

115TH CONGRESS
1ST SESSION

S. 862

To establish and strengthen projects that defray the cost of related instruction associated with pre-apprenticeship and apprenticeship programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 6 (legislative day, APRIL 4), 2017

Ms. KLOBUCHAR (for herself and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish and strengthen projects that defray the cost of related instruction associated with pre-apprenticeship and apprenticeship programs, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American Apprentice-
5 ship Act”.

6 **SEC. 2. PRE-APPRENTICESHIP AND APPRENTICESHIP PRO-**
7 **GRAMS.**

8 (a) DEFINITIONS.—In this Act:

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

6 (2) POSTSECONDARY EDUCATIONAL INSTITU-
7 TION.—The term “postsecondary educational institu-
8 tion” means an institution of higher education, as
9 defined in section 102 of the Higher Education Act
10 of 1965 (20 U.S.C. 1002).

11 (3) PRE-APPRENTICESHIP.—The term “pre-ap-
12 prenticeship”, used with respect to a program,
13 means an initiative or set of strategies that—

14 (A) is designed to prepare individuals to
15 enter and succeed in an apprenticeship pro-
16 gram;

17 (B) is carried out by a sponsor described
18 in paragraph (6)(B) that has a documented
19 partnership with one or more sponsors of ap-
20 prenticeship programs; and

21 (C) includes each of the following:

22 (i) Training (including a curriculum
23 for the training), aligned with industry
24 standards related to apprenticeships, and
25 reviewed and approved annually by spon-

sors of the apprenticeships within the documented partnership, that will prepare individuals by teaching the skills and competencies needed to enter one or more apprenticeship programs.

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

(I) is carried out in a manner that includes proper observation of supervision and safety protocols; and

(II) is carried out in a manner that does not displace a paid employee.

(iii) A formal agreement with a sponsor of an apprenticeship program that would enable participants who successfully complete the pre-apprenticeship program to enter directly into the apprenticeship program (if a place in the program is available and if the participant meets the qualifications of the apprenticeship program), and includes agreements concerning earning credit recognized by a postsecondary educational institution for skills

1 and competencies acquired during the pre-
2 apprenticeship program.

3 (4) RELATED INSTRUCTION.—The term “re-
4 lated instruction” means an organized and system-
5 atic form of instruction designed to provide an ap-
6 prentice with the knowledge of the theoretical and
7 technical subjects related to the occupation of the
8 apprentice or the instruction needed to prepare an
9 individual to enter and succeed in an apprenticeship
10 program.

11 (5) SECRETARY.—The term “Secretary” means
12 the Secretary of Labor.

13 (6) SPONSOR.—The term “sponsor” means—

14 (A) with respect to an apprenticeship pro-
15 gram, an employer, joint labor-management
16 partnership, trade association, professional as-
17 sociation, labor organization, or other entity,
18 that administers the apprenticeship program;
19 and

20 (B) with respect to a pre-apprenticeship
21 program, a local educational agency, a sec-
22 ondary school, an area career and technical
23 education school, a State board, a local board,
24 or a community-based organization, with re-
25 sponsibility for the pre-apprenticeship program.

1 (7) WORKFORCE INNOVATION AND OPPOR-
 2 TUNITY ACT DEFINITIONS.—The terms “area career
 3 and technical education school”, “community-based
 4 organization”, “individual with a barrier to employ-
 5 ment”, “local board”, “local educational agency”,
 6 “secondary school”, and “State board” have the
 7 meanings given the terms in section 3 of the Work-
 8 force Innovation and Opportunity Act (29 U.S.C.
 9 3102).

10 (b) GRANTS FOR TUITION ASSISTANCE.—

11 (1) IN GENERAL.—The Secretary may make
 12 grants to States on a competitive basis to assist the
 13 States in, and pay for the Federal share of the cost
 14 of, carrying out projects that defray the cost of re-
 15 lated instruction associated with pre-apprenticeship
 16 and apprenticeship programs.

17 (2) APPLICATION.—To be eligible to receive a
 18 grant under this subsection, a State shall submit an
 19 application to the Secretary for such a project at
 20 such time, in such manner, and containing a stra-
 21 tegic plan that contains such information as the Sec-
 22 retary may require, including—

23 (A) information identifying the State agen-
 24 cy that will administer the grant as determined
 25 by the Governor of the State;

1 (B) a description of strategies that the
2 State entity will use to collaborate with key in-
3 dustry representatives, State agencies, postsec-
4 ondary educational institutions, labor-manage-
5 ment entities, and other relevant partners to
6 launch or expand pre-apprenticeships and ap-
7 prenticeships;

8 (C) a description of how the State entity
9 will—

10 (i) coordinate activities carried out
11 under this subsection with activities car-
12 ried out under the Carl D. Perkins Career
13 and Technical Education Act of 2006 (20
14 U.S.C. 2301 et seq.) and the Workforce
15 Innovation and Opportunity Act (29
16 U.S.C. 3101 et seq.) to support pre-ap-
17 prenticeships and apprenticeships;

18 (ii) leverage funds provided under the
19 Acts specified in clause (i) to support pre-
20 apprenticeships and apprenticeships; and

21 (iii) utilize, and encourage individual
22 participants in programs supported under
23 this subsection to utilize, available Federal
24 and State financial assistance, including
25 assistance available under the Workforce

1 Innovation and Opportunity Act (29
2 U.S.C. 3101 et seq.), education assistance
3 benefits available to veterans, and Federal
4 Pell Grants available under section 401 of
5 the Higher Education Act of 1965 (20
6 U.S.C. 1070a), prior to using assistance
7 made available under this Act;

8 (D) a description of strategies to elevate
9 apprenticeships as a workforce solution in both
10 traditional and nontraditional industries, such
11 as information technology, health care, ad-
12 vanced manufacturing, construction trades,
13 transportation, and other industries determined
14 to be high-demand by the State board for the
15 State;

16 (E) a description of activities that the
17 State entity will carry out to build awareness
18 about the economic potential of apprenticeships;

19 (F) a description that outlines how the
20 State entity will increase opportunities for pre-
21 apprenticeships and apprenticeships among
22 members of minority groups, youth, individuals
23 with disabilities, veterans, and individuals with
24 barriers to employment;

25 (G) information describing—

1 (i) how the State entity will meet per-
 2 formance measures, and comply with an
 3 evaluation system and reporting require-
 4 ments, established by the Secretary under
 5 paragraph (6); and

6 (ii) at the election of the State, any
 7 State performance measures and goals that
 8 the State will use to measure the effective-
 9 ness of the project; and

10 (H) in the case of a State that has already
 11 received a grant under this subsection for a
 12 project, information indicating that the State
 13 met the performance measures with respect to
 14 the project.

15 (3) APPLICATION REVIEW PROCESS.—A joint
 16 team of employees from the Department of Labor
 17 and the Department of Education shall—

18 (A) review such an application; and

19 (B) make recommendations to the Sec-
 20 retary regarding approval of the application.

21 (4) USE OF FUNDS.—A State that receives a
 22 grant under this subsection shall use the funds made
 23 available through the grant to defray any of the fol-
 24 lowing costs of related instruction:

25 (A) Tuition and fees.

1 (B) Cost of textbooks, equipment, cur-
 2 riculum development, and other required edu-
 3 cational materials.

4 (C) Costs of any other item or service de-
 5 termined by the State to be necessary.

6 (5) ADMINISTRATIVE COSTS.—The State may
 7 use not more than 10 percent of the grant funds for
 8 administrative costs relating to carrying out the
 9 project described in paragraph (1).

10 (6) PERFORMANCE AND EVALUATION.—The
 11 Secretary, after consultation with the Secretary of
 12 Education, shall—

13 (A) establish performance measures based
 14 on indicators set by the Administrator of the
 15 Office of Apprenticeship of the Department of
 16 Labor; and

17 (B) establish an evaluation system aligned
 18 with the performance measures, and reporting
 19 requirements for the program carried out under
 20 this subsection.

21 (c) FEDERAL SHARE.—

22 (1) IN GENERAL.—The Federal share of the
 23 cost described in subsection (b)(1) shall be not less
 24 than 20 percent and not more than 50 percent.

1 (2) NON-FEDERAL SHARE.—The State may
2 make the non-Federal share available—

3 (A) in cash or in-kind, fairly evaluated, in-
4 cluding plant, equipment, or services; and

5 (B) directly or through donations from
6 public or private entities.

7 (d) REPORT.—The Secretary shall prepare and sub-
8 mit to Congress, not later than September 30, 2022, a
9 report—

10 (1) detailing the results of the evaluation de-
11 scribed in subsection (b)(6)(B); and

12 (2) analyzing the extent to which States have
13 used grant funds effectively under this section.

14 (e) POLICY OF THE UNITED STATES.—It is the pol-
15 icy of the United States that funds made available under
16 this section should be used to supplement and not sup-
17 plant other funds available under the Workforce Innova-
18 tion and Opportunity Act (29 U.S.C. 3101 et seq.) and
19 other Federal and State funds available to the State to
20 support workforce development programs.

21 **SEC. 3. IDENTIFYING IN-DEMAND OCCUPATIONS.**

22 The Secretary shall—

23 (1) identify in-demand occupations nationally
24 and regionally that lack the use of apprenticeships;

- 1 (2) analyze the use of the apprenticeship model
2 in those identified in-demand occupations; and
3 (3) prepare and submit to States and Congress
4 a report that contains the analysis described in para-
5 graph (2).

6 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

7 There is authorized to be appropriated to carry out
8 this Act \$15,000,000 for each of fiscal years 2018 through
9 2023.

○