

- (III) workplace adult education and literacy activities; and
- (IV) postsecondary education and training transition programs;

(D) providing for the conduct of an independent evaluation and assessment of adult education and literacy activities through grants and contracts awarded on a competitive basis, which shall include descriptions of—

(i) the effect of performance accountability measures and other measures of accountability on the delivery of adult education and literacy activities;

(ii) the extent to which the adult education and literacy activities increase the literacy skills of eligible individuals, lead to involvement in education and training, enhance the employment and earnings of such participants, and, if applicable, lead to other positive outcomes, such as success in re-entry and reductions in recidivism in the case of prison-based adult education and literacy activities;

(iii) the extent to which the provision of support services to eligible individuals enrolled in adult education and literacy activities increase the rate of enrollment in, and successful completion of, such programs; and

(iv) the extent to which different types of providers measurably improve the skills of eligible individuals in adult education and literacy activities;

(E) 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;

(F) determining how participation in adult education and literacy activities prepares eligible individuals for entry into postsecondary education and employment and, in the case of programs carried out in correctional institutions, has an effect on recidivism; and

(G) other activities designed to enhance the quality of adult education and literacy activities nationwide.

(Pub. L. 113-128, title II, §242, July 22, 2014, 128 Stat. 1621.)

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.

§ 3333. Integrated English literacy and civics education

(a) In general

From funds made available under section 3291(a)(2) of this title for each fiscal year, the Secretary shall award grants to States, from allotments under subsection (b), for integrated English literacy and civics education, in combination with integrated education and training activities.

(b) Allotment

(1) In general

Subject to paragraph (2), from amounts made available under section 3291(a)(2) of this title for a fiscal year, the Secretary shall allocate—

(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 data of the Office of Immigration Statistics of the Department of Homeland Security for immigrants admitted for legal permanent residence for the 10 most recent years; and

(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 the data of the Office of Immigration Statistics of the Department of Homeland Security for immigrants admitted for legal permanent residence are available.

(2) Minimum

No State shall receive an allotment under paragraph (1) in an amount that is less than \$60,000.

(c) Goal

Each program that receives funding under this section shall be designed to—

(1) prepare adults who are English language learners for, and place such adults in, unsubsidized employment in in-demand industries and occupations that lead to economic self-sufficiency; and

(2) integrate with the local workforce development system and its functions to carry out the activities of the program.

(d) Report

The Secretary shall prepare and submit 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 and make available to the public, a report on the activities carried out under this section.

(Pub. L. 113-128, title II, §243, July 22, 2014, 128 Stat. 1623.)

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 III—GENERAL PROVISIONS

PART A—WORKFORCE INVESTMENT

§ 3341. Privacy

(a) Section 1232g of title 20

Nothing in this Act (including the amendments made by this Act) shall be construed to supersede the privacy protections afforded parents and students under section 1232g of title 20.

(b) Prohibition on development of national database**(1) In general**

Nothing in this Act (including the amendments made by this Act) shall be construed to permit the development of a national database of personally identifiable information on individuals receiving services under subchapter I or under the amendments made by title IV.

(2) Limitation

Nothing in paragraph (1) shall be construed to prevent the proper administration of national programs under parts C and D of subchapter I, or the amendments made by title IV (as the case may be), or to carry out program management activities consistent with subchapter I or the amendments made by title IV (as the case may be).

(Pub. L. 113-128, title V, § 501, July 22, 2014, 128 Stat. 1700.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsecs. (a) 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.

The amendments made by title IV, referred to in subsec. (b), mean the amendments made by title IV of Pub. L. 113-128, which primarily amended the Rehabilitation Act of 1973, Pub. L. 93-112, which is classified generally to chapter 16 (§701 et seq.) of this title. For complete classification of title IV of Pub. L. 113-128 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.

§ 3342. Buy-American requirements**(a) Compliance with Buy American Act**

None of the funds made available under subchapter I or II or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 8301 through 8303 of title 41 (commonly known as the “Buy American Act”).

(b) Sense of Congress; requirement regarding notice**(1) Purchase of American-made equipment and products**

In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available under subchapter I or II or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), it is the sense of Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) Notice to recipients of assistance

In providing financial assistance using funds made available under subchapter I or II or under the Wagner-Peyser Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by Congress.

(c) Prohibition of contracts with persons falsely labeling products as Made in America

If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available under subchapter I or II or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations, as such sections were in effect on August 7, 1998, or pursuant to any successor regulations.

(Pub. L. 113-128, title V, § 502, July 22, 2014, 128 Stat. 1700.)

Editorial Notes

REFERENCES IN TEXT

The Wagner-Peyser Act, referred to in text, is act June 6, 1933, ch. 49, 48 Stat. 113, which is classified generally to chapter 4B (§49 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 49 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.

§ 3343. Transition provisions**(a) Workforce development systems and investment activities**

The Secretary of Labor and the Secretary of Education shall take such actions as the Secretaries determine to be appropriate to provide for the orderly transition from any authority under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) to any authority under part A of subchapter I. Such actions shall include the provision of guidance related to unified State planning, combined State planning, and the performance accountability system described in such part.

(b) Workforce investment activities

The Secretary of Labor shall take such actions as the Secretary determines to be appropriate to provide for the orderly transition from any authority under the Workforce Investment Act of 1998 to any authority under parts B through E of subchapter I.

(c) Adult education and literacy programs

The Secretary of Education shall take such actions as the Secretary determines to be appro-