

115TH CONGRESS
2D SESSION

S. 3802

To promote effective registered apprenticeships, for skills, credentials, and employment, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 20, 2018

Mrs. MURRAY (for herself, Mr. HATCH, Mr. KAINE, Mr. SCOTT, and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To promote effective registered apprenticeships, for skills, credentials, and employment, 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 AND TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Effective Apprenticeships to Rebuild National Skills Act”
6 or the “EARNs Act”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for
8 this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings and purposes.
- Sec. 3. Definitions.

TITLE I—PROMOTING COVERED APPRENTICESHIPS

Subtitle A—The Office of Apprenticeship and State Registration Agency Approval Process

- Sec. 111. The Office of Apprenticeship.
- Sec. 112. Promoting awareness of covered apprenticeship programs.
- Sec. 113. National Advisory Committee on Apprenticeships.
- Sec. 114. Recognition of State apprenticeship agencies.

Subtitle B—Process and Standards for the National Apprenticeship System

CHAPTER 1—PROCESS

- Sec. 121. Registration of programs as apprenticeship programs.
- Sec. 122. Apprentice process.
- Sec. 123. Modifications or changes to apprenticeship programs.

CHAPTER 2—REQUIRED APPRENTICESHIP PROGRAM STANDARDS

- Sec. 125. Required standards.
- Sec. 126. Apprenticeable occupations standards.
- Sec. 127. Quality standards of an apprenticeship program.
- Sec. 128. Apprenticeship agreement standards.

Subtitle C—Evaluations and Research

- Sec. 131. Evaluations.
- Sec. 132. Research.

Subtitle D—General Provisions

- Sec. 141. Authorization of appropriations.

TITLE II—APPRENTICESHIP MODERNIZATION AND EXPANSION GRANTS

- Sec. 201. Grants.

TITLE III—GENERAL PROVISIONS

- Sec. 301. Rule of construction.
- Sec. 302. Effective date.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds the following:

- 3 (1) A highly skilled workforce is necessary to
- 4 compete in the global economy, support economic
- 5 growth, and maintain the standard of living of the
- 6 United States.

1 (2) The registered apprenticeship model is a
2 longstanding, on-the-job training and education
3 model that prepares workers for the skill demands of
4 particular occupations and employers while, at the
5 same time, providing the workers with recognized,
6 portable credentials, and wages while in training.

7 (3) The registered apprenticeship program
8 model has been successful in skilled trade industries,
9 including construction and manufacturing, as well as
10 service industries, such as health care, and holds
11 great potential for expansion into other industries.

12 (4) Registered apprenticeships are becoming in-
13 creasingly innovative and diverse in their designs,
14 partnerships, timeframes, and use of emerging con-
15 cepts such as competency-based learning, and will
16 continue to evolve to meet emerging skill require-
17 ments, while maintaining high standards and qual-
18 ity.

19 (5) Registered apprenticeship programs are an
20 essential element of an effective workforce develop-
21 ment system and help individuals attain a recognized
22 postsecondary credential, contributing to their per-
23 sonal economic sustainability.

24 (6) According to a report from the Georgetown
25 University Center on Education and the Workforce,

1 by 2020 the United States will face a shortage of
2 5,000,000 workers with recognized postsecondary
3 credentials.

4 (7) According to a 2012 report from the Annie
5 E. Casey Foundation, youth employment in the
6 United States has reached the lowest point since
7 World War II. More than 6,000,000 young people
8 ages 16 through 24 are disconnected from school
9 and work.

10 (8) A 2012 evaluation of registered apprentice-
11 ship programs in 10 States by Mathematica Policy
12 Research found that—

13 (A) individuals who completed registered
14 apprenticeship programs earned over \$240,000
15 more over their careers than individuals not
16 participating in such apprenticeship programs;

17 (B) the estimated social benefits of reg-
18 istered apprenticeship programs, including addi-
19 tional productivity of apprentices and the reduc-
20 tion in governmental expenditures as a result of
21 reduced use of unemployment compensation and
22 public assistance, exceeded the costs of the pro-
23 grams by more than \$49,000 per program; and

1 (C) the tax return on every Federal Gov-
2 ernment dollar invested in registered appren-
3 ticeship programs was \$27.

4 (b) PURPOSES.—The purposes of this Act are—

5 (1) to increase the number of highly skilled
6 workers in the United States, particularly in in-de-
7 mand industry sectors and occupations;

8 (2) to increase the attainment of recognized
9 postsecondary credentials by participants;

10 (3) to increase awareness about the value of the
11 registered apprenticeship program model as an effec-
12 tive earn-and-learn model for students, workers, and
13 employers;

14 (4) to support the development and expansion
15 of registered apprenticeship programs with employ-
16 ers, joint labor-management organizations, trade and
17 professional associations, and other sponsors, that
18 offer jobs that lead to economic self-sufficiency;

19 (5) to support the development and expansion
20 of effective pre-apprenticeship programs that lead to
21 success in a registered apprenticeship program;

22 (6) to support a closer alignment between reg-
23 istered apprenticeship programs, the workforce de-
24 velopment systems, career and technical education

1 providers, and postsecondary educational institu-
2 tions, including institutions of higher education;

3 (7) to support innovative models of effective
4 work-based learning; and

5 (8) to increase opportunities for individuals
6 from all backgrounds and regions of the United
7 States to participate in registered apprenticeships as
8 part of a career pathway.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) ADMINISTRATOR.—The term “Adminis-
12 trator” means the Administrator of the Office of Ap-
13 prenticeship referred to in section 111(b), or any
14 person specifically designated by the Administrator
15 to carry out the provision involved.

16 (2) APPRENTICE.—The term “apprentice”
17 means a worker who—

18 (A) is not younger than age 16, or (where
19 a higher minimum age standard is specified by
20 law) not younger than that age; and

21 (B) is employed through an apprenticeship
22 program that meets the required standards for
23 an apprenticeship program as described in sec-
24 tion 125.

1 (3) APPRENTICESHIP AGREEMENT.—The term
2 “apprenticeship agreement” means a written agree-
3 ment—

4 (A) that is between—

5 (i) an apprentice; and

6 (ii) the apprentice’s apprenticeship
7 program sponsor; and

8 (B) meets the requirements of section 128.

9 (4) APPRENTICESHIP LAWS.—The term “ap-
10 prenticeship laws” means—

11 (A) this Act; and

12 (B) the Act of August 16, 1937 (commonly
13 known as the “National Apprenticeship Act”;
14 50 Stat. 664, chapter 663; 29 U.S.C. 50 et
15 seq.).

16 (5) APPRENTICESHIP PROGRAM.—The term
17 “apprenticeship program” means a training program
18 that—

19 (A) is registered under the Act of August
20 16, 1937 (commonly known as the “National
21 Apprenticeship Act”; 50 Stat. 664, chapter
22 663; 29 U.S.C. 50 et seq.), and this Act; and

23 (B) meets the standards of title I, includ-
24 ing culminating in a certificate of completion

1 from the registration agency and a recognized
2 postsecondary credential.

3 (6) AREA CAREER AND TECHNICAL EDUCATION
4 SCHOOL.—The term “area career and technical edu-
5 cation school” has the meaning given the term in
6 section 3 of the Carl D. Perkins Career and Tech-
7 nical Education Act of 2006 (20 U.S.C. 2302).

8 (7) CAREER PATHWAY.—The term “career
9 pathway” has the meaning given the term in section
10 3 of the Workforce Innovation and Opportunity Act
11 (29 U.S.C. 3102).

12 (8) COMPETENCY.—The term “competency”
13 means the attainment of skills and knowledge in a
14 manual, mechanical, or technical area, as specified
15 by an occupational standard and demonstrated by
16 an appropriate written and hands-on proficiency
17 measurement.

18 (9) COVERED APPRENTICE.—The term “cov-
19 ered apprentice” means a participant in a covered
20 apprenticeship program.

21 (10) COVERED APPRENTICESHIP PROGRAM.—
22 The term “covered apprenticeship program” means
23 an apprenticeship program, a pre-apprenticeship
24 program, or a youth apprenticeship program.

1 (11) CREDIT TRANSFER AGREEMENT.—The
2 term “credit transfer agreement” means such an
3 agreement within the meaning of section 3 of the
4 Carl D. Perkins Career and Technical Education
5 Act of 2006.

6 (12) DEPARTMENT.—The term “Department”
7 means the Department of Labor.

8 (13) DUAL OR CONCURRENT ENROLLMENT
9 PROGRAM.—The term “dual or concurrent enroll-
10 ment program” has the meaning given the term in
11 section 8101 of the Elementary and Secondary Edu-
12 cation Act of 1965 (20 U.S.C. 7801).

13 (14) EDUCATION PROVIDER.—The term “edu-
14 cation provider” means—

15 (A) an area career and technical education
16 school;

17 (B) an early college high school, which has
18 the meaning given the term in section 8101 of
19 the Elementary and Secondary Education Act
20 of 1965 (20 U.S.C. 7801);

21 (C) an educational service agency (includ-
22 ing a collaborative of those agencies);

23 (D) a high school;

24 (E) a local educational agency or State
25 educational agency;

1 (F) an Indian tribe, tribal organization, or
2 tribal educational agency;

3 (G) a postsecondary educational institu-
4 tion;

5 (H) a minority-serving institution (as de-
6 scribed in any of paragraphs (1) through (7) of
7 section 371(a) of the Higher Education Act of
8 1965 (20 U.S.C. 1067q(a))); or

9 (I) a consortium of entities described in
10 any of subparagraphs (A) through (H).

11 (15) EDUCATIONAL SERVICE AGENCY.—The
12 term “educational service agency”—

13 (A) means such an agency, as defined in
14 section 8101 of the Elementary and Secondary
15 Education Act of 1965; and

16 (B) includes a collaborative of those agen-
17 cies.

18 (16) HIGH SCHOOL.—The term “high school”
19 has the meaning given the term in section 8101 of
20 the Elementary and Secondary Education Act of
21 1965.

22 (17) IN-DEMAND INDUSTRY SECTOR OR OCCU-
23 PATION.—The term “in-demand industry sector or
24 occupation” has the meaning given the term in sec-

1 tion 3 of the Workforce Innovation and Opportunity
2 Act (29 U.S.C. 3102).

3 (18) INDIAN TRIBE; TRIBAL ORGANIZATION.—
4 The terms “Indian tribe” and “tribal organization”
5 have the meaning given the terms in section 4 of the
6 Indian Self-Determination and Education Assistance
7 Act (25 U.S.C. 450b).

8 (19) INDIVIDUAL WITH A BARRIER TO EMPLOY-
9 MENT.—The term “individual with a barrier to em-
10 ployment” has the meaning given the term in section
11 3 of the Workforce Innovation and Opportunity Act.

12 (20) INDUSTRY OR SECTOR PARTNERSHIP.—
13 The term “industry or sector partnership” has the
14 meaning given the term in section 3 of the Work-
15 force Innovation and Opportunity Act.

16 (21) LOCAL AREA.—The term “local area” has
17 the meaning given the term in section 3 of the
18 Workforce Innovation and Opportunity Act.

19 (22) LOCAL AND STATE EDUCATIONAL AGEN-
20 CIES.—The terms “local educational agency” and
21 “State educational agency” have the meanings given
22 the terms in section 8101 of the Elementary and
23 Secondary Education Act of 1965.

24 (23) LOCAL AND STATE WORKFORCE DEVELOP-
25 MENT BOARDS.—The terms “local workforce devel-

1 opment board” and “State workforce development
2 board” have the meanings given the terms “local
3 board” and “State board”, respectively, in section 3
4 of the Workforce Innovation and Opportunity Act.

5 (24) NATIONAL APPRENTICESHIP SYSTEM.—
6 The term “national apprenticeship system” means
7 the collective group of apprenticeship programs,
8 youth apprenticeship programs and pre-apprentice-
9 ship programs in the Nation (including the rules and
10 regulations governing the 3 types of programs).

11 (25) POSTSECONDARY EDUCATIONAL INSTITU-
12 TION.—The term “postsecondary educational institu-
13 tion” means—

14 (A) an institution of higher education, as
15 defined in section 101 of the Higher Education
16 Act of 1965 (20 U.S.C. 1001); and

17 (B) a postsecondary vocational institution,
18 as defined in section 102(c) of such Act (20
19 U.S.C. 1002(c)).

20 (26) PRE-APPRENTICE.—The term “pre-ap-
21 prentice” means a participant in a pre-apprentice-
22 ship program.

23 (27) PRE-APPRENTICESHIP PROGRAM.—The
24 term “pre-apprenticeship program” means a train-

1 ing model or program, or training according to a set
2 of strategies, that—

3 (A) is designed to assist individuals who do
4 not meet the minimum qualifications for selec-
5 tion into an apprenticeship program, estab-
6 lished in a sponsor's apprenticeship standards
7 in accordance with section 127(6), to meet the
8 qualifications;

9 (B) is carried out by an entity that main-
10 tains a documented partnership with at least
11 one sponsor of an apprenticeship program;

12 (C) is a form of structured workplace edu-
13 cation and training in which an employer, in-
14 dustry or sector partnership, industry associa-
15 tion, labor organization, community-based orga-
16 nization, and education provider collaborate to
17 provide formal instruction that will introduce
18 participants to the skills, competencies, and ma-
19 terials used in one or more apprenticeable occu-
20 pations;

21 (D) is designed to prepare individuals to
22 enter and succeed in an apprenticeship pro-
23 gram;

24 (E) is carried out in a manner that in-
25 cludes proper observation of supervision and

1 safety protocols, including paid, on-the-job
2 learning under the supervision of skilled em-
3 ployee mentors;

4 (F) is carried out in a manner that does
5 not displace a paid employee; and

6 (G) includes each of the following ele-
7 ments:

8 (i) Training and a curriculum that—

9 (I) are based on and aligned with
10 national, State, or local industry
11 standards, with the quality of the
12 training leading to such a standard
13 reviewed by a recipient of Federal
14 funds;

15 (II) are reviewed and approved
16 annually by the sponsors of appren-
17 ticeships within the documented part-
18 nership;

19 (III) will prepare individuals,
20 with the skills and competencies need-
21 ed to enter one or more apprentice-
22 ship programs;

23 (IV) are aligned with career
24 pathways;

1 (V) include employability skills
2 training, such as training through ca-
3 reer and industry awareness work-
4 shops, training through job readiness
5 courses, training for English Lan-
6 guage Learners, adult basic education,
7 or financial literacy, or math tutoring,
8 as appropriate;

9 (VI) culminate in a recognized
10 postsecondary credential, with the
11 quality of the training leading to that
12 credential reviewed by a recipient of
13 Federal funds; and

14 (VII) accurately simulates the in-
15 dustry and occupational conditions of
16 the apprenticeship program described
17 in subparagraph (D).

18 (ii) Strong recruitment strategies fo-
19 cused on outreach to populations underrep-
20 resented at the State and local levels in ap-
21 prenticeship programs, including individ-
22 uals with barriers to employment.

23 (iii) Exposure of participants in such
24 underrepresented populations to appren-
25 ticeship programs and provision of direct

1 assistance to participants in such popu-
2 lations in applying to those programs.

3 (iv) Access to appropriate supportive
4 services, as defined in section 3 of the
5 Workforce Innovation and Opportunity
6 Act, financial planning, and mentoring,
7 and provision of first-day-of-work neces-
8 sities.

9 (v) Efforts to collaboratively promote
10 the use of apprenticeship programs as a
11 preferred means for employers to develop a
12 skilled workforce and to create career op-
13 portunities for individuals.

14 (vi) Facilitated entry or articulation
15 agreements that enable individuals who
16 successfully complete the program de-
17 scribed in this paragraph—

18 (I) to enter directly into an ap-
19 prenticeship program; or

20 (II) to earn advanced placement
21 or credit at a postsecondary edu-
22 cational institution for skills and com-
23 petencies acquired during the program
24 described in this paragraph.

1 (vii) A formal agreement with a spon-
2 sor of the apprenticeship program de-
3 scribed in subparagraph (D) that would
4 enable participants who successfully com-
5 plete the program described in this para-
6 graph to enter directly into the apprentice-
7 ship program (if a place in the program is
8 available and other necessary requirements
9 for acceptance are satisfied), and an agree-
10 ment enabling participants to earn ad-
11 vanced placement or credit at a postsec-
12 ondary educational institution for skills
13 and competencies acquired during the pro-
14 gram described in this paragraph, includ-
15 ing basic academic and technical skills and
16 competencies aligned with the
17 apprenticeable occupation.

18 (28) PROGRAM ADMINISTRATOR.—The term
19 “program administrator” means the administrator
20 of a pre-apprenticeship program or youth appren-
21 ticeship program, as the case may be.

22 (29) QUALIFIED INTERMEDIARY.—

23 (A) IN GENERAL.—The term “qualified
24 intermediary” means an entity, which may be
25 part of an industry or sector partnership, that

1 demonstrates expertise in building, connecting,
2 sustaining, and measuring the performance of
3 partnerships described in subparagraph (B) in
4 order for the entity to broker services, re-
5 sources, and supports for development, delivery,
6 expansion, or improvement of covered appren-
7 ticeship programs, and of the organizations and
8 systems that are designed to serve covered ap-
9 prentices and employer partners, including—

10 (i) connecting employers to appren-
11 ticeship opportunities;

12 (ii) assisting in the design and imple-
13 mentation of covered apprenticeship pro-
14 grams, including curriculum development
15 and delivery for related instruction;

16 (iii) supporting entities, and sponsors
17 or program administrators, in meeting the
18 registration and reporting requirements;

19 (iv) providing professional develop-
20 ment activities such as training to men-
21 tors;

22 (v) connecting students or workers to
23 apprenticeship opportunities; and

24 (vi) developing and providing person-
25 alized covered apprentice supports, includ-

1 ing supportive services and financial advis-
2 ing.

3 (B) PARTNERSHIPS.—The partnerships de-
4 scribed in this subparagraph are comprised of
5 entities such as employers, community-based or-
6 ganizations, education providers, social service
7 organizations, economic development organiza-
8 tions, Indian tribes or tribal organizations, and
9 one-stop operators and one-stop partners in the
10 State workforce development systems involved.

11 (30) RECOGNIZED POSTSECONDARY CREDEN-
12 TIAL.—The term “recognized postsecondary creden-
13 tial” means a credential consisting of an industry-
14 recognized certificate or certification, a license recog-
15 nized by the State involved or Federal Government,
16 or an associate or baccalaureate degree.

17 (31) REGISTRATION AGENCY.—The term “reg-
18 istration agency” means—

19 (A) the Office of Apprenticeship; or

20 (B) a State apprenticeship agency.

21 (32) RELATED INSTRUCTION.—The term “re-
22 lated instruction” means an organized and system-
23 atic form of instruction that—

24 (A) is designed to provide a covered ap-
25 prentice with the knowledge of the theoretical

1 and technical subjects related to the appren-
2 tice’s occupation; and

3 (B) may be given—

4 (i) in a classroom, through occupa-
5 tional or industrial courses, through cor-
6 respondence courses of equivalent value, or
7 through electronic media; or

8 (ii) through other forms of self-study
9 approved by the registration agency in-
10 volved.

11 (33) SECRETARY.—Except as otherwise modi-
12 fied, the term “Secretary” means the Secretary of
13 Labor, acting through the Administrator.

14 (34) SPONSOR.—The term “sponsor” means an
15 employer, joint labor-management organization,
16 trade association, professional association, labor or-
17 ganization, education provider, qualified inter-
18 mediary, or other entity that administers and oper-
19 ates, or is applying to administer and operate, an
20 apprenticeship program.

21 (35) STATE.—The term “State” has the mean-
22 ing given the term in section 3 of the Workforce In-
23 novation and Opportunity Act (29 U.S.C. 3102).

24 (36) STATE APPRENTICESHIP AGENCY.—The
25 term “State apprenticeship agency” means a State

1 apprenticeship agency recognized by the Secretary
2 under section 114.

3 (37) WORKFORCE DEVELOPMENT SYSTEM.—

4 The term “workforce development system” has the
5 meaning given the term in section 3 of the Work-
6 force Innovation and Opportunity Act.

7 (38) YOUTH APPRENTICE.—The term “youth
8 apprentice” means a participant in a youth appren-
9 ticeship program.

10 (39) YOUTH APPRENTICESHIP PROGRAM.—The
11 term “youth apprenticeship program” means a
12 structured program that—

13 (A) is designed for youth apprentices who
14 at the start of the program are eligible to be
15 enrolled in high school; and

16 (B) incorporates each of the following core
17 elements:

18 (i) Paid, on-the-job learning under the
19 supervision of skilled employee mentors.

20 (ii) Related classroom-based instruc-
21 tion aligned with career pathways.

22 (iii) Ongoing assessment against es-
23 tablished skill and competency standards.

24 (iv) Culmination in a recognized post-
25 secondary credential, with the quality of

1 the training leading to that credential re-
 2 viewed by a recipient of Federal funds.

3 (v) Leads to placement in further edu-
 4 cation, employment, or an apprenticeship
 5 program.

6 **TITLE I—PROMOTING COVERED**
 7 **APPRENTICESHIPS**

8 **Subtitle A—The Office of Appren-**
 9 **ticeship and State Registration**
 10 **Agency Approval Process**

11 **SEC. 111. THE OFFICE OF APPRENTICESHIP.**

12 (a) ESTABLISHMENT OF THE OFFICE OF APPREN-
 13 TICESHIP.—There is established, in the Employment and
 14 Training Administration of the Department of Labor, an
 15 Office of Apprenticeship (referred to in this section as the
 16 “Office”).

17 (b) ADMINISTRATOR.—The Office shall be headed by
 18 an Administrator who has the demonstrated knowledge of
 19 apprenticeship programs necessary to serve as the Admin-
 20 istrator.

21 (c) RESPONSIBILITIES.—The Administrator and the
 22 Office shall be responsible for all of the following:

23 (1) Determining whether a program meets the
 24 requirements to be approved and registered as an

1 apprenticeship program, in accordance with the ap-
2 prenticeship laws.

3 (2) Ensuring that each registration agency
4 maintains the standards necessary to be an appren-
5 ticeship program through the agency's registration
6 process and, for each apprenticeship program—

7 (A) has provided the program with a cer-
8 tificate of registration under section
9 121(c)(2)(B);

10 (B) reviews the program for quality and
11 compliance with the requirements of the appli-
12 cable apprenticeship laws, as required under
13 sections 121 and 131; and

14 (C) reviews proposed modifications or
15 changes to the apprenticeship program in ac-
16 cordance with the requirements of section 123.

17 (3) Recognizing State entities as State appren-
18 ticeship agencies under section 114.

19 (4) Managing the national apprenticeship sys-
20 tem, in cooperation with and through support to
21 State apprenticeship agencies, including by curating
22 and sharing, through an apprenticeship clearing-
23 house, high-quality apprenticeship program mate-
24 rials, such as related instruction or training mate-
25 rials.

1 (5) Carrying out activities to promote effective
2 pre-apprenticeship programs and youth apprentice-
3 ship programs.

4 (6) Promoting awareness about apprenticeship
5 programs, including carrying out activities under
6 section 112.

7 (7) Engaging in regular updates of the appren-
8 ticeship program registration process and ensuring
9 that such process is easily accessible and efficient for
10 use by sponsors and administrators of apprentice-
11 ship programs and proposed apprenticeship pro-
12 grams.

13 (8) Regularly engaging with the National Advi-
14 sory Committee on Apprenticeships established
15 under section 113 and ensure that the required rec-
16 ommendations and other reports of the Committee
17 are submitted to the Secretary and transmitted to
18 Congress.

19 (9) Promoting greater diversity in covered ap-
20 prenticeship programs, including pre-apprenticeship
21 programs and youth apprenticeship programs, in-
22 cluding by—

23 (A) promoting outreach to nontraditional
24 apprenticeship populations, including women,
25 minorities, individuals with disabilities, vet-

1 erans, and individuals with barriers to employ-
2 ment; and

3 (B) supporting the development or scaling
4 of apprenticeship models.

5 (10) Providing for evaluations and research, as
6 described in subtitle C.

7 (11) Providing support for apprenticeship data
8 collection and dissemination, including—

9 (A) establishing and supporting the infor-
10 mation technology infrastructure needed to
11 make non-personally identifiable apprenticeship
12 data open and searchable so that interested
13 parties can become aware of apprenticeship op-
14 portunities and of program outcomes, includ-
15 ing—

16 (i) information on high schools and 2-
17 year and 4-year postsecondary educational
18 institutions providing apprenticeship pro-
19 gram opportunities; and

20 (ii) information on dual or concurrent
21 enrollment programs and articulation
22 agreements (as such terms are defined in
23 section 3 of the Carl D. Perkins Career
24 and Technical Education Act of 2006 (20

1 U.S.C. 2302)) that are part of covered ap-
2 prenticeship programs; and

3 (B) improving data collection and data
4 sharing by and among covered apprenticeship
5 programs.

6 (12) Providing technical assistance to—

7 (A) sponsors;

8 (B) qualified intermediaries;

9 (C) entities who are interested in devel-
10 oping and becoming sponsors; and

11 (D) eligible entities carrying out youth ap-
12 prenticeship programs and pre-apprenticeship
13 programs.

14 (13) Coordinating and aligning apprenticeship
15 programs with other Federal education and training
16 programs, including such programs authorized under
17 the Workforce Innovation and Opportunity Act (29
18 U.S.C. 3101 et seq.), the Carl D. Perkins Career
19 and Technical Education Act of 2006 (20 U.S.C.
20 2301 et seq.), the Elementary and Secondary Edu-
21 cation Act of 1965 (20 U.S.C. 6301 et seq.), and the
22 Higher Education Act of 1965 (20 U.S.C. 1001 et
23 seq.).

24 (14) Awarding grants to carry out the activities
25 described in title II.

1 (15) In coordination with the Secretary of Edu-
2 cation, the Assistant Secretaries of the Office of Ca-
3 reer, Technical, and Adult Education, the Office of
4 Postsecondary Education, and the Office of Elemen-
5 tary and Secondary Education, promoting and sup-
6 porting integration and alignment among secondary,
7 postsecondary, and adult education and apprentice-
8 ship programs, by—

9 (A) curating best practices and strategies
10 regarding how to—

11 (i) embed apprenticeship skills and
12 competencies into curriculum and creden-
13 tial requirements;

14 (ii) align related instruction with aca-
15 demic credit-granting curricula or trans-
16 lating skills and competencies to pathways
17 to secondary and postsecondary credit
18 through prior learning assessments and
19 competency-based education;

20 (iii) facilitate enrollment of individuals
21 who have completed apprenticeships, in-
22 cluding pre-apprenticeships and youth ap-
23 prenticeships, into further education, in-
24 cluding an associate, baccalaureate, or ad-
25 vanced degree;

1 (iv) provide technical assistance for
2 aligning financial aid with apprenticeship
3 programs;

4 (v) support data collection systems
5 that align education and apprenticeship
6 program records, including information on
7 apprentices who enrolled in, or completed,
8 for-credit postsecondary coursework;

9 (vi) provide related instruction that
10 leads to educational certificates or degrees;
11 and

12 (vii) align apprenticeship programs
13 with the Federal work study program
14 under part C of title IV of the Higher
15 Education Act of 1965 (20 U.S.C. 1087–
16 51 et seq.); and

17 (B) disseminating the best practices and
18 strategies described in subparagraph (A).

19 (16) Other responsibilities relating to appren-
20 ticeship, as determined appropriate by the Secretary
21 of Labor.

22 (d) FUNCTIONS.—The functions of the Office on and
23 after the effective date of this Act shall include the func-
24 tions of the Office on the day before the effective date
25 of this Act, including all of its personnel, assets, authori-

1 ties, and liabilities, except as otherwise specified in this
2 section.

3 **SEC. 112. PROMOTING AWARENESS OF COVERED APPREN-**
4 **TICESHIP PROGRAMS.**

5 (a) IN GENERAL.—In order to promote awareness
6 about covered apprenticeship programs, the Secretary, in
7 coordination with the Secretary of Education, the Sec-
8 retary of Commerce, and State apprenticeship agencies,
9 shall ensure that timely, current information about the
10 value of covered apprenticeship programs in the labor
11 market is made available, through a range of widely acces-
12 sible formats and venues and in accordance with sub-
13 sections (b) through (e).

14 (b) INFORMATION FOR STATE AND LOCAL WORK-
15 FORCE DEVELOPMENT BOARDS.—

16 (1) IN GENERAL.—In order to promote aware-
17 ness about covered apprenticeship programs within
18 workforce development systems, the Secretary shall
19 disseminate information on the value of covered ap-
20 prenticeship programs to State workforce develop-
21 ment boards and local workforce development
22 boards.

23 (2) CONTENT.—The information disseminated
24 under paragraph (1) shall include—

1 (A) a list of apprenticeship programs in
2 the State's in-demand industry sectors or occu-
3 pations that are offered in the State or by the
4 Office of Apprenticeship;

5 (B) guidance for training staff of the
6 workforce development system within the State
7 on the value of apprenticeship programs as a
8 training option for participants, including rel-
9 evant placement, retention, and earnings infor-
10 mation;

11 (C) guidance on how individual training
12 accounts under section 134(e)(3) of the Work-
13 force Innovation and Opportunity Act (29
14 U.S.C. 3174(e)(3)) could be used to pay for the
15 costs of enrolling in an apprenticeship program;

16 (D) guidance on how performance account-
17 ability measures under section 116 of such Act
18 (29 U.S.C. 3141) apply to participants in ap-
19 prenticeship programs, including relevant place-
20 ment, retention, and earnings information;

21 (E) guidance on how to provide youth ap-
22 prenticeships to individuals under the age of 18;

23 (F) guidance on how to provide pre-ap-
24 prenticeship opportunities to individuals who
25 are employed and looking to change careers,

1 underemployed, out of work, or underskilled;
2 and

3 (G) guidance on how to align eligible fund-
4 ing from, and the requirements of, the Work-
5 force Innovation and Opportunity Act (29
6 U.S.C. 3101 et seq.), the Carl D. Perkins Ca-
7 reer and Technical Education Act of 2006 (20
8 U.S.C. 2301 et seq.), the Elementary and Sec-
9 ondary Education Act of 1965 (20 U.S.C. 6301
10 et seq.), and the Higher Education Act of 1965
11 (20 U.S.C. 1001 et seq.) with the apprentice-
12 ship laws.

13 (c) INFORMATION FOR EMPLOYERS, TRADE ASSOCIA-
14 TIONS, PROFESSIONAL ASSOCIATIONS, INDUSTRY
15 GROUPS, AND LABOR ORGANIZATIONS.—

16 (1) IN GENERAL.—The Secretary, in coordina-
17 tion with the Secretary of Commerce, shall provide
18 information about the value of covered apprentice-
19 ship programs, including relevant placement, reten-
20 tion, and earnings information, through the one-stop
21 delivery systems described in section 121 of the
22 Workforce Innovation and Opportunity Act (29
23 U.S.C. 3151), to employers, trade associations, pro-
24 fessional associations, industry groups, and labor or-
25 ganizations.

1 (2) CONTENT.—The information provided
2 under paragraph (1) shall include, at a minimum—

3 (A) a list of apprenticeship programs in re-
4 lated occupations offered in the State or by the
5 Office of Apprenticeship;

6 (B) information on how to develop an ap-
7 prenticeship program;

8 (C) information on financial resources
9 available to assist with the establishment and
10 implementation of apprenticeship programs;
11 and

12 (D) information on related qualified inter-
13 mediaries or industry or sector partnerships
14 supporting apprenticeships, as applicable.

15 (d) INFORMATION FOR EDUCATION PROVIDERS.—

16 (1) IN GENERAL.—The Secretary, in coordina-
17 tion with the Secretary of Education, shall dissemi-
18 nate information on the value of covered apprentice-
19 ship programs, including relevant placement, reten-
20 tion, and earnings information, local labor market
21 data, and sector forecasts to determine in-demand
22 careers, to local educational agencies and postsec-
23 ondary education providers.

24 (2) CONTENT.—The information provided
25 under paragraph (1) shall, at a minimum—

1 (A) provide parents and students with a
2 better understanding of covered apprenticeship
3 programs and their value in secondary or post-
4 secondary education and career pathways;

5 (B) provide school administrators (working
6 with academic counselors, teachers, and faculty)
7 and workforce and economic development coor-
8 dinators information about the value of appren-
9 ticeship programs and information to assist in
10 the development, implementation, and continu-
11 ation of registered apprenticeship programs;
12 and

13 (C) enable potential program participants
14 looking to change careers to obtain information
15 about pre-apprenticeship programs and appren-
16 ticeship programs.

17 (e) INFORMATION FOR QUALIFIED INTER-
18 MEDIARIES.—

19 (1) IN GENERAL.—To promote awareness about
20 covered apprenticeship programs among qualified
21 intermediaries, the Secretary, in cooperation with
22 the Secretary of Education, shall disseminate infor-
23 mation on the value of covered apprenticeship pro-
24 grams, including relevant placement, retention, and
25 earnings information, local labor market data, and

1 sector forecasts to determine in-demand careers, to
2 qualified intermediaries serving as sponsors or ap-
3 prenticeship partners.

4 (2) CONTENTS.—The information provided
5 under paragraph (1) shall be information that en-
6 ables qualified intermediaries to support, at a min-
7 imum—

8 (A) potential apprentices to understand ap-
9 prenticeship programs and their value in post-
10 secondary education and career pathways;

11 (B) employers to understand apprentice-
12 ship programs and their value in workforce
13 training;

14 (C) career and academic counselors to un-
15 derstand apprenticeship programs as a valuable
16 postsecondary education option for students
17 leading to job placement in in-demand indus-
18 tries and occupations; and

19 (D) school administrators, workforce and
20 economic development coordinators, and teach-
21 ers and faculty to assist with the development,
22 implementation, and continuation of apprentice-
23 ship programs.

1 **SEC. 113. NATIONAL ADVISORY COMMITTEE ON APPREN-**
2 **TICESHIPS.**

3 (a) ESTABLISHMENT.—

4 (1) IN GENERAL.—There is established, in the
5 Department of Labor, a National Advisory Com-
6 mittee on Apprenticeships (referred to in this section
7 as the “Advisory Committee”).

8 (2) COMPOSITION.—The Advisory Committee
9 shall consist of—

10 (A) 20 voting members appointed by the
11 Secretary, comprised of—

12 (i) 10 representatives of employers
13 who participate in an apprenticeship pro-
14 gram, including representatives of employ-
15 ers representing nontraditional apprentice-
16 ship sectors such as information tech-
17 nology, finance, insurance, healthcare, or
18 other in-demand industry sectors or occu-
19 pations;

20 (ii) 6 representatives of labor organi-
21 zations who have responsibility for the ad-
22 ministration of an apprenticeship program
23 sponsored by a joint labor-management or-
24 ganization; and

25 (iii) 4 representatives from State ap-
26 prenticeship agencies or Governors, com-

1 community organizations with significant expe-
2 rience with an apprenticeship program,
3 area career and technical schools, local
4 educational agencies, or postsecondary
5 education providers with at least 1 articu-
6 lation agreement with an entity admin-
7 istering a covered apprenticeship program;
8 and

9 (B) ex officio nonvoting members, selected
10 by the applicable Secretary, from each of—

- 11 (i) the Department of Labor;
- 12 (ii) the Department of Commerce;
- 13 (iii) the Department of Education;
- 14 (iv) the Department of Energy;
- 15 (v) the Department of Housing and
16 Urban Development;
- 17 (vi) the Department of Transpor-
18 tation;
- 19 (vii) the Department of Veterans Af-
20 fairs; and
- 21 (viii) the Department of Health and
22 Human Services.

23 (3) QUALIFICATIONS.—The members described
24 in paragraph (2) shall be selected upon the basis of
25 their experience, competence, innovation, and dem-

1 onstrated performance regarding apprenticeship pro-
2 grams.

3 (4) TERMS.—

4 (A) IN GENERAL.—The Secretary shall ap-
5 point each voting member of the Advisory Com-
6 mittee for a 4-year term.

7 (B) DATE.—The appointments of the ini-
8 tial members of the Commission shall be made
9 not later than 90 days after the effective date
10 of this Act.

11 (C) MULTIPLE TERMS.—A voting member
12 of the Advisory Committee may serve 2 full
13 terms on the Advisory Committee.

14 (D) VACANCIES.—Any vacancy in the
15 Commission—

16 (i) shall not affect the powers of the
17 Commission; and

18 (ii) shall be filled in the same manner
19 as the original appointment by not later
20 than 90 days after the date of the vacancy.

21 (b) CHAIRPERSON.—The Secretary shall designate
22 one of the voting members described in subsection
23 (a)(2)(A) of the Advisory Committee to serve as Chair-
24 person of the Advisory Committee.

25 (c) MEETINGS.—

1 (1) IN GENERAL.—The Advisory Committee
2 shall meet at the call of the chairperson and hold
3 not fewer than 2 meetings during each calendar
4 year.

5 (2) OPEN ACCESS.—All meetings of the Advi-
6 sory Committee shall be open to the public. A tran-
7 script shall be kept of each meeting and made avail-
8 able for public inspection.

9 (d) DUTIES.—The Advisory Committee shall, at a
10 minimum—

11 (1) advise, consult with, and make rec-
12 ommendations to the Secretary on matters relating
13 to the administration of the apprenticeship laws;

14 (2) annually prepare a set of recommendations
15 to the Secretary to streamline the registration proc-
16 ess, in order to make the process easily accessible
17 and efficient for use by sponsors while maintaining
18 the standards under chapter 2 of subtitle B; and

19 (3) every 2 years, provide to the Secretary and
20 disseminate to the public a collection of best prac-
21 tices for engaging youth and underemployed individ-
22 uals in covered apprenticeship programs.

23 (e) PERSONNEL.—

24 (1) COMPENSATION OF MEMBERS.—

1 (A) IN GENERAL.—A member of the Com-
2 mission who is not an officer or employee of the
3 Federal Government shall be compensated at a
4 rate equal to the daily equivalent of the annual
5 rate of basic pay prescribed for level IV of the
6 Executive Schedule under section 5315 of title
7 5, United States Code, for each day (including
8 travel time) during which the member is en-
9 gaged in the performance of the duties of the
10 Commission.

11 (B) OFFICERS OR EMPLOYEES OF THE
12 UNITED STATES.—All members of the Advisory
13 Committee who are officers or employees of the
14 United States shall serve without compensation
15 in addition to that received for their services as
16 officers or employees of the United States.

17 (2) STAFF.—The Secretary shall supply the
18 Committee with an executive secretary and provide
19 such secretarial, clerical, and other services as the
20 Secretary determines to be necessary to enable the
21 Advisory Committee to conduct its business.

22 (f) PERMANENT COMMITTEE.—Section 14 of the
23 Federal Advisory Committee Act (5 U.S.C. App.) shall not
24 apply to the Advisory Committee.

1 **SEC. 114. RECOGNITION OF STATE APPRENTICESHIP AGEN-**
 2 **CIES.**

3 (a) RECOGNITION OF STATE APPRENTICESHIP
 4 AGENCIES.—

5 (1) IN GENERAL.—The Secretary shall exercise
 6 the authority provided under the apprenticeship laws
 7 to recognize apprenticeship programs by authorizing
 8 State agencies that meet the requirements of this
 9 section as State apprenticeship agencies.

10 (2) DURATION.—The Secretary shall recognize
 11 a State agency that complies with the requirements
 12 of this section as a State apprenticeship agency for
 13 a 5-year period, subject to subsections (e) and (g).

14 (b) AUTHORITY OF A STATE APPRENTICESHIP AGEN-
 15 CY.—

16 (1) IN GENERAL.—Each State apprenticeship
 17 agency authorized under subsection (a) shall have
 18 full authority, for the period of such authorization—

19 (A) to determine whether a program in the
 20 State complies with the standards of an appren-
 21 ticeship program, as established under the ap-
 22 prenticeship laws and published by the Sec-
 23 retary; and

24 (B) to recognize a program that does com-
 25 ply to such standards as an apprenticeship pro-
 26 gram, for purposes of the apprenticeship laws.

1 (2) OFFICE OF APPRENTICESHIP ROLE.—In the
2 event that a State does not apply for recognition
3 under this section, the Secretary does not recognize
4 a State agency as provided in this section, or the
5 Secretary withdraws recognition of a State appren-
6 ticeship agency under subsection (g), the Office of
7 Apprenticeship shall be the registration agency for
8 all programs in the State and shall have the author-
9 ity under paragraph (1) with respect to programs in
10 such State.

11 (3) RULE OF CONSTRUCTION.—Nothing in this
12 subsection shall be construed to prevent the Office
13 of Apprenticeship from serving as a registration
14 agency for a program in a State that has a State
15 apprenticeship agency in other circumstances, as de-
16 termined appropriate by the Secretary.

17 (c) AGENCY COMPONENTS.—

18 (1) REQUIREMENTS.—In order for an agency of
19 a State to be recognized as a State apprenticeship
20 agency under this section, the agency shall—

21 (A) represent a State that has a State ap-
22 prenticeship law, which may be established
23 through statute, Executive order, regulation, or
24 other means, and implement the State law in

1 accordance with the requirements of the ap-
2 prenticeship laws;

3 (B) submit a State plan for equal employ-
4 ment opportunity in apprenticeship;

5 (C) have sufficient resources and capacity
6 to carry out the functions of a State apprentice-
7 ship agency under the apprenticeship laws and
8 to maintain the quality standards of an appren-
9 ticeship program under section 127, including
10 providing technical assistance and outreach ac-
11 tivities to apprenticeship programs registered by
12 the agency;

13 (D) prescribe the contents of apprentice-
14 ship agreements for sponsors in the State in ac-
15 cordance with section 128;

16 (E) ensure that the registration of appren-
17 ticeship programs occurs only—

18 (i) in apprenticeable occupations, as
19 described in section 126, including occupa-
20 tions in high-growth and high-demand in-
21 dustries;

22 (ii) for programs that meet the qual-
23 ity standards as described in section 127;
24 and

1 (iii) in the case of a program by a
2 sponsor that employs employees who are
3 represented by a labor organization, when
4 such sponsor has obtained the consent of
5 such labor organization for the proposed
6 program;

7 (F) accord reciprocal registration or rec-
8 ognition for purposes of the apprenticeship laws
9 to apprentices, and apprenticeship programs,
10 that are registered or recognized in other States
11 by a registration agency and meet the stand-
12 ards of the apprenticeship laws, if—

13 (i) such reciprocity is requested by the
14 sponsor; and

15 (ii) the apprenticeship program meets
16 the wage and hour provisions and appren-
17 tice ratio standards of the State awarding
18 reciprocal registration or recognition;

19 (G) provide for the deregistration of ap-
20 prenticeship programs, and for temporary sus-
21 pension or deregistration of apprenticeship
22 agreements;

23 (H) submit apprenticeship performance re-
24 ports as required under section 131(b)(2); and

25 (I) comply with—

1 (i) any review conducted by the Office
2 of Apprenticeship, including any review
3 conducted under section 131; and

4 (ii) any determination by the Sec-
5 retary regarding whether, based on reviews
6 described in clause (i), the State appren-
7 ticeship agency is compliance with the re-
8 quirements of the apprenticeship laws.

9 (2) OPTIONAL COUNCIL.—

10 (A) IN GENERAL.—A State apprenticeship
11 agency may elect to establish or continue the
12 establishment of, and use, a State apprentice-
13 ship council if the State apprenticeship council
14 operates, or will operate, under the direction of
15 the State apprenticeship agency.

16 (B) SPECIAL RULE.—A State apprentice-
17 ship council shall not be eligible for recognition
18 as a State apprenticeship agency.

19 (d) APPLICATION.—A State desiring to have an agen-
20 cy recognized as a State apprenticeship agency under this
21 section shall submit an application at such time, in such
22 manner, and containing such information as the Secretary
23 may require, including—

24 (1) a description of how the State meets the re-
25 quirements of subsection (c);

1 (2) a description of the basic standards, cri-
2 teria, and requirements for apprenticeship program
3 registration or approval;

4 (3) a description of the linkages and coordina-
5 tion of the State's proposed standards, criteria, and
6 requirements with the State's economic development
7 strategies and workforce development system;

8 (4) a description of any laws (including regula-
9 tions), policies and operating procedures relating to
10 the process of recognizing apprenticeship programs
11 that depart from, or impose requirements in addition
12 to, the policies and procedures required under the
13 apprenticeship laws; and

14 (5) an assurance that the State, or the State
15 agency, will notify the Secretary if there are any
16 changes to State laws (including regulations), poli-
17 cies, or procedures as described in paragraph (4) re-
18 garding apprenticeships that occur after the date of
19 application.

20 (e) REVIEW AND RECOGNITION.—

21 (1) IN GENERAL.—By not later than 90 days
22 after the date on which an application under sub-
23 section (d) is submitted, the Secretary shall notify
24 the State regarding whether the agency of the State

1 is approved and recognized as a State apprenticeship
2 agency.

3 (2) TRANSITION.—

4 (A) IN GENERAL.—A State agency that, as
5 of the day before the effective date of this Act,
6 was recognized by the Secretary for purposes of
7 registering apprenticeship programs in accord-
8 ance with the Act of August 16, 1937 (50 Stat.
9 664, chapter 663; 29 U.S.C. 50 et seq.), shall
10 submit an application and all supporting docu-
11 mentation, as required under subsection (d), by
12 not later than 2 years after the effective date.

13 (B) TRANSITION PERIOD.—A State agency
14 described in subparagraph (A) shall be consid-
15 ered to be a State apprenticeship agency, for
16 purposes of the apprenticeship laws, until the
17 earlier of—

18 (i) the end of the period that begins
19 on the effective date of this Act and ends
20 2 years after such date, or on the date of
21 any extension provided under subpara-
22 graph (C); or

23 (ii) the date on which the Secretary
24 approves or denies the State's application
25 under subparagraph (A).

1 (C) EXTENSION.—Upon written request by
2 a State, the Secretary may grant a State agen-
3 cy described in subparagraph (A) an extension
4 of time to comply with the requirements of this
5 section for good cause, except that in no case
6 may the Secretary extend the time for submis-
7 sion of the application and supporting docu-
8 mentation as required under such subpara-
9 graph.

10 (f) REVIEW AND TECHNICAL ASSISTANCE REGARD-
11 ING STATE LAWS.—The Secretary shall—

12 (1) review any State law (including any regula-
13 tion), policy, or operational procedure regarding ap-
14 prenticeships that is identified by a State appren-
15 ticeship agency under paragraph (4) or (5) of sub-
16 section (d); and

17 (2) provide technical assistance, as necessary,
18 to enable the State apprenticeship agency to main-
19 tain compliance with the apprenticeship laws.

20 (g) SECRETARY REVOCATION OF DESIGNATION.—
21 The Secretary may revoke a designation as a State ap-
22 prenticeship agency before the end of the 5-year period
23 under subsection (a)(2) if the Secretary determines, after
24 notice and an opportunity for a hearing, that the State

1 agency is not complying with a requirement of the appren-
2 ticeship laws.

3 **Subtitle B—Process and Standards**
4 **for the National Apprenticeship**
5 **System**

6 **CHAPTER 1—PROCESS**

7 **SEC. 121. REGISTRATION OF PROGRAMS AS APPRENTICE-**
8 **SHIP PROGRAMS.**

9 (a) REGISTRATION AGENCY DUTIES.—Each registra-
10 tion agency shall—

11 (1) approve or deny applications from sponsors
12 for registration of apprenticeship programs in the
13 State or area covered by the registration agency;
14 and

15 (2) carry out the responsibilities of supporting
16 the apprenticeship programs registered by the reg-
17 istration agency, as described in section 114(c)(1).

18 (b) APPRENTICESHIP REGISTRATION REQUEST.—A
19 sponsor of a program applying to be registered as an ap-
20 prenticeship program shall request approval from an ap-
21 propriate registration agency by submitting all informa-
22 tion required by the registration agency, including—

23 (1) a copy of the apprenticeship agreement to
24 be used by the sponsor and individual apprentices;
25 and

1 (2) a written assurance that, if the program is
2 approved and registered as an apprenticeship pro-
3 gram, the sponsor will administer and operate the
4 apprenticeship program in accordance with the ap-
5 prenticeship laws and comply with the requirements
6 of the apprenticeship agreement for each apprentice.

7 (c) REGISTRATION PROCESS.—

8 (1) INITIAL REVIEW.—Upon receiving a request
9 under subsection (b), the registration agency shall—

10 (A) determine if the program is in compli-
11 ance with the apprenticeship standards under
12 chapter 2 and all other applicable requirements
13 under the apprenticeship laws for an appren-
14 ticeship program; and

15 (B) if the program complies with such
16 standards and requirements, approve and reg-
17 ister the program by—

18 (i) providing the sponsor of the ap-
19 prenticeship program with a certificate of
20 registration or other written evidence of
21 registration; and

22 (ii) providing a copy of the certificate
23 of registration, and any other information
24 required by the Secretary, to the Sec-
25 retary.

1 (2) TRANSITION PROCESS FOR PREVIOUSLY AP-
2 PROVED PROGRAMS.—

3 (A) DEFINITIONS.—In this paragraph:

4 (i) PREVIOUSLY APPROVED PRO-
5 GRAM.—The term “previously approved
6 program” means an apprenticeship pro-
7 gram that was registered under the Act of
8 August 16, 1937 (50 Stat. 664, chapter
9 663; 29 U.S.C. 50 et seq.), as of the day
10 before the effective date of this Act.

11 (ii) TRANSITION PERIOD.—The term
12 “transition period” means the 3-year pe-
13 riod beginning on the effective date of this
14 Act.

15 (B) IN GENERAL.—Notwithstanding para-
16 graphs (1) and (2), a previously approved pro-
17 gram that complies with all applicable require-
18 ments under the terms of such approval shall
19 be treated as an apprenticeship program for
20 purposes of the apprenticeship laws until the
21 end of the transition period.

22 (C) REQUEST FOR RECOGNITION.—

23 (i) IN GENERAL.—By not later than
24 the last day of the transition period, the
25 sponsor of a previously approved program

1 that wishes to continue to be an appren-
2 ticeship program shall submit a request to
3 the applicable registration agency—

4 (I) demonstrating that the pre-
5 viously approved program meets all
6 requirements and standards of the ap-
7 prenticeship laws; and

8 (II) requesting to be recognized
9 as an apprenticeship program in ac-
10 cordance with the apprenticeship laws.

11 (ii) 1-YEAR EXTENSION.—Upon re-
12 quest by a previously approved program,
13 the registration agency may extend a tran-
14 sition period for an apprenticeship pro-
15 gram by 1 additional year, if the registra-
16 tion agency determines necessary given the
17 applicable circumstances.

18 (D) REGISTRATION PROCESS.—A registra-
19 tion agency receiving a request from the spon-
20 sor of a previously approved program shall re-
21 view the request and—

22 (i) if the previously approved program
23 is of sufficient quality and meets the re-
24 quirements and standards of the appren-

1 ticeship laws, shall approve and register
2 the program under subsection (c)(1)(B); or
3 (ii) if the apprenticeship program does
4 not comply to the requirements or stand-
5 ards of the apprenticeship laws, shall rec-
6 ommend the apprenticeship program for
7 deregistration in accordance with proce-
8 dures established by the Secretary.

9 **SEC. 122. APPRENTICE PROCESS.**

10 (a) **IN GENERAL.**—An individual seeking to be an ap-
11 prentice shall apply through the sponsor of the applicable
12 apprenticeship program.

13 (b) **APPRENTICE REGISTRATION.**—A sponsor shall—

14 (1) select individuals who meet the apprentice
15 requirements for an apprenticeship program to be
16 apprentices, and enter into a written individual ap-
17 prenticeship agreement with each such individual be-
18 fore the commencement of the apprenticeship; and

19 (2) individually register each apprentice of an
20 apprenticeship program with the registration agency,
21 by filing a copy of the individual apprenticeship
22 agreement with the registration agency or as other-
23 wise required by the registration agency.

24 (c) **ACCEPTANCE AND RECORDING BY REGISTRATION**
25 **AGENCY.**—The registration agency receiving an individual

1 apprenticeship agreement under subsection (b)(2) shall re-
2 view the agreement and, if the agreement meets all appli-
3 cable requirements, shall accept and record the agreement
4 as evidence of the individual's participation as an appren-
5 tice in the apprenticeship program.

6 **SEC. 123. MODIFICATIONS OR CHANGES TO APPRENTICE-**
7 **SHIP PROGRAMS.**

8 (a) IN GENERAL.—Any sponsor that wishes to mod-
9 ify or change an apprenticeship program or the program's
10 method of meeting the apprenticeship standards required
11 under chapter 2 shall submit the proposal for such change
12 or modification to the registration agency for the appren-
13 ticeship program.

14 (b) DETERMINATION.—A registration agency receiv-
15 ing a proposal under subsection (a) shall determine wheth-
16 er to approve the proposal and—

17 (1) by not later than 90 days after receiving the
18 proposal, notify the sponsor of the decision; and

19 (2)(A) if the proposal is approved, amend the
20 record of the apprenticeship program to reflect the
21 modification or change, and provide the sponsor with
22 an acknowledgment of the amended program, by not
23 later than 90 days after the date of approval; or

24 (B) if the approval is not approved, notify the
25 sponsor of the reasons for the disapproval and pro-

1 vide the sponsor with appropriate technical assist-
2 ance.

3 **CHAPTER 2—REQUIRED APPRENTICESHIP**
4 **PROGRAM STANDARDS**

5 **SEC. 125. REQUIRED STANDARDS.**

6 The required standards for a program to be an ap-
7 prenticeship program and registered under the apprentice-
8 ship laws shall include the following:

9 (1) The program shall prepare students for an
10 apprenticeable occupation, as described in section
11 126.

12 (2) The program shall meet the quality stand-
13 ards for an apprenticeship program required under
14 section 127.

15 (3) The sponsor of the program requesting ap-
16 proval and registration shall use an apprenticeship
17 agreement that meets the requirements of section
18 128.

19 **SEC. 126. APPRENTICEABLE OCCUPATIONS STANDARDS.**

20 An apprenticeable occupation under this section shall,
21 at a minimum—

22 (1) involve skills and competencies that are—

23 (A) required by and determined by a wide
24 range of applicable industries;

1 (B) customarily learned, or are enhanced,
2 in a practical way through a structured, sys-
3 tematic program of on-the-job supervised learn-
4 ing; and

5 (C) clearly identified and commonly recog-
6 nized throughout an industry;

7 (2) involve the progressive attainment of man-
8 ual, mechanical, or technical and technology skills,
9 competencies and knowledge, which—

10 (A) are in accordance with the industry
11 standard for the occupation; and

12 (B) in the case of a time-based apprentice-
13 ship program or hybrid apprenticeship program
14 described in clause (i) or (iii) of section
15 127(2)(E), require the completion of not less
16 than 2,000 hours of on-the-job learning to at-
17 tain, unless an alternative requirement is put
18 forth by the employer and sponsor that reflects
19 industry standards and is accepted by the Sec-
20 retary; and

21 (3) require related instruction to supplement
22 the on-the-job learning of the occupation.

1 **SEC. 127. QUALITY STANDARDS OF AN APPRENTICESHIP**
2 **PROGRAM.**

3 An apprenticeship program shall meet the following
4 standards:

5 (1) The program prepares individuals for an
6 apprenticeable occupation through paid, structured
7 on-the-job training in all phases of the occupation,
8 combined with related instruction.

9 (2) The program has an organized and clearly
10 written plan, developed by the sponsor, that in-
11 cludes, at a minimum, the following information:

12 (A) The employment and training to be re-
13 ceived by each apprentice participating in the
14 program, including—

15 (i) an outline of the work processes or
16 the plan in which the apprentice will re-
17 ceive supervised work experience and train-
18 ing on the job;

19 (ii) the allocation of the approximate
20 amount of time to be spent in each major
21 work process;

22 (iii) mentoring; and

23 (iv) periodic reviews and evaluations
24 of the apprentice's performance on the job
25 and in related instruction.

1 (B) A process for maintaining appropriate
2 progress records, including the reviews and
3 evaluations described in subparagraph (A)(iv).

4 (C) A description of the organized, related
5 instruction the apprentice will receive in tech-
6 nical subjects related to the occupation,
7 which—

8 (i) shall include not less than 144
9 hours for each year of apprenticeship, un-
10 less an alternative requirement is put forth
11 by the employer and sponsor that reflects
12 industry standards and is accepted by the
13 Secretary;

14 (ii) may be accomplished through
15 classroom instruction, occupational or in-
16 dustry courses, instruction provided
17 through electronic media, or other instruc-
18 tion approved by the registration agency;
19 and

20 (iii) shall be provided by one or more
21 qualified instructors.

22 (D) A progressively increasing, clearly de-
23 fined schedule of wages to be paid to the ap-
24 prentice that is—

- 1 (i) consistent with skill gains or at-
2 tainment of a recognized postsecondary
3 credential; and
- 4 (ii) ensures the entry wage is not less
5 than the greater of—
- 6 (I) the minimum wage required
7 under section 6(a) of the Fair Labor
8 Standards Act of 1938 (29 U.S.C.
9 206(a)); or
- 10 (II) the applicable wage required
11 by other applicable Federal or State
12 law (including regulations) or collec-
13 tive bargaining agreement.
- 14 (E) The term of apprenticeship for the
15 program, which may be measured using—
- 16 (i) a time-based approach which re-
17 quires the completion of the industry
18 standard for on-the-job learning hours
19 (which in no case shall be less than 2,000
20 hours, unless an alternative requirement is
21 put forth by the employer and sponsor that
22 reflects industry standards and is accepted
23 by the Secretary);

1 (ii) a competency-based approach,
2 which requires the attainment of com-
3 petency in the occupation; or

4 (iii) a hybrid approach that blends the
5 time-based and competency-based ap-
6 proaches.

7 (F) The methods used to measure skill ac-
8 quisition for an apprentice, which—

9 (i) for each apprenticeship, shall in-
10 clude the individual apprentice’s successful
11 demonstration of acquired skills and
12 knowledge, by—

13 (I) requiring apprentices to com-
14 plete an on-the-job learning compo-
15 nent of the apprenticeship that is in-
16 tegrated into the program and the
17 competencies of the program; and

18 (II) identifying the appropriate
19 means of testing and evaluation for
20 such competencies;

21 (ii) in the case of a time-based ap-
22 prenticeship described in subparagraph
23 (E)(i), shall also include the individual ap-
24 prentice’s completion of the required hours

1 of on-the-job learning as described in a
2 work process schedule; and

3 (iii) in the case of a hybrid appren-
4 ticeship described in subparagraph (E)(iii),
5 a combination of specified minimum num-
6 ber of hours of on-the-job learning and the
7 successful demonstration of competency, as
8 described in a work process schedule.

9 (G) Other terms and conditions of employ-
10 ment, training, and supervision of apprentices
11 in the program, as required by the Secretary or
12 the registration agency.

13 (3) The program equally grants advanced
14 standing or credit for all individuals applying for the
15 apprenticeship with demonstrated competency or ac-
16 quired experience, training, or skills and provides
17 commensurate wages for any progression in standing
18 or credit so granted.

19 (4) In the case of a program that chooses to
20 issue an interim credential, the program—

21 (A) clearly identifies each interim creden-
22 tial;

23 (B) only issues an interim credential for
24 recognized components of an apprenticeable oc-
25 cupation, and demonstrates how each interim

1 credential specifically links to the knowledge,
2 skills, and abilities associated with such compo-
3 nents; and

4 (C) establishes the process for assessing an
5 individual apprentice's demonstration of com-
6 petency and measurable skill gains associated
7 with the particular interim credential.

8 (5) The program has adequate and safe equip-
9 ment and facilities for training and supervision, and
10 provides safety training for apprentices on the job
11 and in related instruction.

12 (6) The program has minimum qualifications
13 for individuals desiring to enter the apprenticeship
14 program, with an eligible starting age for an appren-
15 tice of not less than 16 years.

16 (7) The program provides that an individual
17 who is to become an apprentice under the program
18 enters into a written apprenticeship agreement de-
19 scribed in section 128 with the sponsor.

20 (8) The program records and maintains all
21 records concerning the program as may be required
22 by the Secretary, the registration agency of the pro-
23 gram, or any other applicable law.

24 (9) The program awards a certificate of comple-
25 tion in recognition of successful completion of ap-

1 prenticeship, evidenced by an appropriate certificate
2 issued by the registration agency, and culminates in
3 a recognized postsecondary credential.

4 (10) The program provides all individuals with
5 an equal opportunity to participate in apprentice-
6 ships under the program, including through the
7 method for the selection of apprentices, as described
8 in section 122(b).

9 **SEC. 128. APPRENTICESHIP AGREEMENT STANDARDS.**

10 An apprenticeship agreement shall contain, explicitly
11 or by reference—

12 (1)(A) in the case of a time-based apprentice-
13 ship program, a statement of the number of hours
14 to be spent by the apprentice in on-the-job work in
15 order to complete the program;

16 (B) in the case of a competency-based program,
17 a description of the skill sets to be attained by com-
18 pletion of the program, including the on-the-job
19 learning component; or

20 (C) in the case of a hybrid program, the min-
21 imum number of hours to be spent by the apprentice
22 and a description of the skill sets and competencies
23 to be attained by completion of the program;

1 (2) the number of hours to be spent in and
2 form of related instruction in technical subjects re-
3 lated to the apprenticeable occupation;

4 (3) a schedule of the work processes in the oc-
5 cupation or industry divisions in which the appren-
6 tice is to be trained and the approximate time to be
7 spent at each process;

8 (4) the graduated scale of wages to be paid to
9 the apprentice and a statement regarding whether
10 the required related instruction described in para-
11 graph (2) is compensated;

12 (5) a statement that the apprentice will be ac-
13 corded equal opportunity in all phases of apprentice-
14 ship employment and training, in accordance with
15 the State plan for equal employment opportunity in
16 apprenticeship described in section 114(c)(1)(B) and
17 in compliance with the requirements of the Sec-
18 retary;

19 (6) methods for providing quarterly data de-
20 scribing the outcomes associated with the appren-
21 ticeship program; and

22 (7) additional requirements determined nec-
23 essary by the Secretary or the registration agency.

1 secondary credential attainment and meas-
2 urable skills over the level that would have
3 existed in the absence of such programs
4 and activities; and

5 (iii) respond to local labor market
6 data and align with in-demand industries
7 or occupations;

8 (B) the impact of the programs and activi-
9 ties for the participants, sponsors or program
10 administrators, and employers;

11 (C) the return on investment of Federal,
12 State, local, sponsor, employer, and other fund-
13 ing for covered apprenticeships, capturing the
14 full level of investment in, and impact of, cov-
15 ered apprenticeships;

16 (D) the longitudinal outcomes for partici-
17 pants in the programs and activities;

18 (E) the impact of specific apprenticeship
19 policies on the general effectiveness of such pro-
20 grams and activities, as applicable; and

21 (F) opportunities to scale up effective cov-
22 ered apprenticeship models.

23 (3) TECHNIQUES.—Evaluations conducted
24 under this subsection shall utilize appropriate meth-
25 odology and research designs.

1 (4) REPORTS.—

2 (A) INDEPENDENT EVALUATOR.—The
3 independent evaluator carrying out the evalua-
4 tions shall prepare and submit to the Secretary
5 a final report containing the results of the eval-
6 uations, and including policy recommendations
7 if applicable. The final report shall be made
8 available for public inspection.

9 (B) SECRETARY.—Not later than 36
10 months after the date of enactment of this Act,
11 the Secretary shall produce a final report,
12 which shall include information related to the
13 return on investment described in paragraph
14 (2)(C).

15 (5) REPORTS TO CONGRESS.—Not later than
16 60 days after the completion of the final report de-
17 scribed in paragraph (4)(B), the Secretary shall
18 transmit the final report to the Committee on Edu-
19 cation and the Workforce of the House of Rep-
20 resentatives and the Committee on Health, Edu-
21 cation, Labor, and Pensions of the Senate.

22 (b) REVIEWS BY REGISTRATION AGENCIES.—

23 (1) COMPREHENSIVE REVIEWS.—

24 (A) IN GENERAL.—A registration agency
25 shall periodically review each program that the

1 registration agency has registered as a covered
2 apprenticeship program, for quality assurance
3 and for compliance with the requirements of the
4 apprenticeship laws.

5 (B) TIMING OF REVIEWS.—A review de-
6 scribed in subparagraph (A) shall occur—

7 (i) at the end of the first full training
8 cycle of covered apprentices under the cov-
9 ered apprenticeship program; and

10 (ii) beginning after the review de-
11 scribed in clause (i), not less frequently
12 than once every 5 years.

13 (C) COMPREHENSIVE REVIEW.—The re-
14 view shall be a comprehensive review regarding
15 all aspects of the covered apprenticeship pro-
16 gram's performance, including determining—

17 (i) whether the registration agency is
18 receiving notification from the sponsor of
19 an apprenticeship program regarding indi-
20 viduals who are registered as new appren-
21 tices under the apprenticeship program, or
22 who successfully complete the apprentice-
23 ship program, as required under the ap-
24 prenticeship laws;

1 (ii) whether the sponsor or program
2 administrator of the covered apprenticeship
3 program is complying with the require-
4 ments of the apprenticeship laws; and

5 (iii) the performance of the sponsor or
6 program administrator with respect to, at
7 a minimum, the indicators described in
8 paragraph (2)(A)(i), with the performance
9 data disaggregated as described in that
10 paragraph.

11 (D) REPORTS.—On completion of a review
12 under this paragraph, the registration agency
13 shall prepare and, as applicable, submit to the
14 Secretary a report containing the results of the
15 review.

16 (2) PERFORMANCE REVIEWS.—

17 (A) IN GENERAL.—A registration agency
18 shall annually conduct a performance review of
19 each program that the registration agency has
20 registered as a covered apprenticeship program,
21 to determine—

22 (i) the performance of the sponsor or
23 program administrator with respect to the
24 indicators of performance under section
25 116(b)(2)(A)(i) (or, with respect to a

1 youth apprenticeship program, section
2 116(b)(2)(A)(ii)) of the Workforce Innova-
3 tion and Opportunity Act (29 U.S.C.
4 3141(b)(2)(A)(i), (ii)), with the perform-
5 ance data disaggregated by—

6 (I) the program type (apprentice-
7 ship, youth apprenticeship, or pre-ap-
8 prenticeship program) involved; and

9 (II) race, ethnicity, sex, age, and
10 membership in a population specified
11 in section 3(24) of that Act (29
12 U.S.C. 3102(24)); and

13 (ii) any additional information deter-
14 mined to be necessary by the Secretary or
15 registration agency.

16 (B) REPORTS.—The registration agency
17 for a State shall annually prepare and, as appli-
18 cable, submit to the Secretary a State perform-
19 ance report containing the results of the per-
20 formance reviews conducted in the State.

21 (3) TECHNIQUES.—Evaluations conducted
22 under this subsection shall utilize appropriate meth-
23 odology and research designs.

24 (c) SUBSEQUENT ACTION.—

1 (1) TECHNICAL ASSISTANCE AND CORRECTIVE
2 ACTION.—The registration agency shall provide tech-
3 nical assistance to the sponsor or program adminis-
4 trator of a covered apprenticeship program and iden-
5 tify areas that require corrective action if the reg-
6 istration agency determines, pursuant to any review
7 under subsection (b), that the covered apprenticeship
8 program—

9 (A) is not in operation;

10 (B) is not in compliance with the require-
11 ments of the apprenticeship laws; or

12 (C) is achieving levels of performance on
13 the indicators described in subsection
14 (b)(2)(A)(i) that are lower than the national or
15 State average.

16 (2) DEREGISTRATION OF A PROGRAM.—The
17 registration agency may deregister a covered appren-
18 ticeship program after making a determination stat-
19 ing that the program demonstrates persistent and
20 significant failure to perform successfully, which oc-
21 curs when—

22 (A) the sponsor or program administrator
23 of the program consistently fails to register at
24 least 1 covered apprentice;

1 (B) the program shows a pattern of poor
2 results on the indicators described in subsection
3 (b)(2)(A)(i) over a period of 3 years;

4 (C) the program demonstrates an ongoing
5 pattern of levels of performance on those indi-
6 cators that are lower than the national or State
7 average;

8 (D) the program shows no indication of
9 improvement in the areas identified by the reg-
10 istration agency as requiring corrective action
11 under paragraph (1); or

12 (E) the sponsor or program administrator
13 has not administered the covered apprenticeship
14 program in accordance with the program's reg-
15 istration under section 121, as applicable, or
16 with the requirements of the apprenticeship
17 laws.

18 (3) NOTIFICATION AND HEARING.—If the reg-
19 istration agency makes a determination described in
20 paragraph (2), the registration agency shall notify
21 the sponsor or program administrator of the deter-
22 mination in writing, and permit the sponsor or pro-
23 gram administrator to request a hearing by the Sec-
24 retary. The registration agency shall transmit to the
25 Secretary a report containing all pertinent facts and

1 circumstances concerning the determination, includ-
2 ing findings and a recommendation for
3 deregistration, and copies of all relevant documents
4 and records. If the sponsor or program adminis-
5 trator does not request the hearing, the registration
6 agency shall deregister the program after the period
7 for requesting such a hearing has expired. If the
8 sponsor or program administrator requests the hear-
9 ing, the Secretary shall make a decision on the
10 record after the hearing with respect to
11 deregistration.

12 (4) NOTIFICATION AND TREATMENT OF AP-
13 PRENTICES.—Not later than 15 days after the Sec-
14 retary deregisters a covered apprenticeship program,
15 or (if the registration agency deregisters such a pro-
16 gram and the sponsor or program administrator
17 does not request a hearing) not later than 15 days
18 after the period for requesting such a hearing has
19 expired, the sponsor or program administrator shall
20 notify all covered apprentices in the program—

21 (A) of such deregistration and the effective
22 date;

23 (B) that such deregistration automatically
24 deprives the covered apprentice of individual
25 registration as part of a covered apprenticeship

1 program, including the ability to receive a cer-
2 tificate of completion from the registration
3 agency;

4 (C) that the deregistration of the program
5 removes the covered apprentice from eligibility
6 for any Federal arrangement, Federal financial
7 or other assistance, or right, privilege or exemp-
8 tion under Federal law, that—

9 (i) relates to a covered apprentice;

10 and

11 (ii) requires the Secretary's approval
12 of a covered apprenticeship program; and

13 (D) that all covered apprentices are re-
14 ferred to the registration agency for informa-
15 tion about potential transfers to other covered
16 apprenticeship programs.

17 (d) DEFINITION.—In this section:

18 (1) DEREGISTER.—The term “deregister”
19 means—

20 (A) with respect to an apprenticeship pro-
21 gram, to cancel the registration of the program
22 and payments under any grant made under title
23 II for the program involved; and

24 (B) with respect to a youth apprenticeship
25 or a pre-apprenticeship program, to cancel pay-

1 ments under the grant awarded under title II
2 for the program involved.

3 (2) **REGISTRATION.**—The term “registration”—

4 (A) with respect to an apprenticeship pro-
5 gram, registration under section 122(c)(1)(B);
6 and

7 (B) with respect to a youth apprenticeship
8 or a pre-apprenticeship program, the award of
9 a grant under title II for the program involved.

10 (3) **REGISTRATION AGENCY.**—The term “reg-
11 istration agency” means—

12 (A) with respect to an apprenticeship pro-
13 gram, a registration agency as defined in sec-
14 tion 3; and

15 (B) with respect to a youth apprenticeship
16 or a pre-apprenticeship program, the agency
17 that awarded the grant for the program.

18 **SEC. 132. RESEARCH.**

19 (a) **RESEARCH.**—The Secretary may conduct,
20 through an independent entity, evidence-based research on
21 best practices in covered apprenticeship programs and
22 other issues relating to such programs.

23 (b) **TECHNIQUES.**—The research conducted under
24 this section shall be evidence-based and shall utilize appro-
25 priate methodology and research designs.

1 (c) REPORTS.—

2 (1) INDEPENDENT ENTITY.—The independent
3 entity carrying out the research shall prepare and
4 submit to the Secretary a final report containing the
5 results of the research, including policy rec-
6 ommendations. The final report shall be made pub-
7 licly available.

8 (2) SECRETARY.—Not later than 48 months
9 after the date of enactment of this Act, the Sec-
10 retary shall produce a final report containing the re-
11 sults of the research, including policy recommenda-
12 tions.

13 (d) REPORTS TO CONGRESS.—Not later than 60 days
14 after the completion of the final report described in sub-
15 section (c)(2), the Secretary shall transmit the final re-
16 ports to the committees described in section 131(a)(5).

17 (e) PUBLIC ACCESS.—The Secretary shall develop a
18 mechanism to make research conducted under this section
19 publically available in a timely manner.

20 **Subtitle D—General Provisions**

21 **SEC. 141. AUTHORIZATION OF APPROPRIATIONS.**

22 There are authorized to be appropriated to carry out
23 this title such sums as may be necessary.

1 **TITLE** **II—APPRENTICESHIP**
2 **MODERNIZATION AND EXPAN-**
3 **SION GRANTS**

4 **SEC. 201. GRANTS.**

5 (a) **PURPOSES.**—The purposes of this section are—

6 (1) to support and rigorously evaluate evidence-
7 based and innovative strategies and activities;

8 (2) to expand existing apprenticeship programs;

9 (3) to develop new apprenticeship programs in
10 industry sectors or occupations not traditionally rep-
11 resented in apprenticeship programs;

12 (4) to support qualified intermediaries; and

13 (5) to support youth apprenticeship and pre-ap-
14 prenticeship programs.

15 (b) **DEFINITION.**—In this section:

16 (1) **ELIGIBLE APPLICANT.**—The term “eligible
17 applicant” means a consortium of entities that shall
18 include 1 or more representatives from each of the
19 following:

20 (A) A local educational agency, area career
21 and technical education school, educational
22 service agency, or postsecondary educational in-
23 stitution.

24 (B) In a State with a State registration
25 agency, that registration agency.

1 (C) An industry or business, consisting of
2 an employer, a group of employers, a trade as-
3 sociation, a professional association, or an enti-
4 ty that sponsors an apprenticeship program.

5 (D) A State workforce development board
6 or local workforce development board.

7 (E) To the maximum extent practicable, as
8 determined by the consortium—

9 (i) a labor organization associated
10 with the industry sector or occupation re-
11 lated to the covered apprenticeship pro-
12 gram involved; and

13 (ii) a qualified intermediary.

14 (2) NEW OR EXISTING.—The term “new” or
15 “existing”, used with respect to a program, means
16 a program that was new or existing, respectively, as
17 of the day the eligible applicant involved submitted
18 the application for the grant involved.

19 (3) STATE APPRENTICESHIP AGENCY.—The
20 term “State apprenticeship agency” means the State
21 apprenticeship agency (as defined in section 3), act-
22 ing in coordination with the State agency with re-
23 sponsibility for workforce investment activities under
24 chapters 2 and 3 of subtitle B of title I (29 U.S.C.
25 3121 et seq., 3131 et seq.).

1 (c) AUTHORITY.—

2 (1) IN GENERAL.—The Secretary shall use the
3 amounts appropriated under subsection (i) to award
4 grants to eligible applicants to carry out the activi-
5 ties described in subsection (f).

6 (2) DURATION.—

7 (A) IN GENERAL.—The Secretary shall
8 award grants awarded under this subsection for
9 a period of not more than 3 years.

10 (B) EXTENSION.—The Secretary may ex-
11 tend the grant period for such a grant for not
12 more than 1 additional 2-year period, if the
13 grant recipient demonstrates to the Secretary
14 that the recipient—

15 (i) has effectively implemented a
16 project described in subsection (f)(4); and

17 (ii) has improved outcomes for, as ap-
18 plicable, apprentices, youth apprentices,
19 and pre-apprentices, as demonstrated
20 through levels on indicators referred to in
21 subsection (h)(2)(B)(i).

22 (d) APPLICATIONS.—To be eligible to receive a grant
23 under this section for a project involving a covered appren-
24 ticeship program, an eligible applicant shall submit an ap-

1 plication to the Secretary, containing such information as
2 the Secretary may require, including, at a minimum—

3 (1) a designation of the member of the consor-
4 tium referred to in subsection (b)(1) that will be the
5 lead applicant, and the member of such consortium
6 that will be the fiscal agent, for the eligible appli-
7 cant;

8 (2) a description of each member of the consor-
9 tium referred to in subsection (b)(1) and the role of
10 each member in carrying out the project described in
11 subsection (f)(4), which shall, at a minimum, dem-
12 onstrate the eligible applicant's—

13 (A) success in enrolling, instructing, ad-
14 vancing, and graduating individuals in covered
15 apprenticeship programs, and enabling the indi-
16 viduals to succeed in employment that leads to
17 self-sufficiency after program completion;

18 (B) ability to support, including by pro-
19 viding technical assistance, small- and medium-
20 sized businesses in the creation of, recruitment
21 for, and execution of covered apprenticeship
22 programs;

23 (C) ability to access and provide opportuni-
24 ties to rural communities as appropriate, and
25 populations typically underrepresented in the

1 industry sector or occupation of focus, such as
2 women, minorities, individuals with disabilities,
3 veterans, and individuals with barriers to em-
4 ployment; and

5 (D) ability to provide access to financial
6 planning, mentoring, and alignment of sup-
7 portive services, such as transportation, child
8 care, dependent care, housing, and needs-re-
9 lated payments, that are necessary to enable an
10 individual to participate in and complete a cov-
11 ered apprenticeship program;

12 (3) a description of the budget for the project,
13 the source, amount, and use of the matching funds
14 required under subsection (g), and how the eligible
15 applicant will continue the project after the grant
16 period ends, if applicable;

17 (4) a description of—

18 (A) how the eligible applicant will use the
19 grant funds as specified in subsection (f)(4), in-
20 cluding a description of the activities described
21 in subparagraphs (A) through (E) of that sec-
22 tion that the eligible applicant will carry out;

23 (B) how the project or the program in-
24 volved in the project will be aligned with the

1 labor market needs of in-demand industry sec-
2 tors or occupations; and

3 (C) how such funds will directly benefit ap-
4 prentices, youth apprentices, or pre-apprentices,
5 as applicable, served by the eligible applicant;

6 (5) a description of how the project carried out
7 under the grant will be coordinated with the activi-
8 ties carried out as required for the covered appren-
9 ticeship program involved;

10 (6) a description of how the eligible applicant
11 for the project will comply with requirements for an
12 evaluation and report under subsection (h);

13 (7) a description of how the activities assisted
14 under the grant will be coordinated with activities
15 carried out under the Carl D. Perkins Career and
16 Technical Education Act of 2006 (20 U.S.C. 2301
17 et seq.), the Higher Education Act of 1965 (20
18 U.S.C. 1001 et seq.), or the Workforce Innovation
19 and Opportunity Act (29 U.S.C. 3101 et seq.), as
20 applicable;

21 (8) a description of how the eligible applicant
22 will recruit and retain participants from nontradi-
23 tional apprenticeship populations, meaning popu-
24 lations that include women, minorities, and individ-

1 uals with barriers to employment, for covered ap-
2 prenticeship programs; and

3 (9) an assurance that the eligible applicant
4 will—

5 (A) provide information to the Secretary,
6 as requested, for such evaluations as the Sec-
7 retary may carry out; and

8 (B) make program performance outcome
9 data available (in accordance with applicable
10 data privacy laws, including section 444 of the
11 General Education Provisions Act (20 U.S.C.
12 1232g)) to independent evaluators for valida-
13 tion and to enable the evaluators to prepare the
14 evaluations and reports described in subsection
15 (h).

16 (e) PRIORITY.—In awarding grants under this sec-
17 tion, the Secretary shall give priority to eligible applicants
18 proposing to serve a high number or high percentage of
19 participants who are from nontraditional apprenticeship
20 populations described in subsection (d)(8).

21 (f) USES OF FUNDS.—A recipient of a grant under
22 this section shall use the grant funds to—

23 (1) coordinate activities under this subsection
24 with activities carried out under the Carl D. Perkins
25 Career and Technical Education Act of 2006 (20

1 U.S.C. 2301 et seq.), the Higher Education Act of
2 1965 (20 U.S.C. 1001 et seq.), or the Workforce In-
3 novation and Opportunity Act (29 U.S.C. 3101 et
4 seq.), as applicable;

5 (2) recruit, assess, and enroll participants in
6 covered apprenticeship programs, especially in re-
7 gard to—

8 (A) providing support for employers, spon-
9 sors, or program administrators, as relevant,
10 for the establishment or expansion of covered
11 apprenticeship programs; and

12 (B) recruiting and retaining nontraditional
13 apprenticeship populations described in sub-
14 section (d)(8);

15 (3) ensure that the sponsor or program admin-
16 istrator for the covered apprenticeship program in-
17 volved uses 5 percent of the grant funds to provide
18 financial assistance to support the financial needs of
19 covered apprentices to enter, remain enrolled in, and
20 complete the program, such as support for the re-
21 lated costs of training, supplies, courses, transpor-
22 tation, child care, and housing; and

23 (4) carry out a project that, at a minimum—

24 (A) expands existing apprenticeship pro-
25 grams, to pay for the costs associated with—

- 1 (i) providing training or related in-
2 struction associated with the apprentice-
3 ship program or for curriculum improve-
4 ments that align with the requirements of
5 the apprenticeship program and learning
6 assessments;
- 7 (ii) maintaining a connection be-
8 tween—
- 9 (I) the apprenticeship program;
10 and
- 11 (II) a pre-apprenticeship or
12 youth apprenticeship program;
- 13 (iii) conducting assessments of poten-
14 tial participants for, and enrollment of the
15 participants in, the apprenticeship pro-
16 gram;
- 17 (iv) conducting outreach to and en-
18 gagement with employers;
- 19 (v) carrying out data collection and
20 reporting activities; and
- 21 (vi) providing training for instructors
22 or mentors;
- 23 (B) develops new apprenticeship programs
24 in in-demand industry sectors or occupations

1 not traditionally represented in apprenticeship
2 programs, including, at a minimum—

3 (i) documenting growth over the pre-
4 vious 10 years at the Federal, State, or
5 local level in in-demand industry sectors or
6 occupations that have not traditionally
7 been industry sectors with apprenticeable
8 occupations, or apprenticeable occupations,
9 respectively;

10 (ii) recruiting and supporting employ-
11 ers, especially small- and medium-sized
12 businesses, for and in the creation and exe-
13 cution of new apprenticeship programs;

14 (iii) promoting outreach to commu-
15 nities and to potential sponsors for those
16 communities, about apprenticeship pro-
17 grams, including outreach to rural commu-
18 nities and communities with populations
19 typically underrepresented in the industry
20 sector or occupation of focus, such as
21 women, minorities, individuals with disabil-
22 ities, veterans, and individuals with bar-
23 riers to employment;

24 (iv) creating, or establishing partner-
25 ships with entities to provide, access to fi-

1 nancial planning, mentoring, and align-
2 ment of supportive services, such as trans-
3 portation, child care, dependent care, hous-
4 ing, and needs-related payments, that are
5 necessary to enable an individual to par-
6 ticipate in and complete an apprenticeship
7 program;

8 (v)(I) creating, developing, or adopt-
9 ing related instruction associated with an
10 apprenticeship program, or developing a
11 curriculum that aligns with the require-
12 ments of the program and a corresponding
13 learning assessment; and

14 (II) obtaining or providing related
15 training; and

16 (vi) creating a connection between—

17 (I) the apprenticeship program;

18 and

19 (II) a pre-apprenticeship or

20 youth apprenticeship program;

21 (C) expands support for qualified inter-
22 mediaries that are supporting covered appren-
23 ticeship programs, or are seeking to expand
24 their capacity to serve covered apprenticeship
25 programs, to enable the qualified intermediaries

1 to carry out, at a minimum, activities that con-
2 sist of—

3 (i) engaging employers, especially
4 small- and medium-sized businesses, in the
5 formation or ongoing development of in-
6 dustry or sector partnerships;

7 (ii) identifying in-demand industry
8 sectors or occupations to serve, in align-
9 ment and coordination with State, re-
10 gional, and local plans, as required under
11 the Workforce Innovation and Opportunity
12 Act (29 U.S.C. 3101 et seq.);

13 (iii) supporting alignment between
14 covered apprenticeship programs and local
15 labor market needs, to ensure all programs
16 are in alignment with those needs;

17 (iv) engaging with local education and
18 training providers to support related in-
19 struction aligned with the needs of in-de-
20 mand industry sectors and occupations,
21 and where applicable, support provision of
22 academic credit for related instruction; or

23 (v) providing services, including busi-
24 ness engagement, classroom instruction,
25 and supportive services (including at least

1 6 months of supportive services after the
2 conclusion of the covered apprenticeship
3 program involved);

4 (D) creates or expands pre-apprenticeship
5 programs, which shall include, at a minimum—

6 (i) coordination of activities with ap-
7 prenticeship programs in in-demand indus-
8 try sectors or occupations in the region;

9 (ii) the use of integrated work-based
10 and academic learning, which may include
11 training in the workplace;

12 (iii) provision of career and education
13 exploration activities, including exploration
14 of apprenticeship programs and postsec-
15 ondary opportunities; and

16 (iv) for participants without a high
17 school diploma or its generally recognized
18 equivalent, payment of costs affiliated with
19 acquiring that equivalent; and

20 (E) creates or expands youth apprentice-
21 ship programs, which shall include, at a min-
22 imum—

23 (i) paying for the costs associated
24 with curriculum development and align-
25 ment of that curriculum with industry-rec-

1 ognized credentials (with the quality of the
2 training leading to that credential reviewed
3 by a recipient of Federal funds), high
4 school graduation requirements, and ap-
5 prenticeship programs, including cur-
6 riculum development for and alignment
7 through dual or concurrent enrollment;

8 (ii) providing employer support for
9 youth apprentices under the age of 18;

10 (iii) the use of integrated work-based
11 and academic learning, which may include
12 training in the workplace; and

13 (iv) provision of career exploration ac-
14 tivities, including exploration of apprentice-
15 ship programs and postsecondary opportu-
16 nities.

17 (g) NON-FEDERAL MATCH.—

18 (1) MATCHING FUNDS REQUIRED.—Except as
19 provided under paragraph (2), the Secretary may
20 not make a grant for an entity under this section
21 unless the entity agrees that, with respect to the
22 costs to be incurred by the entity in carrying out the
23 project for which the grant was awarded, the entity
24 will make available matching funds from non-Fed-
25 eral sources in an amount not less than \$3 for every

1 \$4 of Federal funds provided under the grant. The
2 entity may make the matching funds available di-
3 rectly or through donations from public or private
4 organizations, in cash or in kind, fairly evaluated.

5 (2) EXCEPTION.—The Secretary may waive the
6 matching funds requirement under paragraph (1) if
7 the entity demonstrates that exceptional cir-
8 cumstances prevent the entity from meeting the re-
9 quirement.

10 (h) EVALUATION.—Each recipient of a grant under
11 this section shall—

12 (1) annually provide for an independent evalua-
13 tion of the project carried out under such grant;

14 (2) provide for the independent evaluator to
15 prepare an annual report, based on the evaluation,
16 that includes—

17 (A) a description of how the funds received
18 through the grant were used and how the uses
19 of funds aligned with the description in the ap-
20 plication specified in subsection (d)(4); and

21 (B) information on—

22 (i) for a project involving an existing
23 covered apprenticeship program, the per-
24 formance of the grant recipient with re-
25 spect to, at a minimum, the indicators of

1 performance under section 116(b)(2)(A)(i)
2 (or, with respect to a youth apprenticeship
3 program, section 116(b)(2)(A)(ii)) of the
4 Workforce Innovation and Opportunity Act
5 (29 U.S.C. 3141(b)(2)(A)(i)), with the per-
6 formance data disaggregated by—

7 (I) the program type (apprentice-
8 ship, youth apprenticeship, or pre-ap-
9 prenticeship program) assisted under
10 the grant; and

11 (II) race, ethnicity, sex, age, and
12 membership in a population specified
13 in section 3(24) of that Act (29
14 U.S.C. 3102(24)); and

15 (ii) for a project involving a new cov-
16 ered apprenticeship program, the perform-
17 ance of the grant recipient—

18 (I) for reports submitted during
19 the first 36 months after the project
20 involved begins—

21 (aa) that consists of a quan-
22 titative and qualitative analysis
23 of program development, includ-
24 ing participant engagement and
25 recruitment of partners, employ-

1 ers, and potential covered ap-
2 prentices; and

3 (bb) on the indicators of
4 performance described in clause
5 (i), as such performance informa-
6 tion becomes available; and

7 (II) for reports submitted later
8 than that first 36 months, the per-
9 formance of the grant recipient with
10 respect to, at a minimum, the indica-
11 tors described in clause (i), with the
12 performance data disaggregated as
13 described in clause (i); and

14 (3) submit the report—

15 (A) for a project that relates to an appren-
16 ticeship program, to the registration agency
17 through which the program is registered; and

18 (B) for a project that relates to a youth
19 apprenticeship program or pre-apprenticeship
20 program, to the State apprenticeship agency.

21 (i) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated to carry out this section
23 such sums as may be necessary.

1 **TITLE III—GENERAL**
2 **PROVISIONS**

3 **SEC. 301. RULE OF CONSTRUCTION.**

4 Nothing in this Act shall be construed to supersede
5 the requirements or standards of the Act of August 16,
6 1937 (commonly known as the “National Apprenticeship
7 Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.),
8 or any rule implementing such Act, except to the extent
9 that this Act conflicts with any such requirement, stand-
10 ard, or rule.

11 **SEC. 302. EFFECTIVE DATE.**

12 Except as otherwise provided, this Act shall take ef-
13 fect on July 1, 2019.

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