

118TH CONGRESS
1ST SESSION

S. 2363

To promote and expand high-quality youth apprenticeship programs and provide support and incentives to help employees establish such programs.

IN THE SENATE OF THE UNITED STATES

JULY 18, 2023

Mr. HICKENLOOPER (for himself and Mr. BRAUN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To promote and expand high-quality youth apprenticeship programs and provide support and incentives to help employees establish such programs.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Youth Apprenticeship
5 Advancement Act”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

8 (1) to promote and expand high-quality youth
9 apprenticeship programs that—

1 (A) strengthen the transition from high
 2 school to employment and postsecondary edu-
 3 cation in high-skill, high-wage, and in-demand
 4 industry sectors and occupations;

5 (B) serve all youth, including youth with
 6 barriers to access to, participation in, and com-
 7 pletion of youth apprenticeship programs; and

8 (C) lead to rewarding, longer-term careers
 9 and success in the labor market; and

10 (2) to provide support and incentives to help
 11 employers establish high-quality youth apprentice-
 12 ships to meet their needs for skilled workers and di-
 13 versify their workforces.

14 **SEC. 3. DEFINITIONS.**

15 In this Act:

16 (1) AWARD.—The term “award” means a
 17 grant, contract, or cooperative agreement.

18 (2) COMPETENCY.—The term “competency”
 19 means the attainment of knowledge, skills, and abili-
 20 ties in a subject area, as specified by an occupa-
 21 tional skill standard and demonstrated by an appro-
 22 priate written and hands-on proficiency measure-
 23 ment.

24 (3) CTE TERMS.—The terms “area career and
 25 technical education school”, “Tribally controlled col-

1 lege or university”, “Tribally controlled postsec-
 2 ondary career and technical institution”, and “work-
 3 based learning” have the meanings given the terms
 4 in section 3 of the Carl D. Perkins Career and Tech-
 5 nical Education Act of 2006 (20 U.S.C. 2302).

6 (4) EDUCATION AND TRAINING PROVIDER.—
 7 The term “education and training provider”
 8 means—

9 (A) an area career and technical education
 10 school;

11 (B) an early college high school;

12 (C) a dual or concurrent enrollment pro-
 13 gram;

14 (D) an educational service agency;

15 (E) a high school;

16 (F) a local educational agency or State
 17 educational agency;

18 (G) a Tribal educational agency, Tribally
 19 controlled college or university, or Tribally con-
 20 trolled postsecondary career and technical insti-
 21 tution;

22 (H) an institution of higher education;

23 (I) a Historically Black College or Univer-
 24 sity, meaning a part B institution as defined in

1 section 322 of the Higher Education Act of
2 1965 (20 U.S.C. 1061));

3 (J) a minority-serving institution;

4 (K) a local agency administering plans
5 under title I of the Rehabilitation Act of 1973
6 (29 U.S.C. 720 et seq.), other than section 112
7 or part C of that title (29 U.S.C. 732, 741);

8 (L) a related integrated instruction pro-
9 vider, including a qualified intermediary acting
10 as a related integrated instruction provider as
11 approved by the Office of Apprenticeship or a
12 State apprenticeship agency recognized by the
13 Secretary; and

14 (M) a consortium of entities described in
15 any of subparagraphs (A) through (L).

16 (5) ELIGIBLE ENTITY.—The term “eligible enti-
17 ty” means a partnership that shall include—

18 (A) 1 or more State educational agencies
19 or local educational agencies;

20 (B) 1 or more youth apprenticeship pro-
21 gram sponsors, which may be employers; and

22 (C) entities or officials from not fewer than
23 2 categories consisting of the following:

1 (i) A Governor of a State, including a
2 Governor acting through 1 or more State
3 agencies.

4 (ii) A State workforce development
5 board or State workforce agency, or a local
6 workforce development board or local
7 workforce agency.

8 (iii) An education and training pro-
9 vider, or a consortium thereof.

10 (iv) A State vocational rehabilitation
11 agency.

12 (v) A qualified intermediary.

13 (vi) An industry or sector partnership,
14 a group of employers, a trade association,
15 or a professional association.

16 (vii) A labor organization or joint-
17 labor management organization.

18 (viii) An Indian Tribe, Tribal organi-
19 zation, or Urban Indian organization.

20 (ix) A nonprofit entity, such as a com-
21 munity-based organization, human or
22 youth services provider, or economic devel-
23 opment organization.

24 (6) ESEA TERMS.—

1 (A) IN GENERAL.—The terms “dual or
2 concurrent enrollment program”, “early college
3 high school”, “educational service agency”,
4 “high school”, “local educational agency”, “reg-
5 ular high school diploma”, and “State edu-
6 cational agency” have the meanings given the
7 terms in section 8101 of the Elementary and
8 Secondary Education Act of 1965 (20 U.S.C.
9 7801).

10 (B) CHALLENGING STATE ACADEMIC
11 STANDARDS.—The term “challenging State aca-
12 demic standards” has the meaning given the
13 term in section 1111(b)(1)(A) of such Act (20
14 U.S.C. 6311(b)(1)(A)).

15 (C) STUDENTS WITH THE MOST SIGNIFI-
16 CANT COGNITIVE DISABILITIES.—The term
17 “students with the most significant cognitive
18 disabilities” means such students, within the
19 meaning of section 1111(b)(1)(E)(i) of such Act
20 (20 U.S.C. 6311(b)(1)(E)(i)).

21 (7) EVIDENCE-BASED.—The term “evidence-
22 based”, used with respect to a practice or approach,
23 means a youth apprenticeship, postsecondary edu-
24 cation, or career-related strategy or intervention that
25 meets subparagraph (A)(i) or subclause (I) or (II) of

1 subparagraph (A)(ii) of section 8101(21) of the Ele-
2 mentary and Secondary Education Act of 1965 (20
3 U.S.C. 7801(21)).

4 (8) INDIAN TRIBE; TRIBAL ORGANIZATION.—
5 The terms “Indian Tribe” and “Tribal organiza-
6 tion” have the meanings given the terms (without
7 regard to capitalization) in section 4 of the Indian
8 Self-Determination and Education Assistance Act
9 (25 U.S.C. 5304).

10 (9) INTERIM CREDENTIAL.—The term “interim
11 credential” means a credential issued by a local edu-
12 cational agency, secondary school, institution of
13 higher education, sponsor of a youth apprenticeship
14 program, or industry-recognized third party, or the
15 Office of Apprenticeship or a State apprenticeship
16 agency recognized by the Secretary, upon request of
17 the sponsor, as certification of a regular high school
18 diploma, competency, or a recognized postsecondary
19 credential by a youth apprentice during participation
20 in a youth apprenticeship program.

21 (10) MINORITY-SERVING INSTITUTION.—The
22 term “minority-serving institution” means an insti-
23 tution defined in any of paragraphs (1) through (7)
24 of section 371(a) of the Higher Education Act of
25 1965 (20 U.S.C. 1067q(a)).

1 (11) NATIONAL APPRENTICESHIP SYSTEM.—

2 The term “national apprenticeship system” means
3 the apprenticeship programs, youth apprenticeship
4 programs, and pre-apprenticeship programs that are
5 approved by the Office of Apprenticeship and State
6 apprenticeship agencies.

7 (12) NONTRADITIONAL APPRENTICESHIP POPU-

8 LATION.—The term “nontraditional apprenticeship
9 population” means a group of individuals with a
10 common demographic trait (such as individuals from
11 the same gender, race, or ethnicity), the members of
12 which—

13 (A) with respect to an established youth
14 apprenticeship program, comprise less than 25
15 percent of the program participants in that
16 youth apprenticeship program; or

17 (B) based on the most recent satisfactory
18 data from the Bureau of the Census, comprise
19 a percentage of individuals employed in an oc-
20 cupation that is lower than the percentage of
21 the total population of the United States com-
22 prised by such members.

23 (13) OUTLYING AREA.—The term “outlying
24 area” means American Samoa, Guam, the Common-

1 wealth of the Northern Mariana Islands, and the
2 United States Virgin Islands.

3 (14) POSTSECONDARY EDUCATION AND CAREER
4 GUIDANCE AND COUNSELING.—The term “postsec-
5 ondary education and career guidance and coun-
6 seling” means guidance and counseling that provides
7 students, and as appropriate, parents or legal guard-
8 ians—

9 (A) access to information about career
10 awareness, exploration opportunities, and plan-
11 ning with respect to a student’s academic and
12 occupational future along career pathways;

13 (B) information about career options, fi-
14 nancial aid, apprenticeship and other work-
15 based learning opportunities, postsecondary
16 education options, dual or concurrent enroll-
17 ment programs and early college programs, and
18 financial literacy, as appropriate; and

19 (C) information about supportive services
20 that increase enrollment, retention, and comple-
21 tion in youth apprenticeship programs.

22 (15) QUALIFIED INTERMEDIARY.—The term
23 “qualified intermediary” means a nonprofit entity
24 that demonstrates expertise and experience in serv-
25 ing participants, employers, and schools by—

1 (A) building, sustaining, measuring, and
2 improving the quality and performance of youth
3 apprenticeship programs;

4 (B) assisting in the design, approval, reg-
5 istration, and implementation of youth appren-
6 ticeship programs, including program develop-
7 ment, and meeting program requirements, in-
8 cluding registration and reporting requirements;

9 (C) in collaboration with 1 or more State
10 educational agencies, local educational agencies,
11 or institutions of higher education included in
12 the eligible entity, providing collaborative pro-
13 fessional development activities such as training
14 for workplace supervisors, mentors, counselors,
15 and teachers, instructors, and other educators;

16 (D) supporting the recruitment for, reten-
17 tion in, and completion of youth apprenticeship
18 programs by potential or enrolled youth appren-
19 tices, including youth apprentices who are from
20 low-income backgrounds or members of non-
21 traditional apprenticeship populations;

22 (E) developing and providing personalized
23 youth apprentice supports, including by
24 partnering with organizations to provide access
25 to or referrals for supportive services, financial

1 literacy, and other support based upon needs of
2 potential or enrolled youth apprentices;

3 (F) supporting collaboration or partner-
4 ships among the partners of the eligible entity;

5 or

6 (G) serving as a program sponsor.

7 (16) RELATED INTEGRATED INSTRUCTION.—

8 The term “related integrated instruction” means in-
9 struction in technical subjects, related to the occupa-
10 tion in which a youth apprentice engages in work-
11 based learning during a youth apprenticeship pro-
12 gram, that—

13 (A) concerns essential employability skills;

14 (B) supports successful participation in
15 and completion of the youth apprenticeship pro-
16 gram accomplished through integrated and
17 aligned classroom instruction; and

18 (C) may include occupational courses, or
19 other instruction approved by the involved State
20 educational agency or local educational agency.

21 (17) SECRETARY.—The term “Secretary”
22 means the Secretary of Labor.

23 (18) SPONSOR.—The term “sponsor” means
24 any employer, joint labor-management organization,
25 trade association, committee, professional associa-

1 tion, labor organization, education and training pro-
2 vider, or qualified intermediary—

3 (A) in whose name a youth apprenticeship
4 program is registered or is to be registered
5 under the National Apprenticeship System; and

6 (B) that assumes responsibility for the im-
7 plementation of such a program.

8 (19) STATE.—The term “State”—

9 (A) has the meaning given such term in
10 section 3 of the Workforce Innovation and Op-
11 portunity Act (29 U.S.C. 3102); and

12 (B) includes each of the outlying areas.

13 (20) STATE OR LOCAL WORKFORCE DEVELOP-
14 MENT BOARD.—The terms “State workforce develop-
15 ment” and “local workforce development”, used with
16 respect to a board, have the meanings given the
17 terms “State board” and “local board”, respectively,
18 in section 3 of the Workforce Innovation and Oppor-
19 tunity Act (29 U.S.C. 3102).

20 (21) STATE VOCATIONAL REHABILITATION
21 AGENCY.—The term “State vocational rehabilitation
22 agency” means a designated State agency or des-
23 ignated State unit, as the case may be, as such
24 terms are defined in section 7 of the Rehabilitation
25 Act of 1973 (29 U.S.C. 705).

1 (22) STATE WORKFORCE AGENCY.—The term
2 “State” used with respect to a workforce agency,
3 means the State agency with responsibility for work-
4 force investment activities under chapters 2 and 3 of
5 subtitle B of title I of the Workforce Innovation and
6 Opportunity Act (29 U.S.C. 3121 et seq., 3131 et
7 seq.).

8 (23) TRIBAL EDUCATIONAL AGENCY.—The
9 term “Tribal educational agency” has the meaning
10 given the term (without regard to capitalization) in
11 section 6132 of the Elementary and Secondary Edu-
12 cation Act of 1965 (20 U.S.C. 7452).

13 (24) URBAN INDIAN ORGANIZATION.—The term
14 “Urban Indian organization” has the meaning given
15 the term in the Indian Health Care Improvement
16 Act (25 U.S.C. 1603).

17 (25) WIOA TERMS.—The terms “career path-
18 way”, “in-demand industry sector or occupation”,
19 “individual with a disability”, “industry or sector
20 partnership”, “institution of higher education”,
21 “recognized postsecondary credential”, and “sup-
22 portive services” have the meanings given in section
23 3 of the Workforce Innovation and Opportunity Act
24 (29 U.S.C. 3102).

1 (26) YOUTH.—The term “youth” means an in-
2 dividual who is not younger than age 16 or older
3 than age 22.

4 (27) YOUTH APPRENTICE.—The term “youth
5 apprentice” means a youth who is—

6 (A) not younger than age 16 or older than
7 age 22;

8 (B) participating in a youth apprenticeship
9 program; and

10 (C) enrolled in or returning to high school
11 at the start of the program.

12 (28) YOUTH APPRENTICESHIP AGREEMENT.—
13 The term “youth apprenticeship agreement” means
14 a written agreement under section 101 that is
15 agreed to by each of the following:

16 (A) A youth.

17 (B) The youth’s parent or legal guardian,
18 as applicable.

19 (C) One or more local educational agen-
20 cies.

21 (D) The youth apprenticeship sponsor,
22 which may be an employer for a youth appren-
23 ticeship.

24 (E) As appropriate, a qualified inter-
25 mediary for a youth apprenticeship.

1 (F) As appropriate, one or more institu-
2 tions of higher education.

3 (G) As appropriate, one or more employ-
4 ers.

5 (29) YOUTH APPRENTICESHIP PROGRAM.—The
6 term “youth apprenticeship program” means an ap-
7 prenticeship program registered under the Act of
8 August 16, 1937 (commonly known as the “National
9 Apprenticeship Act”; 50 Stat. 664, chapter 663; 29
10 U.S.C. 50 et seq.) that—

11 (A) is designed for youth not younger than
12 age 16 or older than age 22 who at the start
13 of the program are enrolled in or returning to
14 high school; and

15 (B) meets the standards described in sec-
16 tion 102.

17 **TITLE I—YOUTH**
18 **APPRENTICESHIP PROGRAMS**

19 **SEC. 101. YOUTH APPRENTICESHIP AGREEMENTS.**

20 (a) IN GENERAL.—The Administrator shall require
21 a sponsor to develop a youth apprenticeship agreement,
22 for each youth apprenticeship program, that shall—

23 (1) be the same for each youth apprentice;

24 (2) contain—

1 (A) the names and signatures of the par-
2 ties, as appropriate, as described in section
3 3(28);

4 (B) the term of the youth apprenticeship
5 program;

6 (C) a statement of the number of hours to
7 be spent by the youth apprentice in on-the-job
8 learning and on-the-job training, in order to
9 complete the program, if the term of the youth
10 apprenticeship is measured through a time-
11 based or hybrid approach (as described in sec-
12 tion 29.5(b)(2)(i) and (ii) of title 29, Code of
13 Federal Regulations (or a successor regula-
14 tion));

15 (D) a description of the skill sets to be at-
16 tained by completion of the program, including
17 the on-the-job learning and on-the-job training
18 components;

19 (E) a description of the number of hours
20 and form of related integrated instruction pro-
21 vided, and how such instruction will relate to
22 graduation requirements for the entities re-
23 ferred to in subparagraphs (C) or (F) of section
24 3(28), as applicable;

1 (F) a description of the regular high school
2 diploma or (for students with the most signifi-
3 cant cognitive disabilities) the State-defined al-
4 ternate diploma aligned to the alternate aca-
5 demic achievement standards described under
6 section 1111(b)(1)(E) of the Elementary and
7 Secondary Education Act of 1965 (20 U.S.C.
8 6311(b)(1)(E)), or a recognized postsecondary
9 credential, that the youth apprentice will be eli-
10 gible to receive upon program completion;

11 (G) a description of the use, in the pro-
12 gram, of universal design for learning and other
13 evidence-based practices known to support
14 youth with disabilities;

15 (H) a statement of the costs the youth ap-
16 prentice will incur for participating in the pro-
17 gram (such as costs for equipment, related inte-
18 grated instruction, or assessment or licensure
19 fees);

20 (I) a description of the methods used in
21 the program to measure skill acquisition for a
22 youth apprentice;

23 (J) a description of the mentoring that will
24 be provided to the youth apprentice;

1 (K) a description or timeline explaining the
2 periodic reviews and evaluations of the youth
3 apprentice's performance on the job and in re-
4 lated integrated instruction;

5 (L) a description of the graduated wage
6 scale for wages to be paid to the youth appren-
7 tice, benefits offered to youth apprentices, and
8 how the wages and benefits compare to State,
9 local, or regional wages and benefits in the re-
10 lated occupation;

11 (M) a description of the safe work and
12 training environment that will be provided for
13 youth apprentices, including an environment in
14 compliance with all applicable Federal and
15 State workplace safety and labor laws;

16 (N) a statement of the credit or credential,
17 which may be an interim credential, that the
18 youth apprentice will earn during or on comple-
19 tion of the program, issued by an entity that
20 may be an institution of higher education;

21 (O) a statement of the numeric ratio of
22 youth apprentices to supervisors (such as
23 journeyworkers, mentors, or on-the-job learning
24 instructors, as applicable) for the occupation for

1 the youth apprenticeship involved, which ratio
2 is—

3 (i) based on evidence-based and evi-
4 dence-informed best practices for super-
5 vision, training, safety, and continuity of
6 employment in the occupation, throughout
7 the work processes of the program, and of
8 the job site, department, or plant involved;
9 and

10 (ii) appropriate for the degree of haz-
11 ard in different occupation; and

12 (P) a description of how the program spon-
13 sor will promote diversity and equal opportunity
14 for youth apprentices in the program, and for
15 the industry, including by supporting the re-
16 cruitment of, employment of, retention of, and
17 program completion by nontraditional youth ap-
18 prenticeship populations, such as women, people
19 of color, individuals with disabilities, individuals
20 from low-income backgrounds, individuals im-
21 pacted by the criminal and juvenile justice sys-
22 tem, and disconnected youth, as applicable.

23 (b) COLLECTIVE BARGAINING.—Nothing in a youth
24 apprenticeship agreement or this Act shall operate to in-
25 validate an applicable provision in a collective bargaining

1 agreement, between employers and employees, establishing
2 higher standards for programs under the national appren-
3 ticeship system.

4 **SEC. 102. YOUTH APPRENTICESHIP PROGRAM STANDARDS.**

5 (a) IN GENERAL.—The sponsor of a youth appren-
6 ticeship program shall (directly or through a partner in
7 an eligible entity)—

8 (1) provide youth apprentices work-based learn-
9 ing and related integrated instruction that—

10 (A) combines related integrated instruction
11 with on-the-job training and on-the-job learning
12 in an in-demand industry sector or occupation,
13 as described in subparagraphs (C) through (G)
14 of section 101(a)(2);

15 (B) aligns with challenging State academic
16 standards or the alternate academic achieve-
17 ment standards (for students with the most sig-
18 nificant cognitive disabilities), the State re-
19 quirements for completing a regular high school
20 diploma or (for students with the most signifi-
21 cant cognitive disabilities) the State-defined al-
22 ternate diploma, postsecondary education stand-
23 ards for the award of academic credit, and
24 standards for certifying educational attainment

1 through related integrated instruction and
2 work-based learning;

3 (C) may be organized sequentially or con-
4 currently to support learning opportunities, in-
5 cluding being provided through dual or concur-
6 rent enrollment programs or through early col-
7 lege high school programs, or as available, pro-
8 grams of an institution of higher education;

9 (D) is conducive to work and training in a
10 safe environment in accordance with applicable
11 Federal and State child labor laws;

12 (E) enable youth apprentices to acquire—

13 (i) a regular high school diploma, or
14 (for students with the most significant cog-
15 nitive disabilities) the State-defined alter-
16 nate diploma aligned to the alternate aca-
17 demic achievement standards described
18 under section 1111(b)(1)(E) of the Ele-
19 mentary and Secondary Education Act of
20 1965 (20 U.S.C. 6311(b)(1)(E));

21 (ii) a Federal certificate of completion
22 for an apprenticeship under the national
23 apprenticeship system;

24 (iii) postsecondary education credit, as
25 applicable; and

1 (iv) an industry-recognized postsec-
2 ondary credential, as applicable;

3 (2) lead to careers in high-skill, high-wage, and
4 in-demand industry sectors and occupations in the
5 local or regional labor market and an increase in the
6 prospects for youth, especially youth who are from
7 low-income backgrounds or who are members of non-
8 traditional apprenticeship populations, to obtain em-
9 ployment in careers in high-skill, high-wage, and in-
10 demand industry sectors and occupations;

11 (3) pay wages to youth apprentices based on a
12 progressively increasing, clearly defined schedule of
13 wages that is linked to the acquisition of com-
14 petencies, consistent with the youth apprenticeship
15 agreements;

16 (4) establish, maintain, and develop strong
17 partnerships and engagement with industry in a
18 manner that ensures that youth apprentices com-
19 plete the youth apprenticeship program and acquire
20 credentials described in clauses (i) through (iv) of
21 paragraph (1)(E) that demonstrate the acquisition
22 of skills and knowledge needed by employers;

23 (5) provide individualized career counseling,
24 counseling about postsecondary education, and aca-
25 demic counseling, including tutoring, mentoring, and

1 ongoing reviews and assessments of skill acquisition,
 2 of performance on the job, and of performance in re-
 3 lated integrated instruction, as described in section
 4 101(a)(2);

5 (6) provide youth apprentices with supportive
 6 services and other services to recruit and retain the
 7 youth apprentices, and assure their persistence in
 8 and completion of the program; and

9 (7) provide collaborative professional develop-
 10 ment services to workplace supervisors, mentors,
 11 teachers, counselors, and other staff to develop and
 12 maintain a well-integrated, high-performing pro-
 13 gram.

14 **TITLE II—YOUTH APPRENTICE-**
 15 **SHIP ADVANCEMENT FUND**

16 **SEC. 201. YOUTH APPRENTICESHIP ADVANCEMENT FUND.**

17 (a) IN GENERAL.—The Secretary, in consultation
 18 with the Secretary of Education and the Advisory Com-
 19 mittee on Apprenticeship, shall use funds made available
 20 under section 286(s)(2)(A)(ii) of the Immigration and Na-
 21 tionality Act (8 U.S.C. 1356(s)(2)(A)(ii)) to make awards
 22 to eligible entities to assist the eligible entities by paying
 23 for the program share of the cost of carrying out youth
 24 apprenticeship programs, including by supporting an evi-
 25 dence-based approach to assist youth, particularly youth

1 who are from low-income backgrounds or who are mem-
2 bers of non-traditional apprenticeship populations—

3 (1) acquire academic and occupational skills by
4 completing—

5 (A) the requirements for a regular high
6 school diploma, or (for students with the most
7 significant cognitive disabilities) a State-defined
8 alternate diploma aligned to the alternate aca-
9 demic achievement standards described under
10 section 1111(b)(1)(E) of the Elementary and
11 Secondary Education Act of 1965 (20 U.S.C.
12 6311(b)(1)(E));

13 (B) a certificate of completion in recogni-
14 tion of successful completion of the program,
15 evidenced by an appropriate certificate issued
16 by the National Apprenticeship System;

17 (C) college credit, as appropriate; and

18 (D) the remaining requirements of a youth
19 apprenticeship program;

20 (2) transition, after completion of a youth ap-
21 prenticeship program, to full-time unsubsidized em-
22 ployment or continued postsecondary education;

23 (3) earn an industry-recognized postsecondary
24 credential; and

1 (4) earn college credit towards a degree from
2 an institution of higher education, as applicable.

3 (b) DURATION.—The duration of any award made
4 under subsection (a) shall be for a period of not more than
5 5 years.

6 (c) APPLICATION.—

7 (1) FORM AND PROCEDURE.—An eligible entity
8 that desires to receive an award under this section
9 shall submit an application to the Secretary at such
10 time, in such manner, and containing such informa-
11 tion as the Secretary may require.

12 (2) MINIMUM REQUIREMENTS.—The Secretary
13 shall require that an application submitted under
14 paragraph (1) include, at a minimum—

15 (A) the youth apprenticeship agreement
16 the eligible entity intends to use;

17 (B) a description of, as applicable—

18 (i) outreach and marketing activities
19 for the youth apprenticeship program, to
20 be carried out with an emphasis on in-
21 creasing access to, and equity and diversity
22 in, the youth apprenticeship program;

23 (ii) the experience and expertise of the
24 eligible entity and roles that partners in
25 the entity will play in carrying out admin-

1 istration and operations activities of the
2 youth apprenticeship program;

3 (iii) incentives to be provided to the
4 partners of the eligible entity to participate
5 in the youth apprenticeship program, such
6 as incentives for costs related to program
7 development, staffing for mentors and su-
8 pervisors, provision of academic or related
9 integrated instruction, or the establishment
10 of an industry or sector partnership or a
11 consortium of small and medium-sized
12 businesses to support participation of em-
13 ployers; and

14 (iv) how public and private funds that
15 are not provided under the award will be
16 leveraged—

17 (I) to assist with the establish-
18 ment, maintenance, and sustainability
19 of the youth apprenticeship program;
20 and

21 (II) to support the youth appren-
22 ticeship program in a cost-effective
23 manner; and

24 (C) for an eligible entity proposing a youth
25 apprenticeship program in an occupation that is

1 hazardous or detrimental for minors, a descrip-
2 tion of how the entity will ensure compliance
3 with applicable Federal and State labor laws re-
4 garding the employment of minors, including
5 laws relating to such an occupation and the re-
6 quirements for the apprentice exemption and,
7 as applicable, the student-learner exemption,
8 and ensure the safety of youth apprentices, es-
9 pecially those under the age of 18, which—

10 (i) shall include appropriate safety in-
11 struction at the high school and at the
12 workplace;

13 (ii) may include modifying on-the-job
14 training, including delaying or reordering
15 training components or acquisition of com-
16 petencies while youth apprentices are
17 under the age of 18; and

18 (iii) may include modifying related in-
19 tegrated instruction to include modified
20 practical training to promote the safe
21 training of youth apprentices.

22 (d) SELECTION CRITERIA.—For an eligible entity to
23 receive an award under this section, the entity and the
24 entity’s proposed youth apprenticeship program shall meet
25 such selection criteria as the Secretary, in consultation

1 with the Secretary of Education, shall establish under this
2 section, including—

3 (1) the qualifications, demonstrated capacity, or
4 potential of the eligible entity, including the partners
5 of the eligible entity, for developing and carrying out
6 a successful, inclusive, youth apprenticeship program
7 that leads to success in high-skill, high-wage careers
8 in in-demand industry sectors or occupations;

9 (2) the extent to which the eligible entity pro-
10 poses to coordinate activities among the partners of
11 the eligible entity to carry out a youth apprentice-
12 ship program;

13 (3) criteria related to—

14 (A) geographic diversity, such as urban,
15 suburban, and rural populations served; and

16 (B) innovative partnerships, targeted in-
17 dustries, or occupations; and

18 (4) such other criteria as the Secretary deter-
19 mines necessary.

20 (e) PRIORITY AND DISTRIBUTION.—

21 (1) PRIORITY.—In making awards under this
22 section, the Secretary shall give priority to an eligi-
23 ble entity—

24 (A) proposing to serve a high number or
25 high percentage of participants who are mem-

1 bers of non-traditional apprenticeship popu-
2 lations; and

3 (B) providing opportunities in high-wage,
4 high-skill, and in-demand industry sectors or
5 occupations.

6 (2) GEOGRAPHIC DISTRIBUTION.—In making
7 awards under this subsection, the Secretary shall, to
8 the extent practicable, ensure a geographically di-
9 verse distribution of such awards, including a geo-
10 graphically diverse distribution among regions of the
11 United States and among urban, suburban, sparsely
12 populated, and rural areas.

13 (f) USE OF FUNDS.—An eligible entity that receives
14 an award under this section shall use the funds to—

15 (1) carry out activities described in subsection
16 (c)(2)(B)(i);

17 (2) carry out the youth apprenticeship program,
18 in accordance with the youth apprenticeship agree-
19 ment, except that no funds shall be used for wages
20 for youth apprentices; and

21 (3) carry out activities described in
22 (c)(2)(B)(iii), except that the eligible entity may not
23 use more than 5 percent of the funds for these ac-
24 tivities.

1 (g) ADMINISTRATION.—An eligible entity that re-
2 ceives an award under this section—

3 (1) may use not more than 10 percent of the
4 funds made available for administration of the youth
5 apprenticeship program;

6 (2) shall designate the partner that will serve as
7 the fiscal agent for purposes of the award; and

8 (3) shall leverage public and private funds that
9 are not provided through the award to assist with
10 the establishment, maintenance, and sustainability
11 of the youth apprenticeship program.

12 (h) PROGRAM SHARE.—

13 (1) IN GENERAL.—The program share shall be
14 75 percent of the cost described in subsection (a).

15 (2) NON-PROGRAM SHARE.—

16 (A) IN GENERAL.—Except as provided in
17 subparagraph (B), an eligible entity may pro-
18 vide the non-program share of the cost de-
19 scribed in subsection (a)—

20 (i) from Federal sources not made
21 available under this Act, or non-Federal,
22 public, or private organizations; and

23 (ii) in cash or in kind, fairly evalu-
24 ated.

1 (B) CAP ON FEDERAL FUNDS.—Not more
2 than 25 percent of the non-program share of
3 the cost described in subsection (a) may be
4 made from Federal sources not made available
5 under this Act.

6 (3) INCREASE IN PROGRAM SHARE.—Notwith-
7 standing paragraph (1), the Secretary may increase
8 the program share if the eligible entity demonstrates
9 that exceptional circumstances prevent the entity
10 from providing 25 percent of the cost described in
11 subsection (a)—

12 (A) such as demonstrating that the entity
13 serves a high proportion of participants who
14 members of non-traditional apprenticeship pop-
15 ulations; or

16 (B) due to exceptional or uncontrollable
17 circumstances, such as a natural disaster or a
18 precipitous and unforeseen decline in the finan-
19 cial resources of the eligible entity.

20 (i) PERFORMANCE.—

21 (1) IN GENERAL.—Not later than 1 year after
22 receipt of the award under this section, as applica-
23 ble, and annually thereafter, the eligible entity shall
24 submit a report to the Secretary evaluating the per-
25 formance and impact of the youth apprenticeship

1 program that, at minimum, includes program data
2 on levels of performance achieved with respect to
3 performance indicators described in section
4 116(b)(2)(A)(ii) of the Workforce Innovation and
5 Improvement Act (29 U.S.C. 3141(b)(2)(A)(ii)) as
6 applicable, by participants in the program,
7 disaggregated by—

8 (A) race;

9 (B) ethnicity;

10 (C) sex;

11 (D) disability; and

12 (E) membership in any of the special pop-
13 ulations, as defined in section 3 of the Carl D.
14 Perkins Career and Technical Education Act of
15 2006 (20 U.S.C. 2302).

16 (2) DISAGGREGATION.—The disaggregation of
17 data under paragraph (1)—

18 (A) shall be completed without reporting
19 personally identifiable information about an in-
20 dividual participant; and

21 (B) by any subgroup listed in subpara-
22 graph (A) through (E) of paragraph (1), shall
23 not be required in the case where the number
24 of participants in a subgroup is insufficient to
25 yield statistically reliable information or the re-

1 sults would reveal personally identifiable infor-
2 mation about an individual participant.

3 (j) INTANGIBLE PROPERTY.—Any new work created
4 wholly or in part with funds made available under an
5 award made under this section shall—

6 (1) be in a format readily accessible and avail-
7 able for open licensing to the public consistent with
8 part 2900 of title 2, Code of Federal Regulations (or
9 any successor regulation); and

10 (2) meet, at a minimum, conformance to Level
11 AA of the Web Content Accessibility Guidelines 2.0
12 of the Web Accessibility Initiative (or any successor
13 guidelines).

14 (k) INFORMATION AND REFERRAL.—

15 (1) IN GENERAL.—An eligible entity that re-
16 ceives an award under this section shall provide in-
17 formation to youth described in paragraph (2) re-
18 garding adult-serving apprenticeship programs in
19 the National Apprenticeship System, and may refer
20 such youth for possible participation in such pro-
21 grams.

22 (2) ELIGIBLE YOUTH.—A youth is described in
23 this paragraph if the youth—

24 (A) is not enrolled in school;

1 (B) does not have a regular high school di-
2 ploma or (for students with the most significant
3 cognitive disabilities) the State-defined alter-
4 nate diploma;

5 (C) does not intend to reenroll in sec-
6 ondary school; and

7 (D) seeks to participate in an apprentice-
8 ship program in the National Apprenticeship
9 System.

10 (l) SPECIAL RULE.—No award shall be made under
11 this section for a youth apprenticeship program in an oc-
12 cupation that is hazardous or detrimental for minors for
13 which an apprentice exemption or, as applicable, a stu-
14 dent-learner exemption, does not apply.

15 (m) DEFINITIONS.—In this section:

16 (1) APPRENTICE EXEMPTION.—The term “ap-
17 prentice exemption” means the exemption described
18 in section 570.50(b) of title 29, Code of Federal
19 Regulations (or a successor regulation).

20 (2) OCCUPATION THAT IS HAZARDOUS OR DET-
21 RIMENTAL FOR MINORS.—The term “occupation
22 that is hazardous or detrimental for minors” means
23 an occupation described in subpart E of part 570 of
24 title 29, Code of Federal Regulations (or a successor
25 regulation).

1 (3) STUDENT-LEARNER EXEMPTION.—The
 2 term “student-learner exemption” means the exemp-
 3 tion described in section 570.50(c) of title 29, Code
 4 of Federal Regulations (or a successor regulation).

5 **TITLE III—GENERAL** 6 **PROVISIONS**

7 **SEC. 301. ADMINISTRATION AND TECHNICAL ASSISTANCE.**

8 (a) FUNDS FOR ADMINISTRATION AND TECHNICAL
 9 ASSISTANCE.—Of amounts made available under section
 10 286(s)(2)(A)(ii) of the Immigration and Nationality Act
 11 (8 U.S.C. 1356(s)(2)(A)(ii)) to carry out this Act, the Sec-
 12 retary may use a portion of not more than 7 percent for—

13 (1) administration of the program carried out
 14 under this Act;

15 (2) provision of technical assistance, including
 16 the dissemination of resources, tools, and promising
 17 practices, to improve program outreach, information,
 18 and performance; and

19 (3) evaluation of the program, as described in
 20 subsection (b), including data collection.

21 (b) EVALUATION.—

22 (1) EVALUATION.—For the purpose of improv-
 23 ing the management and effectiveness of the pro-
 24 gram carried out under this Act, not later than 2
 25 years after the first award of funds under this Act

1 is made, the Secretary (acting through the Chief
2 Evaluation Officer of the Department of Labor), in
3 consultation with the Secretary of Education,
4 shall—

5 (A) design and conduct an evaluation to
6 evaluate the effectiveness of the program car-
7 ried out under this Act; and

8 (B) conduct or commission studies to ex-
9 amine ways to expand education and workforce
10 development opportunities for youth, including
11 youth from low-income backgrounds, and youth
12 who are members of nontraditional apprentice-
13 ship populations, to learn about and participate
14 in initiatives that result in the receipt of recog-
15 nized postsecondary credentials and advance the
16 careers of youth in in-demand industry sectors
17 and occupations and emerging industry sectors
18 and occupations.

19 (2) REPORT.—Not later than 60 days after the
20 completion of the final evaluation report under para-
21 graph (1) by the Secretary, the Secretary shall
22 transmit the final evaluation report to the Com-
23 mittee on Health, Education, Labor, and Pensions
24 of the Senate and the Committee on Education and
25 the Workforce of the House of Representatives.

1 (c) OTHER SECRETARIAL RESPONSIBILITIES.—

2 (1) INFORMATION DISSEMINATION.—The Sec-
3 retary of Labor and the Secretary of Education shall
4 jointly develop and disseminate information, in user-
5 friendly formats and easily accessible languages as
6 determined by the Secretaries, to State and local
7 workforce development boards, State educational
8 agencies and local educational agencies, State voca-
9 tional rehabilitation agencies, industry networks,
10 parent and teacher associations, and student net-
11 works to—

12 (A) promote alignment between youth ap-
13 prenticeship programs funded under this Act
14 and requirements for a regular high school di-
15 ploma or (for students with the most significant
16 cognitive disabilities) the State-defined alter-
17 nate diploma;

18 (B) promote a better understanding of the
19 national apprenticeship system, youth appren-
20 ticeships, and the value of the apprenticeships
21 in high schools and postsecondary education
22 and career pathways;

23 (C) promote the benefits of the youth ap-
24 prenticeship programs and ways to effectively
25 align—

1 (i) requirements for youth apprentice-
2 ship programs, including related integrated
3 instruction and training in skills and com-
4 petencies for occupations suitable for ap-
5 prenticeship; and

6 (ii) regular high school diploma re-
7 quirements or (for students with the most
8 significant cognitive disabilities) State-de-
9 fined alternate diploma requirements, and
10 requirements for career and technical edu-
11 cation programs, dual and concurrent en-
12 rollment programs, and early college high
13 school programs; and

14 (D) promote ways to facilitate transitions,
15 for students who have completed youth appren-
16 ticeships, to full-time employment in a high-
17 skill, high-wage, and in-demand industry sector
18 or occupation, programs at institutions of high-
19 er education leading to an associate, bacca-
20 laurate, or advanced degree, or a combination
21 of employment and continued postsecondary
22 education.

23 (2) EDUCATIONAL ALIGNMENT.—The Sec-
24 retary, in collaboration with the Secretary of Edu-
25 cation, shall promote activities designed to strength-

1 en alignment between programs under the national
2 apprenticeship system, programs of education and
3 training, and programs of secondary, postsecondary,
4 and adult education, including degree and credential
5 requirements.

6 **SEC. 302. CONFORMING AMENDMENTS.**

7 Section 286(s)(2) of the Immigration and Nationality
8 Act (8 U.S.C. 1356(s)(2)) is amended—

9 (1) in the paragraph heading, by inserting
10 “YOUTH APPRENTICESHIPS AND” after “FEES FOR”;
11 and

12 (2) by striking all that follows the paragraph
13 heading and inserting the following:

14 “(A) IN GENERAL.—A sum equal to 50
15 percent of the amounts deposited into the H–
16 1B Nonimmigrant Petitioner Account shall re-
17 main available to the Secretary of Labor until
18 expended for—

19 “(i) grants for job training and re-
20 lated activities described in section 414(c)
21 of the American Competitiveness and
22 Workforce Improvement Act of 1998 (29
23 U.S.C. 3224a); and

24 “(ii) youth apprenticeship awards and
25 administration described in title II and

1 section 301 of the Youth Apprenticeship
2 Advancement Act.

3 “(B) ALLOCATION.—The Secretary of
4 Labor shall use not less than \$100,000,000,
5 subject to availability, of the sum described in
6 subparagraph (A) for each of fiscal years 2024
7 through 2029 for awards described in subpara-
8 graph (A)(ii).”.

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