

115TH CONGRESS  
2D SESSION

# H. R. 5567

To enable projects that will aid in the development and delivery of related instruction associated with apprenticeship and preapprenticeship programs that are focused on serving the skilled technical workforce at DOE National Laboratories and certain facilities of the National Nuclear Security Administration, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 2018

Mr. BEN RAY LUJÁN of New Mexico (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. FOSTER, and Mr. DESJARLAIS) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To enable projects that will aid in the development and delivery of related instruction associated with apprenticeship and preapprenticeship programs that are focused on serving the skilled technical workforce at DOE National Laboratories and certain facilities of the National Nuclear Security Administration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “DOE National Labs  
5 Jobs ACCESS Act”.

1 **SEC. 2. DEPARTMENT OF ENERGY NATIONAL LABORATORY**  
2 **JOBS ACCESS PROGRAM.**

3 (a) IN GENERAL.—Not later than 6 months after the  
4 date of enactment of this Act, the Secretary of Energy,  
5 in consultation with the Secretary of Labor, shall establish  
6 a program, to be known as the “DOE National Lab Jobs  
7 ACCESS Program”, under which the Secretary shall pro-  
8 vide eligible entities described in subsection (c), on a com-  
9 petitive basis, grants for technical skills-based preappren-  
10 ticeship and apprenticeship programs that provide em-  
11 ployer-driven or recognized postsecondary credentials dur-  
12 ing the 5-year grant period under this Act.

13 (b) REQUIREMENTS.—A program that is funded  
14 under a grant awarded under this section shall develop  
15 and deliver customized and competency-based training  
16 that—

17 (1) leads to recognized postsecondary creden-  
18 tials to secondary school and postsecondary stu-  
19 dents;

20 (2) is focused on skills and qualifications need-  
21 ed to meet the immediate and on-going needs of  
22 skilled-technician positions at the Department of  
23 Energy national laboratories and covered facilities of  
24 the National Nuclear Security Administration; and

1           (3) creates a registered apprenticeship or pre-  
2           apprenticeship program with the Secretary of Labor  
3           or a State Department of Labor.

4           (c) ELIGIBLE ENTITIES.—An entity that is eligible  
5           to receive a grant under this section shall be a workforce  
6           intermediary or an eligible sponsor of a preapprenticeship  
7           or an apprenticeship program that—

8           (1) demonstrates experience in implementing  
9           and providing career planning and career pathways  
10          towards technical skills-based apprenticeship or pre-  
11          apprenticeship training programs;

12          (2) demonstrates the ability to recruit and sup-  
13          port individuals who plan to work in relevant techni-  
14          cian positions upon the successful completion of such  
15          programs;

16          (3) provides students who complete such pro-  
17          grams with a recognized postsecondary credential,  
18          such as a journeyman craft license or an industry  
19          recognized certification;

20          (4) uses a customized training curriculum that  
21          is specifically aligned with employers, utilizing work-  
22          place learning advisors and on-the-job training to  
23          the greatest extent possible; and

1           (5) demonstrates successful outcomes con-  
2           necting graduates of such programs to careers rel-  
3           evant to such programs.

4           (d) APPLICATIONS.—An eligible entity seeking a  
5           grant under this section shall submit to the Secretary an  
6           application at such time, in such manner, and containing  
7           such information as the Secretary may require.

8           (e) PRIORITY.—In selecting eligible entities to receive  
9           grants under this section, the Secretary shall prioritize eli-  
10          gible entities that—

11           (1) are members of an industry or sector part-  
12          nership;

13           (2) provide the training described in subsection  
14          (b)—

15           (A) at an institution of higher education  
16           (such as a community college) that includes  
17           basic science, technology, and math education  
18           in the curriculum;

19           (B) through an existing apprenticeship  
20           program registered with the Department of  
21           Labor or a State; or

22           (C) with respect to a preapprenticeship  
23           program, at a local educational agency, a sec-  
24           ondary school, an area career and technical

1 education school, or an appropriate community  
2 facility;

3 (3) work with the Secretary of Defense or vet-  
4 erans organizations to transition members of the  
5 Armed Forces and veterans to apprenticeship or  
6 preapprenticeship programs in a relevant sector;

7 (4) plan to use the grant to carry out the train-  
8 ing described in subsection (b) with an entity that  
9 receives State funding or is operated by a State  
10 agency; and

11 (5) plan to use the grant to carry out the train-  
12 ing described in subsection (b) for—

13 (A) young adults ages 17 to 29, inclusive;

14 or

15 (B) individuals with barriers to employ-  
16 ment.

17 (f) ADDITIONAL CONSIDERATION.—In making grants  
18 under this section, the Secretary shall consider regional  
19 diversity.

20 (g) LIMITATION ON APPLICATIONS.—An eligible enti-  
21 ty may not submit, either individually or as part of a joint  
22 application, more than 1 application for a grant under this  
23 section during any 1 fiscal year.

24 (h) LIMITATIONS ON AMOUNT OF GRANT.—The  
25 amount of a grant provided under this section for any 24-

1 month period of such 5-year grant period shall not exceed  
2 \$500,000.

3 (i) NON-FEDERAL SHARE.—The non-Federal share  
4 of the cost of a customized training program carried out  
5 using a grant under this section shall be not less than  
6 25 percent of the total cost.

7 (j) TECHNICAL ASSISTANCE.—The Secretary may  
8 provide technical assistance to eligible entities under sub-  
9 section (c) to leverage the existing job training and edu-  
10 cation programs of the Department of Labor and other  
11 relevant programs at appropriate Federal agencies.

12 (k) REPORT.—Not less frequently than once every 2  
13 years, the Secretary of Labor shall submit to Congress,  
14 and make publicly available on the website of the Depart-  
15 ment of Labor, a report on the program established under  
16 this section, including a description of—

17 (1) any entity that receives a grant under this  
18 section;

19 (2) any activity carried out using the grants  
20 under this section;

21 (3) best practices used to leverage the invest-  
22 ment of the Federal Government under this section;  
23 and

24 (4) an assessment of the results achieved by the  
25 program established under this section, including the

1 rate of employment for participants after completing  
2 a job training and education program carried out  
3 using a grant under this section.

4 (l) AUTHORIZATION OF APPROPRIATIONS.—There is  
5 authorized to be appropriated to carry out this section  
6 \$5,000,000 for each fiscal years 2019 through 2023.

7 (m) DEFINITIONS.—In this section:

8 (1) AREA CAREER AND TECHNICAL EDUCATION  
9 SCHOOL.—The term “area career and technical edu-  
10 cation school” has the meaning given the term in  
11 section 3 of the Carl D. Perkins Career and Tech-  
12 nical Education Act of 1965 (20 U.S.C. 2302).

13 (2) APPRENTICESHIP.—The term “apprentice-  
14 ship” means an apprenticeship registered under the  
15 Act of August 16, 1937 (commonly known as the  
16 “National Apprenticeship Act”; 50 Stat. 664, chap-  
17 ter 663; 29 U.S.C. 50 et seq.).

18 (3) COVERED FACILITIES OF THE NATIONAL  
19 NUCLEAR SECURITY ADMINISTRATION.—The term  
20 “covered facilities of the National Nuclear Security  
21 Administration” means national security laboratories  
22 and nuclear weapons production facilities (as such  
23 terms are defined in section 4002 of the Atomic En-  
24 ergy Defense Act (50 U.S.C. 2501)).

1           (4) COMMUNITY COLLEGE.—The term “commu-  
2           nity college” has the meaning given the term “junior  
3           or community college” in section 312(f) of the High-  
4           er Education Act of 1965 (20 U.S.C. 1058(f)).

5           (5) ELIGIBLE SPONSOR.—The term “eligible  
6           sponsor” means a public organization or an organi-  
7           zation described in section 501(c) of the Internal  
8           Revenue Code of 1986 and exempt from taxation  
9           under section 501(a) of that Code, that—

10                   (A) with respect to an apprenticeship pro-  
11                   gram, administers such program through a  
12                   partnership that may include—

13                           (i) a business;

14                           (ii) an employer or industry associa-  
15                           tion;

16                           (iii) a labor-management organization;

17                           (iv) a local workforce development  
18                           board or State workforce development  
19                           board;

20                           (v) a two- or four-year institution of  
21                           higher education that offers an educational  
22                           program leading to an associate’s or bach-  
23                           elor’s degree in conjunction with a certifi-  
24                           cate of completion of apprenticeship;



1 (vi) the Armed Forces (including the  
2 National Guard and Reserves);

3 (vii) a community-based organization;

4 and

5 (viii) an economic development agen-  
6 cy; and

7 (B) with respect to a preapprenticeship  
8 program, is a local educational agency, a sec-  
9 ondary school, an area career and technical  
10 education school, a State workforce develop-  
11 ment board, a local workforce development  
12 board, or a community-based organization, that  
13 administers such program with any required co-  
14 ordination and necessary approvals from the  
15 Secretary of Labor or a State Department of  
16 Labor.

17 (6) ESEA TERMS.—The terms “local edu-  
18 cational agency” and “secondary school” have the  
19 meanings given the terms in section 8101 of the Ele-  
20 mentary and Secondary Education Act of 1965 (20  
21 U.S.C. 7801).

22 (7) INSTITUTION OF HIGHER EDUCATION.—The  
23 term “institution of higher education” has the  
24 meaning given the term in section 101 of the Higher  
25 Education Act of 1965 (20 U.S.C. 1001).

1           (8) JOURNEYMAN.—A skilled worker who has  
2           successfully completed an official apprenticeship  
3           qualification in a building trade or craft. They are  
4           considered competent and authorized to work in that  
5           field as a fully qualified employee. A journeyman  
6           earns their license by education, supervised experi-  
7           ence, and examination.

8           (9) PREAPPRENTICESHIP.—The term “preap-  
9           prenticeship”, used with respect to a program,  
10          means an initiative or set of strategies that—

11                 (A) is designed to prepare individuals to  
12                 enter and succeed in an apprenticeship pro-  
13                 gram;

14                 (B) is carried out by an eligible sponsor  
15                 described in paragraph (5) that has a docu-  
16                 mented partnership with one or more sponsors  
17                 of apprenticeship programs; and

18                 (C) includes each of the following:

19                         (i) Training (including a curriculum  
20                         for the training), aligned with industry  
21                         standards related to apprenticeships, and  
22                         reviewed and approved annually by spon-  
23                         sors of the apprenticeships within the doc-  
24                         umented partnership, that will prepare in-  
25                         dividuals by teaching the skills and com-

1                   petencies needed to enter one or more ap-  
2                   prenticeship programs.

3                   (ii) Provision of hands-on training and  
4                   theoretical education to individuals that—

5                               (I) is carried out in a manner  
6                               that includes proper observation of su-  
7                               pervision and safety protocols; and

8                               (II) is carried out in a manner  
9                               that does not displace a paid em-  
10                              ployee.

11                   (iii) A formal agreement with a spon-  
12                   sor of an apprenticeship program that  
13                   would enable participants who successfully  
14                   complete the preapprenticeship program to  
15                   enter directly into the apprenticeship pro-  
16                   gram (if a place in the program is avail-  
17                   able and if the participant meets the quali-  
18                   fications of the apprenticeship program),  
19                   and includes agreements concerning earn-  
20                   ing credit towards the apprenticeship pro-  
21                   gram.

22                   (10) RELATED INSTRUCTION.—The term “re-  
23                   lated instruction” means an organized and system-  
24                   atic form of instruction designed to provide an ap-  
25                   prentice with the knowledge of the theoretical and

1 technical subjects related to the occupation of the  
2 apprentice or the instruction needed to prepare an  
3 individual to enter and succeed in an apprenticeship  
4 program.

5 (11) SECRETARY.—The term “Secretary”  
6 means the Secretary of Energy in consultation with  
7 the Secretary of Labor.

8 (12) WIOA TERMS.—The terms “career plan-  
9 ning”, “community-based organization”, “cus-  
10 tomized training”, “economic development agency”,  
11 “individuals with barriers to employment”, “industry  
12 or sector partnership”, “local workforce development  
13 board”, “on-the-job training”, “recognized postsec-  
14 ondary credential”, “State workforce development  
15 board”, and “workplace learning advisor” have the  
16 meanings given such terms in section 3 of the Work-  
17 force Innovation and Opportunity Act (29 U.S.C.  
18 3102).

19 (13) WORKFORCE INTERMEDIARY.—The term  
20 “workforce intermediary”—

21 (A) means an organization that proactively  
22 addresses workforce needs using a dual cus-  
23 tomer approach, which considers the needs of  
24 both employees and employers; and

1           (B) may include a faith-based and commu-  
2           nity organization, an employer organizations, a  
3           community college, a temporary staffing agen-  
4           cy, a State workforce development board, a  
5           local workforce development board, or a labor  
6           organization.

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