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To assist States in, and pay for the Federal share of the cost of, defraying the cost of pre-apprenticeships or related instruction associated with qualified apprenticeship programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 25, 2023

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 assist States in, and pay for the Federal share of the cost of, defraying the cost of pre-apprenticeships or related instruction associated with qualified 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 QUALIFIED APPREN-**
7 **TICESHIP PROGRAMS.**

8 (a) **DEFINITIONS.**—In this Act:

1 (1) QUALIFIED APPRENTICESHIP.—The term
2 “qualified apprenticeship”, used with respect to a
3 program, means an apprenticeship program that
4 is—

5 (A) registered under the Act of August 16,
6 1937 (commonly known as the “National Ap-
7 prenticeship Act”; 50 Stat. 664, chapter 663;
8 29 U.S.C. 50 et seq.); and

9 (B) concentrated in an industry sector or
10 occupation that represents less than 10 percent
11 of apprenticeable occupations or of the pro-
12 grams under the national apprenticeship sys-
13 tem.

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

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

22 (A) is designed to prepare individuals to
23 enter and succeed in a qualified apprenticeship
24 program;

1 (B) is carried out by a sponsor described
2 in paragraph (6)(B) that has a documented
3 partnership with one or more sponsors of quali-
4 fied apprenticeship programs; and

5 (C) includes each of the following:

6 (i) Training (including a curriculum
7 for the training), aligned with industry
8 standards related to apprenticeships in a
9 qualified apprenticeship program, and re-
10 viewed and approved annually by sponsors
11 of such apprenticeships within the docu-
12 mented partnership, that will prepare indi-
13 viduals by teaching the skills and com-
14 petencies needed to enter one or more
15 qualified apprenticeship programs.

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

18 (I) is carried out in a manner
19 that includes proper observation of su-
20 pervision and safety protocols; and

21 (II) is carried out in a manner
22 that does not displace a paid em-
23 ployee.

24 (iii) A formal agreement with a spon-
25 sor of a qualified apprenticeship program

1 that would enable participants who suc-
2 cessfully complete the pre-apprenticeship
3 program to enter directly into the qualified
4 apprenticeship program (if a place in the
5 program is available and if the participant
6 meets the qualifications of the qualified ap-
7 prenticeship program), and includes agree-
8 ments concerning earning credit recognized
9 by a postsecondary educational institution
10 for skills and competencies acquired during
11 the pre-apprenticeship program.

12 (4) RELATED INSTRUCTION.—The term “re-
13 lated instruction” means an organized and system-
14 atic form of classroom or web-based instruction de-
15 signed to provide an apprentice with the knowledge
16 of the theoretical and technical subjects related to
17 the occupation of the apprentice or the instruction
18 needed to prepare an individual to enter and succeed
19 in an qualified apprenticeship program.

20 (5) SECRETARY.—The term “Secretary” means
21 the Secretary of Labor.

22 (6) SPONSOR.—The term “sponsor” means—
23 (A) with respect to a qualified apprentice-
24 ship program, an employer, joint labor-manage-
25 ment partnership, trade association, profes-

1 sional association, labor organization, or other
2 entity, that administers the qualified appren-
3 ticeship program; and

4 (B) with respect to a pre-apprenticeship
5 program, a local educational agency, a sec-
6 ondary school, an area career and technical
7 education school, a State board, a local board,
8 a joint labor-management committee, a labor
9 organization, or a community-based organiza-
10 tion, with responsibility for the pre-apprentice-
11 ship program.

12 (7) WORKFORCE INNOVATION AND OPPOR-
13 TUNITY ACT DEFINITIONS.—The terms “area career
14 and technical education school”, “community-based
15 organization”, “individual with a barrier to employ-
16 ment”, “local board”, “local educational agency”,
17 “secondary school”, and “State board” have the
18 meanings given the terms in section 3 of the Work-
19 force Innovation and Opportunity Act (29 U.S.C.
20 3102).

21 (b) GRANTS FOR TUITION ASSISTANCE.—

22 (1) IN GENERAL.—The Secretary may make
23 grants to States on a competitive basis to assist the
24 States in, and pay for the Federal share of the cost
25 of, defraying the cost of a pre-apprenticeship, or the

1 cost of related instruction, associated with a quali-
 2 fied apprenticeship program.

3 (2) APPLICATION.—To be eligible to receive a
 4 grant under this subsection, a State shall submit an
 5 application to the Secretary for such a project at
 6 such time, in such manner, and containing a stra-
 7 tegic plan that contains such information as the Sec-
 8 retary may require, including—

9 (A) information identifying the State agen-
 10 cy (referred to in this Act as the “State enti-
 11 ty”) that will administer the grant as deter-
 12 mined by the Governor of the State;

13 (B) a description of strategies that the
 14 State entity will use to collaborate with key in-
 15 dustry representatives, State agencies, postsec-
 16 ondary educational institutions, labor-manage-
 17 ment entities, and other relevant partners to
 18 launch or expand pre-apprenticeships for and
 19 apprenticeships in qualified apprenticeship pro-
 20 grams;

21 (C) a description of how the State entity
 22 will—

23 (i) coordinate activities carried out
 24 under this subsection with activities car-
 25 ried out under the Carl D. Perkins Career

1 and Technical Education Act of 2006 (20
2 U.S.C. 2301 et seq.) and the Workforce
3 Innovation and Opportunity Act (29
4 U.S.C. 3101 et seq.) to support pre-ap-
5 prenticeships for and apprenticeships in
6 qualified apprenticeship programs;

7 (ii) leverage funds provided under the
8 Acts specified in clause (i) to support pre-
9 apprenticeships for and apprenticeships in
10 qualified apprenticeship programs; and

11 (iii) utilize, and encourage individual
12 participants in programs supported under
13 this subsection to utilize, available Federal
14 and State financial assistance, including
15 assistance available under the Workforce
16 Innovation and Opportunity Act (29
17 U.S.C. 3101 et seq.), education assistance
18 benefits available to veterans, and Federal
19 Pell Grants available under section 401 of
20 the Higher Education Act of 1965 (20
21 U.S.C. 1070a), prior to using assistance
22 made available under this Act;

23 (D) a description of strategies to elevate
24 apprenticeships in qualified apprenticeship pro-
25 grams as a workforce solution in nontraditional

1 industries, such as information technology,
2 health care, advanced manufacturing, transpor-
3 tation, and other industries determined to be
4 high-demand by the State board for the State;

5 (E) a description of activities that the
6 State entity will carry out to build awareness
7 about the economic potential of apprenticeships
8 in qualified apprenticeship programs;

9 (F) a description that outlines how the
10 State entity will increase opportunities for pre-
11 apprenticeships for and apprenticeships in
12 qualified apprenticeship programs, among mem-
13 bers of minority groups, youth, individuals with
14 disabilities, veterans, and individuals with bar-
15 riers to employment;

16 (G) a description of—

17 (i) how the State entity will ensure
18 that the qualified apprenticeship program
19 meets certain performance measures and
20 quality standards, including that the quali-
21 fied apprenticeship program has been in
22 existence for not fewer than 6 months
23 prior to the application date;

24 (ii) the targeted outreach strategies
25 that the State entity will use for popu-

1 lations previously underserved through ap-
2 prenticeships; and

3 (iii) any State performance measures
4 that the State will use, at the election of
5 the State, to measure the effectiveness of
6 the project; and

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

12 (3) APPLICATION REVIEW PROCESS.—A joint
13 team of employees from the Department of Labor
14 and the Department of Education shall—

15 (A) review such an application; and

16 (B) make recommendations to the Sec-
17 retary regarding approval of the application.

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

22 (A) Tuition and fees.

23 (B) Cost of textbooks, equipment, cur-
24 riculum development, and other required edu-
25 cational materials.

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

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

7 (6) PERFORMANCE AND EVALUATION.—The
8 Secretary, after consultation with the Secretary of
9 Education, shall—

10 (A) establish performance measures based
11 on indicators set by the Administrator of the
12 Office of Apprenticeship of the Department of
13 Labor; and

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

18 (c) FEDERAL SHARE.—

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

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

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

1 (B) directly or through donations from
2 public or private entities.

3 (d) REPORT.—The Secretary shall prepare and sub-
4 mit to Congress, not later than September 30, 2028, a
5 report—

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

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

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

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

18 The Secretary shall—

19 (1) identify in-demand occupations nationally
20 and regionally that lack the use of apprenticeships
21 in qualified apprenticeship programs;

22 (2) analyze the use of the qualified apprentice-
23 ship program model in those identified in-demand
24 occupations; and

1 (3) prepare and submit to States and Congress
2 a report that contains the analysis described in para-
3 graph (2).

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

5 There is authorized to be appropriated to carry out
6 this Act \$15,000,000 for each of fiscal years 2024 through
7 2029.

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