

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-

1 sors of the apprenticeships within the doc-  
2 umented partnership, that will prepare in-  
3 dividuals by teaching the skills and com-  
4 petencies needed to enter one or more ap-  
5 prenticeship programs.

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

8 (I) is carried out in a manner  
9 that includes proper observation of su-  
10 pervision and safety protocols; and

11 (II) is carried out in a manner  
12 that does not displace a paid em-  
13 ployee.

14 (iii) A formal agreement with a spon-  
15 sor of an apprenticeship program that  
16 would enable participants who successfully  
17 complete the pre-apprenticeship program  
18 to enter directly into the apprenticeship  
19 program (if a place in the program is  
20 available and if the participant meets the  
21 qualifications of the apprenticeship pro-  
22 gram), and includes agreements concerning  
23 earning credit recognized by a postsec-  
24 ondary 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.

○