

117TH CONGRESS
1ST SESSION

S. 1297

To amend the Workforce Innovation and Opportunity Act to create a new national program to support mid-career workers, including workers from underrepresented populations, in reentering the STEM workforce, by providing funding to small- and medium-sized STEM businesses so the businesses can offer paid internships or other returnships that lead to positions above entry level.

IN THE SENATE OF THE UNITED STATES

APRIL 21, 2021

Ms. ROSEN (for herself, Mrs. HYDE-SMITH, and Mr. KELLY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Workforce Innovation and Opportunity Act to create a new national program to support mid-career workers, including workers from underrepresented populations, in reentering the STEM workforce, by providing funding to small- and medium-sized STEM businesses so the businesses can offer paid internships or other returnships that lead to positions above entry level.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “STEM Restoring Em-
3 ployment Skills through Targeted Assistance, Re-entry,
4 and Training Act” or the “STEM RESTART Act”.

5 **SEC. 2. RETURNING SKILLED WORKERS TO THE STEM**
6 **WORKFORCE.**

7 (a) IN GENERAL.—Subtitle D of title I of the Work-
8 force Innovation and Opportunity Act is amended—

9 (1) by redesignating section 172 (29 U.S.C.
10 3227) as section 173; and

11 (2) by inserting after section 171 the following:

12 **“SEC. 172. GRANTS TO SUPPORT SKILLED WORKERS IN RE-**
13 **TURNING OR TRANSITIONING TO THE STEM**
14 **WORKFORCE.**

15 “(a) FINDINGS.—Congress finds the following:

16 “(1) The Brookings Institution expects the
17 coronavirus pandemic will have lasting effects on the
18 labor market and could change the composition of
19 available jobs indefinitely, with the ensuing economic
20 decline ushering in a new era of automation. Em-
21 ployers will likely shed less skilled workers and re-
22 place them with higher-skilled technology workers,
23 which increases labor productivity as a recession
24 tapers off.

25 “(2) The current pipeline of engineering talent
26 does not include many college graduates from large

1 cohorts of the population. Women represent over 57
2 percent of college graduates but only 22 percent of
3 the engineers entering the workforce. Within the
4 workforce, only 14 percent of engineers are women.
5 Women also leave the engineering profession in
6 greater numbers than men do.

7 “(3) A 2018 Pew Research Center study
8 showed there are wide racial gaps among current
9 STEM workers regarding reasons why so few Black
10 and Hispanic people work in STEM. For example,
11 over 70 percent of Black STEM workers view lack
12 of access to education and discriminatory hiring and
13 promotion practices as reasons there are so few
14 Black men and women in the STEM fields. By com-
15 parison, less than 30 percent of White and Asian
16 STEM workers view that lack of access and those
17 practices as barriers to Black people entering the
18 fields. Additionally, 62 percent of Black STEM
19 workers say they have faced discrimination in their
20 jobs compared to just 13 percent of White STEM
21 workers.

22 “(4) Among the 25,300,000 United States
23 women ages 25 through 54 with a bachelor’s degree
24 or higher degree in 2017, 4,200,000 were out of the
25 labor force. While some of those women were dis-

1 abled or retired, the remaining 3,600,000 women
2 may be candidates to return to work.

3 “(5) The Center for Talent Innovation’s re-
4 search shows that while 93 percent of women who
5 left the workforce want to resume their careers, only
6 74 percent manage to get any kind of job at all and
7 just 40 percent successfully return to work full-time.

8 “(6) Mid-career internship and other returnship
9 programs are an effective way to address the dif-
10 ficulties of former STEM employees seeking to re-
11 turn to work, as the programs provide a proba-
12 tionary period and also an opportunity to obtain
13 mentorship, professional development, and support
14 as the participants transition back to work. Even
15 more important, returnship programs allow an em-
16 ployer to base a hiring decision on an actual work
17 sample instead of a series of interviews. At the same
18 time, the programs give participants an opportunity
19 to return to work together, in a cohort of similarly
20 situated returners.

21 “(7) Fortune 500 companies like Apple, Honey-
22 well, Northrop Grumman, Ingersoll Rand, and The
23 Procter & Gamble Company have taken the initiative
24 to try to close the gender gap among STEM profes-
25 sionals by providing mid-career internships for re-

1 turning technical professionals. However, a 2008
2 study by Anthony Breitzman and Diana Hicks for
3 the Office of Advocacy of the Small Business Admin-
4 istration, entitled ‘An Analysis of Small Business
5 Patents by Industry and Firm Size’, found that
6 ‘Small firms are much more likely to develop emerg-
7 ing technologies than are large firms. This is per-
8 haps intuitively reasonable given theories on small
9 firms effecting technological change, but the quan-
10 titative data here support this assertion. Specifically,
11 although small firms account for only 8 percent of
12 patents granted, they account for 24 percent of the
13 patents in the top 100 emerging clusters.’.

14 “(b) PURPOSES.—The purposes of this section are
15 to—

16 “(1) prioritize expanding opportunities, through
17 high-quality internships or other returnships in
18 STEM fields for unemployed or underemployed
19 workers, particularly workers from underrepresented
20 populations and workers from rural areas, who are
21 mid-career skilled workers seeking to return or tran-
22 sition to in-demand industry sectors or occupations
23 within the STEM workforce, at positions and com-
24 pensation above entry level; and

1 “(2) establish grant funding and other incen-
 2 tives for small-sized and medium-sized companies in
 3 in-demand industry sectors or occupations to estab-
 4 lish programs that provide on-the-job evaluation,
 5 education, and training for mid-career skilled work-
 6 ers described in paragraph (1).

7 “(c) DEFINITIONS.—In this section:

8 “(1) MEDIUM-SIZED ENTERPRISE.—The term
 9 ‘medium-sized’, used with respect to an enterprise,
 10 means an entity that employs more than 499 and
 11 fewer than 10,000 employees.

12 “(2) RESTART GRANT.—The term ‘RE-
 13 START grant’ means a grant made under sub-
 14 section (d).

15 “(3) RETURNSHIP.—The term ‘returnship’ shall
 16 mean any internship, apprenticeship, re-entry oppor-
 17 tunity, direct hiring opportunity with support, or
 18 other similar opportunity designed to provide work-
 19 ers seeking to return or transition to the STEM
 20 workforce with positions that—

21 “(A) are above entry level;

22 “(B) provide salaries, stipends, or other
 23 payments, and benefits, that are above entry
 24 level; and

1 “(C) provide training that leads workers
2 toward full-time careers and provides pathways
3 toward advancement and leadership.

4 “(4) RURAL AREA.—The term ‘rural area’
5 means an area that is not an urban area (within the
6 meaning of the notice of final program criteria enti-
7 tled ‘Urban Area Criteria for the 2010 Census’ (76
8 Fed. Reg. 53030 (August 24, 2011))).

9 “(5) SMALL-SIZED ENTERPRISE.—The term
10 ‘small-sized’, used with respect to an enterprise,
11 means an entity that employs more than 49 and
12 fewer than 500 individuals.

13 “(6) STEM.—The term ‘STEM’ has the mean-
14 ing given the term in section 2 of the America COM-
15 PETES Reauthorization Act of 2010 (42 U.S.C.
16 6621 note).

17 “(7) UNDERREPRESENTED POPULATION.—The
18 term ‘underrepresented population’ means a group
19 that is underrepresented in science and engineering,
20 as determined by the Secretary of Education under
21 section 637.4(b) of title 34, Code of Federal Regula-
22 tions (as in effect on the date of enactment of this
23 Act).

1 “(8) UNEMPLOYED OR UNDEREMPLOYED INDIVIDUAL.—The term ‘unemployed or underemployed individual’ means—

4 “(A) an unemployed or underemployed individual as defined by the Bureau of Labor Statistics; and

7 “(B) a displaced or furloughed worker.

8 “(d) GRANT.—

9 “(1) IN GENERAL.—From the amounts made
10 available to carry out this section, the Secretary
11 shall award grants, on a competitive basis, to eligible
12 entities, to carry out returnship programs that provide
13 opportunities above entry level in STEM fields
14 for mid-career skilled workers, and achieve the purposes
15 described in subsection (b).

16 “(2) PERIODS.—The Secretary shall award the
17 grants for an initial period of not less than 3 years
18 and not more than 5 years.

19 “(3) AMOUNTS.—In awarding grants under this
20 subsection, the Secretary shall award a grant—

21 “(A) for a small-sized enterprise, in an
22 amount so that each annual payment for the
23 grant is not less than \$100,000 or more than
24 \$1,000,000; and

1 “(B) for a medium-sized enterprise or con-
 2 sortium, in an amount so that each annual pay-
 3 ment for the grant is not less than \$500,000 or
 4 more than \$5,000,000.

5 “(e) ELIGIBILITY.—

6 “(1) ELIGIBLE ENTITIES.—To be eligible to re-
 7 ceive a RESTART grant under this section, an enti-
 8 ty shall—

9 “(A)(i) be located in the United States and
 10 have significant operations and employees with-
 11 in the United States;

12 “(ii) not be a debtor in a bankruptcy pro-
 13 ceeding, within the meaning of section
 14 4003(c)(3)(D)(i)(V) of the CARES Act (15
 15 U.S.C. 9042(c)(3)(D)(i)(V)) or under a State
 16 bankruptcy law; and

17 “(iii) be within an in-demand industry sec-
 18 tor or occupation in a STEM field; and

19 “(B) be—

20 “(i) a small-sized enterprise;

21 “(ii) a medium-sized enterprise; or

22 “(iii) a consortium of small-sized or
 23 medium-sized enterprises.

24 “(2) ELIGIBLE PROVIDERS.—

1 “(A) IN GENERAL.—An eligible entity that
2 desires to partner with a provider in order to
3 carry out a returnship program under this sec-
4 tion shall enter into an arrangement with an el-
5 igible provider.

6 “(B) PROVIDER.—To be eligible to enter
7 into such an arrangement, a provider—

8 “(i) may or may not directly employ
9 skilled workers in STEM fields but—

10 “(I) shall have expertise in
11 human resources-related activities,
12 such as identifying or carrying out
13 staffing with skilled workers or under-
14 represented populations; and

15 “(II) shall be capable of pro-
16 viding high-quality education and
17 training services; and

18 “(ii) may be—

19 “(I)(aa) an institution of higher
20 education (as defined in section 101
21 of the Higher Education Act of 1965
22 (20 U.S.C. 1001)); or

23 “(bb) a non-degree-granting in-
24 stitution that is governed by the same
25 body that governs an institutions of

1 higher education described in item
2 (aa);

3 “(II) a public, private for-profit,
4 or private nonprofit service provider,
5 approved by the local board;

6 “(III) a joint labor-management
7 organization;

8 “(IV) an eligible provider of
9 adult education and literacy activities
10 under title II; or

11 “(V) an established nonprofit or-
12 ganization that conducts research or
13 provides training on technical, social
14 and emotional, and employability
15 skills and knowledge aligned to the
16 needs of adult learners and workers.

17 “(f) APPLICATIONS.—

18 “(1) IN GENERAL.—To be eligible to receive a
19 RESTART grant to carry out a returnship program,
20 an entity shall submit an application to the Sec-
21 retary at such time and in such manner as the Sec-
22 retary may reasonably require.

23 “(2) CONTENTS.—Such an application shall in-
24 clude—

1 “(A) a description of the demand for
2 skilled workers in STEM fields and how the
3 RESTART grant will be used to help meet that
4 demand;

5 “(B) a description of how the program will
6 lead to employment of unemployed or under-
7 employed individuals, particularly workers from
8 underrepresented populations or from rural
9 areas, who seek to return or transition to the
10 STEM workforce;

11 “(C) if the entity has entered into or plans
12 to enter into an arrangement with an eligible
13 provider as described in subsection (e)(2) to
14 carry out a returnship program, information
15 identifying the eligible provider, and a descrip-
16 tion of how the arrangement will help the entity
17 build the knowledge and skills of skilled workers
18 participating in the program;

19 “(D) a description of how the eligible enti-
20 ty will develop and establish, or expand, a
21 returnship program that adds to the number of
22 full-time employees employed by the entity, but
23 does not displace full-time employees currently
24 (as of the date of submission of the application)
25 employed by the entity;

1 “(E) an assurance that any new or exist-
 2 ing returnship program developed and estab-
 3 lished, or expanded, with the grant funds will
 4 last for at least 10 weeks and provide com-
 5 pensation to participants in the form of a sal-
 6 ary, stipend, or other payment, and benefits,
 7 that are offered to full-time employees with
 8 equivalent experience and expertise, such as
 9 health care or child care benefits; and

10 “(F) if the returnship program leads to a
 11 recognized postsecondary credential, informa-
 12 tion on the quality of the program that leads to
 13 the credential.

14 “(3) PRIORITY.—In making grants under this
 15 section, the Secretary shall give priority to entities
 16 who are proposing programs that prioritize
 17 returnships for workers from underrepresented pop-
 18 ulations or from rural areas.

19 “(g) USE OF FUNDS.—

20 “(1) IN GENERAL.—An entity that receives a
 21 grant under this section shall use the grant funds to
 22 carry out a returnship program, of not less than 10
 23 weeks, through which the entity provides for—

24 “(A) the education and training of
 25 returnship participants; and

1 “(B) the services of existing employees (as
2 of the date the program begins) of the entity
3 who are working with returnship participants in
4 an educational, training, or managerial role, to
5 maximize the retention rate and effectiveness of
6 the returnship program.

7 “(2) SPECIFIC USES.—The grant funds may be
8 used—

9 “(A) to pay for the evaluation, and entry
10 into the program, and education and training of
11 returnship participants, including payment for
12 the duration of the program for the participants
13 for—

14 “(i) equipment, travel, and (as nec-
15 essary) housing;

16 “(ii) mentorship and career coun-
17 seling; and

18 “(iii) salaries, stipends, or payments,
19 and benefits, described in subsection
20 (f)(2)(E);

21 “(B) to supplement, and not supplant, the
22 compensation of those existing employees of the
23 entity who are directly supporting a returnship
24 program through the work described in para-
25 graph (1)(B); and

1 “(C) to enter into an arrangement with an
2 eligible provider to carry out a returnship pro-
3 gram.

4 “(3) EXISTING EMPLOYEES.—Not more than
5 20 percent of the grant funds may be used to pro-
6 vide compensation for the existing employees per-
7 forming the work described in paragraph (1)(B).

8 “(4) COORDINATION WITH STATE WORKFORCE
9 BOARDS.—An entity that receives a grant under this
10 section shall coordinate activities with the State
11 workforce development board established under sec-
12 tion 101, to ensure collaboration and alignment of
13 workforce programs.

14 “(h) REPORTING AND EVALUATION REQUIRE-
15 MENTS.—

16 “(1) REPORT TO THE SECRETARY.—An entity
17 that receives a grant under this section for a
18 returnship program shall prepare, certify the con-
19 tents of, and submit to the Secretary an annual re-
20 port containing data regarding—

21 “(A) the total number of the participants,
22 and the number of such participants disaggre-
23 gated by sex, race, and ethnicity;

24 “(B) the total number of the participants
25 transitioned into full-time employment, and the

1 number of such transitioned participants disag-
2 gregated by sex, race, and ethnicity; and

3 “(C) if the returnship program includes
4 participants in an internship, the conversion
5 rate of the internship participants to employees,
6 for the total number of those participants and
7 the conversion rate of those participants disag-
8 gregated by sex, race, and ethnicity.

9 “(2) EVALUATION AND REPORT BY THE SEC-
10 RETARY.—Not later than 180 days after receiving
11 the annual reports from grant recipients under para-
12 graph (1), the Secretary shall—

13 “(A)(i) prepare a report that presents the
14 data collected through the reports, including
15 data disaggregated by sex, race, and ethnicity,
16 and an evaluation based on that data of the
17 best practices for effectively implementing
18 returnship (including internship) programs; and

19 “(ii) submit the report to the Committee
20 on Education and Labor of the House of Rep-
21 resentatives, and the Committee on Health,
22 Education, Labor, and Pensions of the Senate;
23 and

24 “(B) post information on a website on best
25 practices described in subparagraph (A)(i).

1 “(i) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to the Secretary to carry
3 out this section \$50,000,000 for each of fiscal years 2022
4 through 2026.”.

5 (b) TABLE OF CONTENTS.—The table of contents in
6 section 1(b) of the Workforce Innovation and Opportunity
7 Act is amended—

8 (1) by redesignating the item relating to section
9 172 as the item relating to section 173; and

10 (2) by inserting after the item relating to sec-
11 tion 171 the following:

“Sec. 172. Grants to support skilled workers in returning or transitioning to
the STEM workforce.”.

