitted to Congress pursuant to subsection (k).'; and</i>	
	(3) FEDERAL ADVISORY COMMITTEE ACT- Except as otherwise provided, the Board established by this subsection shall be subject to the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).	(c) FEDERAL ADVISORY COMMITTEE ACT- Except as otherwise provided in this part, the Board established by this section shall be subject to the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).	Retains current law	
	(4) APPOINTMENTS- (A) IN GENERAL- Each member of the Board shall be appointed for a term of 3 years, except that the initial terms for members may be 1, 2, or 3 years in order to establish a rotation in which one-third of the members are selected each year.	(d) APPOINTMENTS- (1) IN GENERAL- Each member of the Board shall be appointed for a term of 3 years, except that the initial terms for members may be 1, 2, or 3 years in order to establish a rotation, in which 1/3 of the members are selected each year. Any such	Retains current law	

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	Any such member may be appointed for not more than 2 consecutive terms.	member may be appointed for not more than 2 consecutive terms.		
	(B) VACANCIES- Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.	(2) VACANCIES- Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.	Retains current law	
	(5) QUORUM- A majority of the members of the Board shall constitute a quorum but a lesser number may hold hearings. Any recommendation of the Board may be passed only by a majority of the Board's members present.	(e) QUORUM- A majority of the members of the Board shall constitute a quorum, but a lesser number may hold hearings. Any recommendation of the Board may be passed only by a majority of the Board members present.	<i>(C) in paragraph (5), by striking the second sentence and inserting the following: 'A recommendation of the Board may be passed only by a majority of the Board's members present at a meeting for which there is a quorum.'; and</i>	
	(6) ELECTION OF OFFICERS- The Chairperson and Vice Chairperson of the Board shall be elected by the members of the Board. The term of office of the Chairperson and Vice Chairperson shall be 2 years.	(f) ELECTION OF OFFICERS- The Chairperson and Vice Chairperson of the Board shall be elected by the members of the Board. The term of office of the Chairperson and Vice Chairperson shall be 2 years.	Retains current law	
	(7) MEETINGS- The Board shall meet at the call of the Chairperson or a majority of the members of the Board.	(g) MEETINGS- The Board shall meet at the call of the Chairperson, or a majority of the members of the Board, but not less than quarterly.	Retains current law	
	(f) GIFTS, BEQUESTS, AND DEVICES-  (1) IN GENERAL- The Institute may accept, administer, and use gifts or donations of services, money, or property, whether real or personal, tangible or intangible.  (2) RULES- The Board shall establish written rules setting forth the criteria to be used by the Institute in determining	SEC. 217. GIFTS, BEQUESTS, AND DEVICES. (a) IN GENERAL- The Institute may accept, administer, and use gifts or donations of services, money, or property, whether real or personal, tangible or intangible. (b) RULES- The Director of the Institute shall establish written rules setting forth the criteria to be used by the Institute in determining whether the acceptance of contributions of services, money, or property	Retains current law	

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	whether the acceptance of contributions of services, money, or property whether real or personal, tangible or intangible, would reflect unfavorably upon the ability of the Institute or any employee to carry out the responsibilities of the Institute or employee, or official duties, in a fair and objective manner, or would compromise the integrity or the appearance of the integrity of the Institute's programs or any official involved in those programs.	whether real or personal, tangible or intangible, would reflect unfavorably upon the ability of the Institute or any employee to carry out the responsibilities of the Institute or employee, or official duties, in a fair and objective manner, or would compromise the integrity or the appearance of the integrity of the Institute's programs or any official involved in those programs.		
	(g) <b>MAILS-</b> The Board and the Institute may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.	<b>SEC. 218. MAILS.</b> The Board and the Institute may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.	Retains current law	
	(h) <b>STAFF-</b> The Interagency Group, after considering recommendations made by the Board, shall appoint and fix the pay of a Director.	No comparable provision	Retains current law	
	(i) <b>APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS-</b> The Director and staff of the Institute may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay payable for level IV of the Executive Schedule.	<b>SEC. 219. APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.</b> The Director of the Institute and the staff of the Institute may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay payable for level IV of the Executive Schedule.	Retains current law	
	(j) <b>EXPERTS AND CONSULTANTS-</b> The Institute may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.	<b>SEC. 220. EXPERTS AND CONSULTANTS.</b> The Institute may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.	Retains current law	

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	<p>(k) REPORT- The Institute shall submit a report biennially to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate. Each report submitted under this subsection shall include—</p> <p>(1) a comprehensive and detailed description of the Institute's operations, activities, financial condition, and accomplishments in the field of literacy for the period covered by the report;</p> <p>(2) a description of how plans for the operation of the Institute for the succeeding 2 fiscal years will facilitate achievement of the goals of the Institute and the goals of the literacy programs within the Department of Education, the Department of Labor, and the Department of Health and Human Services; and</p> <p>(3) any additional minority, or dissenting views submitted by members of the Board.</p> <p>(l) FUNDING- Any amounts appropriated to the Secretary, the Secretary of Labor, the Secretary of Health and Human Services, or any other department that participates in the Institute for purposes that the Institute is authorized to perform under this section may be provided to the Institute for such purposes.</p>	<p>SEC. 221. REPORT.</p> <p>(a) IN GENERAL- The Institute shall submit a biennial report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate. Each report submitted under this section shall include—</p> <p>(1) a comprehensive and detailed description of the Institute's operations, activities, financial condition, and accomplishments in carrying out the purposes of the Institute as specified in section 211, for the period covered by the report; and</p> <p>(2) a summary description of how the Institute will advance the purposes of the Institute for the next biennium.</p> <p>(b) FIRST REPORT- The Institute shall submit a report under this section not later than 1 year after the date of enactment of this part.</p> <p>No comparable provision</p>	<p>(5) in subsection (k)-- (A) by striking `Labor and Human Resources' and inserting `Health, Education, Labor, and Pensions'; and (B) by striking `The Institute shall submit a report biennially to' and inserting `Not later than 1 year after the date of enactment of the Adult Education and Family Literacy Act Amendments of 2003, and biennially thereafter, the Institute shall submit a report to'.</p> <p>Retains current law</p>	
<b>SEC. 243. NATIONAL LEADERSHIP ACTIVITIES</b>	<p>The Secretary shall establish and carry out a program of national leadership activities to enhance the quality of adult education and literacy programs nationwide. Such activities may include the following:</p>	<p>The Secretary shall establish and carry out a program of national leadership activities that may include the following:</p>	<p><i>`(a) IN GENERAL- The Secretary shall establish and carry out a program of national leadership activities to enhance the quality of adult education and literacy programs nationwide.</i></p> <p><i>(b) PERMISSIVE ACTIVITIES- The national leadership activities described in subsection (a) may include the following:</i></p>	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 243. NATIONAL LEADERSHIP ACTIVITIES Continued</b>				
	No comparable provision in current law	(A) on requests to volunteer community- and faith-based organizations, including but not limited to, improving their fiscal management, research-based instruction, and reporting requirements, and the development of measurable objectives to carry out the requirements of this title;	No comparable provision	
	(B) assistance related to professional development activities, and assistance for the purposes of developing, improving, identifying, and disseminating the most successful methods and techniques for providing adult education and literacy activities, including family literacy services, based on scientific evidence where available; and	(C) on adult education professional development; and	<i>(B) assistance related to professional development activities, and assistance for the purposes of developing, improving, identifying, and disseminating the most successful methods and techniques for providing adult education and literacy activities, including family literacy services, based on scientific evidence where available;</i>	
	(C) assistance in distance learning and promoting and improving the use of technology in the classroom.	(D) in using distance learning and improving the application of technology in the classroom.	<i>(C) assistance in distance learning and promoting and improving the use of technology in the classroom;</i>	
	No comparable provision in current law	No comparable provision	<i>(D) assistance in developing valid, measurable, and reliable performance data, including data around employment and employment outcome, and using performance information for the improvement of adult education and literacy programs; and</i>	
	No comparable provision in current law	No comparable provision	<i>(E) assistance to help States, particularly low-performing States, meet the requirements of section 212.</i>	
	No comparable provision in current law	No comparable provision	<i>(2) A program of grants, contracts, or cooperative agreements awarded on a competitive basis to national, regional, or local networks of private nonprofit organizations, public libraries, or institutions of higher education to build the capacity of such networks' members to meet the performance requirements of eligible providers under this title and involve adult learners in program improvement.</i>	Support Senate with an amendment to include "other non-profit federally funded adult education programs."
	(2) Funding national leadership activities that are not described in paragraph (1),	No comparable provision	<i>(3) Funding national leadership activities that are not described in paragraph (1),</i>	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 243. NATIONAL LEADERSHIP ACTIVITIES Continued</b>				
	either directly or through grants, contracts, or cooperative agreements awarded on a competitive basis to or with postsecondary educational institutions, public or private organizations or agencies, or consortia of such institutions, organizations, or agencies, such as—		<i>either directly or through grants, contracts, or cooperative agreements awarded on a competitive basis to or with postsecondary educational institutions, public or private organizations or agencies, or consortia of such institutions, organizations, or agencies, such as—</i>	
	(A) developing, improving, and identifying the most successful methods and techniques for addressing the education needs of adults, including instructional practices using phonemic awareness, systematic phonics, fluency, and reading comprehension, based on the work of the National Institute of Child Health and Human Development;	No comparable provision	<i>^(A) developing, improving, and identifying the most successful methods and techniques for addressing the education needs of adults, including instructional practices using the essential components of reading instruction based on the work of the National Institute of Child Health and Human Development</i>	
	(B) increasing the effectiveness of, and improving the quality of, adult education and literacy activities, including family literacy services;	No comparable provision	<i>^(B) increasing the effectiveness of, and improving the quality of, adult education and literacy activities, including family literacy services;</i>	
	(C) carrying out research, such as estimating the number of adults functioning at the lowest levels of literacy proficiency;	(2) Providing for the conduct of research on national literacy basic skill acquisition levels among adults, including the number of adults functioning at different levels of reading proficiency.	<i>^(C) carrying out research on national literacy basic skill acquisition for adult learning, including estimating the number of adults functioning at the lowest levels of literacy proficiency;</i>	
	(D)(i) carrying out demonstration programs;	No comparable provision	<i>^(D)(i) carrying out demonstration programs;</i>	
	(ii) developing and replicating model and innovative programs, such as the development of models for basic skill certificates, identification of effective strategies for working with adults with learning disabilities and with individuals with limited English proficiency who are adults, and workplace literacy programs; and	(6) Identifying model integrated basic and workplace skills education programs, coordinated literacy and employment services, and effective strategies for serving adults with disabilities	<i>^(iii) developing and replicating best practices and innovative programs, including-- ^(I) the development of models for basic skill certificates; ^(II) the identification of effective strategies for working with adults with learning disabilities and with adults with limited English proficiency; ^(III) integrated basic and workplace skills education programs;</i>	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 243. NATIONAL LEADERSHIP ACTIVITIES Continued</b>				
			<i>^ (IV) coordinated literacy and employment services; and (V) postsecondary education transition programs</i>	
	(iii) disseminating best practices information, including information regarding promising practices resulting from federally funded demonstration programs;	No comparable provision	<i>^ (ii) disseminating best practices information, including information regarding promising practices resulting from federally funded demonstration programs; and</i>	
	(E) providing for the conduct of an independent evaluation and assessment of adult education and literacy activities through studies and analyses conducted independently through grants and contracts awarded on a competitive basis, which evaluation and assessment shall include descriptions of—	No comparable provision	<i>^ (E) providing for the conduct of an independent evaluation and assessment of adult education and literacy activities through studies and analyses conducted independently through grants and contracts awarded on a competitive basis, which evaluation and assessment shall include descriptions of—</i>	
	(i) the effect of performance measures and other measures of accountability on the delivery of adult education and literacy activities, including family literacy services;	No comparable provision	<i>(i) the effect of performance measures and other measures of accountability on the delivery of adult education and literacy activities, including family literacy services;</i>	
	(ii) the extent to which the adult education and literacy activities, including family literacy services, increase the literacy skills of adults (and of children, in the case of family literacy services), lead the participants in such activities to involvement in further education and training, enhance the employment and earnings of such participants, and, if applicable, lead to other positive outcomes, such as reductions in recidivism in the case of prison-based adult education and literacy activities;	No comparable provision	<i>(ii) the extent to which the adult education and literacy activities, including family literacy services, increase the literacy skills of adults (and of children, in the case of family literacy services), lead the participants in such activities to involvement in further education and training, enhance the employment and earnings of such participants, and, if applicable, lead to other positive outcomes, such as reductions in recidivism in the case of prison-based adult education and literacy activities;</i>	
	(iii) the extent to which the provision of support services to adults enrolled in adult education and family literacy programs increase the rate of enrollment in, and successful completion of, such programs; and	No comparable provision	<i>(iii) the extent to which the provision of support services to adults enrolled in adult education and family literacy programs increase the rate of enrollment in, and successful completion of, such programs; and</i>	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 243. NATIONAL LEADERSHIP ACTIVITIES Continued</b>				
	No similar provision in current law	5) Evaluating how different types of providers, including community and faith-based organizations or private for-profit agencies measurably improve the skills of participants in adult basic skills and family literacy education programs.	<i>(iv) the extent to which different types of providers measurably improve the skills of participants in adult education and literacy programs;</i>	
	<i>(iv) the extent to which eligible agencies have distributed funds under section 231 to meet the needs of adults through community-based organizations;</i>	No comparable provision	No comparable provision	
	<i>(F) supporting efforts aimed at capacity building at the State and local levels, such as technical assistance in program planning, assessment, evaluation, and monitoring of activities carried out under this subtitle;</i>	No comparable provision	<i>(F) supporting efforts aimed at capacity building of programs at the State and local levels such as technical assistance in program planning, assessment, evaluation, and monitoring of activities carried out under this subtitle;</i>	
	<i>(G) collecting data, such as data regarding the improvement of both local and State data systems, through technical assistance and development of model performance data collection systems; and</i>	No comparable provision	<i>(G) collecting data, such as data regarding the improvement of both local and State data systems, through technical assistance and development of model performance data collection systems</i>	
	<i>(H) other activities designed to enhance the quality of adult education and literacy activities nationwide</i>	<i>(8) Initiating other activities designed to improve the measurable quality and effectiveness of adult basic skills and family literacy education programs nationwide.</i>	No comparable provision	
	No comparable provision in current law	7) Supporting the development of an entity that would produce and distribute technology-based programs and materials for adult basic skills and family literacy education programs using an intercommunication system, as that term is defined in section 397 of the Communications Act of 1934 (47 U.S.C. 397), and expand the effective outreach and use of such programs and materials to adult education eligible providers.	<i>(H) supporting the development of an entity that would produce and distribute technology-based programs and materials for adult education and literacy programs using an interconnection system (as defined in section 397 of the Communications Act of 1934 (47 U.S.C. 397)) and expand the effective outreach and use of such programs and materials to adult education eligible providers;</i>	
	No comparable provision in current law	(4) Determining how participation in adult basic skills and family literacy education programs prepares individuals for entry into the success in postsecondary education and employment, and in the case of prison-based services, the effect on recidivism.	<i>(I) determining how participation in adult education and literacy activities prepares individuals for entry into postsecondary education and employment and, in the case of prison-based services, has an effect on recidivism; and (J) other</i>	

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<b>SEC. 243. NATIONAL LEADERSHIP ACTIVITIES Continued</b>				
			<i>activities designed to enhance the quality of adult education and literacy activities nationwide.</i>	
	No comparable provision in current law	(3) Improving the coordination, efficiency, and effectiveness of adult education and workforce development services at the national , State, and local levels.	<i>No comparable provision</i>	

Section/ Topic	Current Law	House	Senate	Council Position
<b>SEC. 244</b> Integrated English Literacy and Civics Education	No comparable provision in current law (program authorized via appropriations)	No comparable provision	<i>Chapter 4 of subtitle A of title II (29 U.S.C. 9251 et seq.) is amended by adding at the end the following:</i> <i>“SEC. 244. INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION.</i> <i>(a) IN GENERAL- From funds made available under section 211(a)(4) for each fiscal year the Secretary shall award grants to States, from allotments under subsection (b), for integrated English literacy and civics education.</i> <i>“(b) ALLOTMENT-</i> <i>“(1) IN GENERAL- Subject to paragraph (2), from amounts made available under section 211(a)(4) for a fiscal year the Secretary shall allocate--</i> <i>“(A) 65 percent to the States on the basis of a State's need for integrated English literacy and civics education as determined by calculating each State's share of a 10-year average of the Immigration and Naturalization Service data for immigrants admitted for legal permanent residence for the 10 most recent years; and</i> <i>“(B) 35 percent to the States on the basis of whether the State experienced growth as measured by the average of the 3 most recent years for which Immigration and Naturalization Service data for immigrants admitted for legal permanent residence are available.</i> <i>“(2) MINIMUM- No State shall receive an allotment under paragraph (1) in an amount that is less than \$60,000.’.</i>	Support Senate. With an amendment adding a new (b)(3) as follows:  (3) Fund Distribution – Funds under this section shall be distributed in accordance with the provisions of 222(a)  and an amendment to make outlying areas eligible for funds under this Section..