

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in par. (4), is Pub. L. 113-128, July 22, 2014, 128 Stat. 1425, known as the Workforce Innovation and Opportunity Act, which enacted this chapter, repealed chapter 30 (§2801 et seq.) of this title and chapter 73 (§9201 et seq.) of Title 20, Education, and made amendments to numerous other sections and notes in the Code. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of this title and Tables.

The Workforce Investment Act of 1998, referred to in par. (4), is Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 936, and was repealed by Pub. L. 113-128, title V, §§506, 511(a), July 22, 2014, 128 Stat. 1703, 1705, effective July 1, 2015. For complete classification of this Act to the Code, see Tables.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

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

§ 3255. Restrictions on lobbying activities**(a) Publicity restrictions****(1) In general**

No funds provided under this Act shall be used for—

- (A) publicity or propaganda purposes; or
- (B) the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat—

- (i) the enactment of legislation before Congress or any State or local legislature or legislative body; or

- (ii) any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government.

(2) Exception

Paragraph (1) shall not apply to—

- (A) normal and recognized executive-legislative relationships;

- (B) the preparation, distribution, or use of the materials described in paragraph (1)(B) in presentation to Congress or any State or local legislature or legislative body; or

- (C) such preparation, distribution, or use of such materials in presentation to the executive branch of any State or local government.

(b) Salary restrictions**(1) In general**

No funds provided under this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment or issuance of legislation, appropriations, regulations, administrative action, or an Executive order proposed or pending before Congress or any State government, or a State or local legislature or legislative body.

(2) Exception

Paragraph (1) shall not apply to—

- (A) normal and recognized executive-legislative relationships; or

- (B) participation by an agency or officer of a State, local, or tribal government in policymaking and administrative processes within the executive branch of that government.

(Pub. L. 113-128, title I, §195, July 22, 2014, 128 Stat. 1607.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsecs. (a)(1) and (b)(1), is Pub. L. 113-128, July 22, 2014, 128 Stat. 1425, known as the Workforce Innovation and Opportunity Act, which enacted this chapter, repealed chapter 30 (§2801 et seq.) of this title and chapter 73 (§9201 et seq.) of Title 20, Education, and made amendments to numerous other sections and notes in the Code. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of this title and Tables.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

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

SUBCHAPTER II—ADULT EDUCATION AND LITERACY**§ 3271. Purpose**

It is the purpose of this subchapter to create a partnership among the Federal Government, States, and localities to provide, on a voluntary basis, adult education and literacy activities, in order to—

- (1) assist adults to become literate and obtain the knowledge and skills necessary for employment and economic self-sufficiency;

- (2) assist adults who are parents or family members to obtain the education and skills that—

- (A) are necessary to becoming full partners in the educational development of their children; and

- (B) lead to sustainable improvements in the economic opportunities for their family;

- (3) assist adults in attaining a secondary school diploma and in the transition to post-secondary education and training, including through career pathways; and

- (4) assist immigrants and other individuals who are English language learners in—

- (A) improving their—

- (i) reading, writing, speaking, and comprehension skills in English; and

- (ii) mathematics skills; and

- (B) acquiring an understanding of the American system of Government, individual freedom, and the responsibilities of citizenship.

(Pub. L. 113-128, title II, §202, July 22, 2014, 128 Stat. 1608.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

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

506 of Pub. L. 113-128, set out as a note under section 3101 of this title.

SHORT TITLE

For short title of this subchapter as the “Adult Education and Family Literacy Act”, see section 201 of Pub. L. 113-128, set out as a note under section 3101 of this title.

Executive Documents

EX. ORD. NO. 13445. STRENGTHENING ADULT EDUCATION

Ex. Ord. No. 13445, Sept. 27, 2007, 72 F.R. 56165, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

SECTION 1. Policy. It is the policy of the United States to use existing Federal programs that serve adults, including new Americans, to strengthen literacy skills, improve opportunities for postsecondary education and employment, and facilitate participation in American life.

SEC. 2. Definitions. As used in this order:

(a) “agency” means an executive agency as defined in section 105 of title 5, United States Code, other than the Government Accountability Office; and

(b) “adult education” means teaching or instruction below the postsecondary level, for individuals who are 16 years of age or older, designed to provide:

- (i) mastery of basic education skills needed to function effectively in society;
- (ii) a secondary school diploma or its equivalent; or
- (iii) the ability to speak, read, or write the English language.

SEC. 3. Establishment of Interagency Adult Education Working Group. The Secretary of Education shall establish within the Department of Education for administrative purposes only, an Interagency Adult Education Working Group (Working Group), consistent with this order.

SEC. 4. Membership and Operation of the Working Group.

(a) The Working Group shall consist exclusively of:

(i) the Secretary of Education, who shall serve as Chair;

(ii) the Secretary of the Treasury, the Attorney General, and the Secretaries of the Interior, Labor, Health and Human Services, Housing and Urban Development, and Veterans Affairs; and

(iii) other officers or full-time or permanent part-time employees of the United States, as determined by the Chair, with the concurrence of the head of the agency concerned.

(b) The Chair, or the Chair’s designee under subsection (c) of this section, in implementing section 5 of this order, shall convene and preside at the meetings of the Working Group, determine its agenda, direct its work, and establish and direct subgroups of the Working Group, as appropriate to deal with particular subject matters, that shall consist exclusively of members of the Working Group or their designees under subsection (c) of this section.

(c) A member of the Working Group may designate, to perform the Working Group or Working Group subgroup functions of the member, any person who is a part of the member’s agency and who is either an officer of the United States appointed by the President or a member of the Senior Executive Service.

SEC. 5. Functions of the Working Group. Consistent with the policy set forth in section 1 of this order, the Working Group shall:

(a) identify Federal programs that:

(i) focus primarily on improving the basic education skills of adults;

(ii) have the goal of transitioning adults from basic literacy to postsecondary education, training, or employment; or

(iii) constitute programs of adult education;

(b) as appropriate, review the programs identified under subsection (a) of this section and submit to the heads of the agencies administering those programs recommendations to:

(i) promote the transition of adults from such programs to postsecondary education, training, or employment;

(ii) increase the effectiveness, efficiency, and availability of such programs;

(iii) minimize unnecessary duplication among such programs;

(iv) measure and evaluate the performance of such programs; and

(v) undertake and disseminate the results of research related to such programs;

(c) identify gaps in the research about effective ways to teach adult education for postsecondary readiness, recommend areas for further research to improve adult education programs and services, and identify promising practices in disseminating valid existing and future research findings; and

(d) obtain information and advice as appropriate, in a manner that seeks individual advice and does not involve collective judgment or consensus advice or deliberation, concerning adult education from:

(i) State, local, territorial, and tribal officials; and

(ii) representatives of entities or other individuals;

(e) at the request of the head of an agency, unless the Chair declines the request, promptly review and provide advice on a proposed action by that agency relating to adult education; and

(f) report to the President, through the Assistant to the President for Domestic Policy, on its work, and on the implementation of any recommendations arising from its work, at such times and in such formats as the Chair may specify, with the first such report to be submitted no later than 9 months after the date of this order.

SEC. 6. Administration of the Working Group. (a) To the extent permitted by law, the Department of Education shall provide the funding and administrative support the Working Group needs, as determined by the Chair, to implement this order.

(b) The heads of agencies shall provide, as appropriate, such assistance and information as the Chair may request to implement this order.

SEC. 7. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) authority granted by law to an agency or the head thereof; or

(ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH.

ESTABLISHING A TASK FORCE ON SKILLS FOR AMERICA’S FUTURE

Memorandum of President of the United States, Oct. 4, 2010, 75 F.R. 62309, provided:

Memorandum for the Heads of Executive Departments and Agencies

In order to compete in the global economy, the United States needs the most educated workforce in the world. The high-wage jobs of the 21st century will require more knowledge and skills than the jobs of the past. We therefore must develop innovative strategies to train more Americans with the skills that businesses and the economy will need to ensure American competitiveness.

Community colleges are a key part of our education system, providing a flexible and affordable place to

sharpen relevant workforce skills and align them with the needs of employers in their communities. Traditional four-year colleges, on-line institutions, and non-traditional educational outlets also can play an essential role in providing training opportunities. To prepare students for 21st-century jobs, these institutions need to develop flexible, affordable, and responsive training programs that meet regional and national economic needs. An important way to ensure that training programs meet such needs is through partnerships between these institutions and labor unions, small businesses, and other regional employers. As educational institutions develop these innovative programs, we should assess what works and what does not, so that we reward excellent outcomes and true innovation that meets the needs of entrepreneurs and other employers in every part of the country, from rural communities to urban centers.

Therefore, I am establishing a task force to develop skills for America's future by identifying, developing, and increasing the scale of promising approaches to improving the skills of our Nation's workers. By coordinating the work of relevant agencies with that of non-profits, labor unions, and private sector organizations, and by leveraging the assets of these entities, this effort will build better partnerships between businesses, community colleges, and other training providers to get Americans trained for the jobs of today and tomorrow.

SECTION 1. Establishment. There is established an interagency Task Force on Skills for America's Future (Task Force) to ensure that Federal policies promote innovative training programs and curricula, including successful public-private partnerships, at community colleges as well as in other settings, that will prepare the American workforce for 21st-century jobs. The Chair of the Council of Economic Advisers, the Assistant to the President for Economic Policy, and the Assistant to the President for Domestic Policy shall serve as Co-Chairs of the Task Force.

SEC. 2. Membership. In addition to the Co-Chairs, the Task Force shall consist of the following members, or any senior official designated by one of the following members who is a part of the member's department, agency, or office, and who is a full time employee of the Federal Government:

- (a) the Secretary of Defense;
- (b) the Secretary of Agriculture;
- (c) the Secretary of Commerce;
- (d) the Secretary of Labor;
- (e) the Secretary of Health and Human Services;
- (f) the Secretary of Transportation;
- (g) the Secretary of Energy;
- (h) the Secretary of Education;
- (i) the Secretary of Veterans Affairs;
- (j) the Director of the Office of Management and Budget;
- (k) the Administrator of the Small Business Administration;
- (l) the Director of the Office of Science and Technology Policy; and
- (m) the heads of other executive departments, agencies, or offices as the Co-Chairs may designate.

SEC. 3. Administration. The Council of Economic Advisers shall provide administrative support for the Task Force to the extent permitted by law and within existing appropriations.

SEC. 4. Mission and Functions. The Task Force shall work across executive departments and agencies to ensure that Federal policies facilitate, and offer incentives for, innovative career-training and education opportunities at community colleges as well as in other settings, and that these opportunities are directly related to skills and job requirements across a range of industries. Using the best evidence available regarding effective practice, the Task Force shall develop recommendations and options for meeting the following objectives:

- (a) improved public-private collaboration to develop career pathway and training programs with effective

curricula, certifiable skills, and industry-recognized credentials and degrees;

(b) identification of opportunities to amplify, accelerate, or increase the scale of, successful public-private partnerships that match trained workers with prospective employers;

(c) identification and development of stackable credentials that provide entry to and advancement along a career pathway in an in-demand occupation;

(d) outreach to relevant stakeholders—including industry, the adult workforce, younger students, educational institutions, labor unions, policymakers, and community leaders—with expertise in skill development;

(e) alignment of workforce training programs funded by the Departments of Education and Labor, as well as other Federal agencies, with innovative practices and regional market demands, to build on effective skills-based training for adult workers and younger students, including individuals with disabilities;

(f) partnership with appropriate non-profit entities to engage the private sector in developing effective training programs that provide students with recognizable and portable skills that are needed in the marketplace; and

(g) greater use of technology to improve training, skills assessment, and labor market information.

SEC. 5. General Provisions.

(a) This memorandum shall be implemented consistent with applicable law and subject to the availability of any necessary appropriations.

(b) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(c) The heads of executive departments and agencies shall assist and provide information to the Task Force, consistent with applicable law, as may be necessary to carry out the functions of the Task Force. Each executive department, agency, and office shall bear its own expenses of participating in the Task Force.

(d) The Chair of the Council of Economic Advisers is hereby authorized and directed to publish this memorandum in the Federal Register.

BARACK OBAMA.

§ 3272. Definitions

In this subchapter:

(1) Adult education

The term “adult education” means academic instruction and education services below the postsecondary level that increase an individual's ability to—

- (A) read, write, and speak in English and perform mathematics or other activities necessary for the attainment of a secondary school diploma or its recognized equivalent;
- (B) transition to postsecondary education and training; and
- (C) obtain employment.

(2) Adult education and literacy activities

The term “adult education and literacy activities” means programs, activities, and services that include adult education, literacy, workplace adult education and literacy activities, family literacy activities, English language acquisition activities, integrated English literacy and civics education, workforce preparation activities, or integrated education and training.

(3) Eligible agency

The term “eligible agency” means the sole entity or agency in a State or an outlying area