

AMENDMENT TO
RULES COMMITTEE PRINT 116-54
OFFERED BY MS. BONAMICI OF OREGON

Page 1691, after line 10, insert the following:

1 **TITLE I—NATIONAL SCENIC**
2 **BYWAYS PROGRAM.**

At the end of division H, insert the following:

3 **TITLE II—BUILDING U.S. INFRA-**
4 **STRUCTURE BY LEVERAGING**
5 **DEMANDS FOR SKILLS**
6 **(BUILDS)**

7 **SEC. 40101. DEFINITIONS.**

8 (1) IN GENERAL.—In this title, except as other-
9 wise provided in this title, the terms have the mean-
10 ings given the terms in section 3 of the Workforce
11 Innovation and Opportunity Act (29 U.S.C. 3102).

12 (2) APPRENTICESHIP, APPRENTICESHIP PRO-
13 GRAM.—The term “apprenticeship” or “apprentice-
14 ship program” means an apprenticeship program
15 registered under the Act of August 16, 1937 (com-
16 monly known as the “National Apprenticeship Act”;
17 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.), in-

1 including any requirement, standard, or rule promul-
2 gated under such Act, as such requirement, stand-
3 ard, or rule was in effect on December 30, 2019.

4 (3) CTE TERMS.—The terms “area career and
5 technical education school”, “articulation agree-
6 ment”, “career guidance and academic counseling”,
7 “credit transfer agreement”, “early college high
8 school”, “high school”, “program of study”, “Tribal
9 educational agency”, and “work-based learning”
10 have the meanings given the terms in section 3 of
11 the Carl D. Perkins Career and Technical Education
12 Act of 2006 (20 U.S.C. 2302).

13 (4) EDUCATION AND TRAINING PROVIDER.—

14 (A) IN GENERAL.—The term “education
15 and training provider” means an entity listed in
16 subparagraph (B) that provides academic cur-
17 riculum and instruction related to targeted in-
18 frastructure industries.

19 (B) ENTITIES.—An entity described in this
20 subparagraph is as follows:

21 (i) An area career and technical edu-
22 cation school, early college high school, or
23 high school providing career and technical
24 education programs of study.

1 (ii) An Indian Tribe, Tribal organiza-
2 tion, or Tribal educational agency.

3 (iii) A minority-serving institution (as
4 described in any of paragraphs (1) through
5 (7) of section 371(a) of the Higher Edu-
6 cation Act of 1965 (20 U.S.C. 1067q(a))).

7 (iv) A provider of adult education and
8 literacy activities under the Adult Edu-
9 cation and Family Literacy Act (29 U.S.C.
10 3271 et seq.);

11 (v) A local agency administering plans
12 under title I of the Rehabilitation Act of
13 1973 (29 U.S.C. 720 et seq.), other than
14 section 112 or part C of that title (29
15 U.S.C. 732, 741);

16 (vi) A related instruction provider for
17 an apprenticeship program.

18 (vii) A public institution of higher
19 education (as defined in section 101 of the
20 Higher Education Act of 1965 (20 U.S.C.
21 1001)).

22 (viii) A provider included on the list of
23 eligible providers of training services de-
24 scribed in section 122(d) of the Workforce

1 Innovation and Opportunity Act (29
2 U.S.C. 3152(d)).

3 (ix) A consortium of entities described
4 in any of clauses (i) through (viii).

5 (5) ELIGIBLE ENTITY.—The term “eligible enti-
6 ty” means—

7 (A) an industry or sector partnership;

8 (B) a State board or State workforce de-
9 velopment agency, or a local board or local
10 workforce development agency;

11 (C) an eligible institution, or a consortium
12 thereof;

13 (D) an Indian Tribe, Tribal organization,
14 or Tribal educational agency;

15 (E) a labor organization or joint-labor
16 management organization; or

17 (F) a qualified intermediary.

18 (6) NONTRADITIONAL POPULATION.—The term
19 “nontraditional population” means a group of indi-
20 viduals (such as a group of individuals from the
21 same gender or race) the members of which com-
22 prise fewer than 25 percent of the individuals em-
23 ployed in a targeted infrastructure industry.

24 (7) QUALIFIED INTERMEDIARY.—

1 (A) IN GENERAL.—The term “qualified
2 intermediary” means an entity that dem-
3 onstrates an expertise—

4 (i) in engaging in the partnerships de-
5 scribed in subparagraph (B); and

6 (ii) serving participants and employers
7 of programs funded under this title by—

8 (I) connecting employers to pro-
9 grams funded under this title;

10 (II) assisting in the design and
11 implementation of such programs, in-
12 cluding curriculum development and
13 delivery of instruction;

14 (III) providing professional devel-
15 opment activities such as training to
16 mentors;

17 (IV) connecting students or
18 workers to programs funded under
19 this title;

20 (V) developing and providing per-
21 sonalized support for individuals par-
22 ticipating in programs funded under
23 this title, including by partnering with
24 organizations to provide access to or

1 referrals for supportive services and
2 financial advising; or

3 (VI) providing services, re-
4 sources, and supports for develop-
5 ment, delivery, expansion, or improve-
6 ment of programs funded under this
7 title.

8 (B) REQUIRED PARTNERSHIPS.—In car-
9 rying out activities under this title, the qualified
10 intermediary shall act in partnerships with—

11 (i) industry or sector partnerships, in-
12 cluding establishing a new industry or sec-
13 tor partnership or expanding an existing
14 industry or sector partnership;

15 (ii) partnerships among employers,
16 joint labor-management organizations,
17 labor organizations, community-based or-
18 ganizations, State or local workforce devel-
19 opment boards, education and training
20 providers, social service organizations, eco-
21 nomic development organizations, Indian
22 Tribes or Tribal organizations, or one-stop
23 operators, or one-stop partners, in the
24 State workforce development system; or

1 (iii) partnerships among one or more
2 of the entities described in clauses (i) and
3 (ii).

4 (8) SECRETARY.—The term “Secretary” means
5 the Secretary of Labor.

6 (9) TARGETED INFRASTRUCTURE INDUSTRY.—
7 The term “targeted infrastructure industry” means
8 an industry, including the transportation (including
9 surface, transit, aviation, maritime, or railway trans-
10 portation), construction, energy (including the de-
11 ployment of renewable and clean energy, energy effi-
12 ciency, transmission, and battery storage), informa-
13 tion technology, or utilities industry) to be served by
14 a grant, contract, or cooperative agreement under
15 this title.

16 **SEC. 40102. GRANTS AUTHORIZED.**

17 (a) IN GENERAL.—The Secretary, in consultation
18 with the Secretary of Transportation, the Secretary of En-
19 ergy, the Secretary of Commerce, the Secretary of Edu-
20 cation, and the Chief of Engineers and Commanding Gen-
21 eral of the Army Corps of Engineers, shall award, on a
22 competitive basis, grants, contracts, or cooperative agree-
23 ments to eligible entities to plan and implement activities
24 to achieve the strategic objectives described in section
25 40104(b) with respect to a targeted infrastructure indus-

1 try identified in the application submitted under section
2 40103 by such eligible entities.

3 (b) TYPES OF AWARDS.—A grant, contract, or coop-
4 erative agreement awarded under this title may be in the
5 form of—

6 (1) an implementation grant, contract, or coop-
7 erative agreement, for entities seeking an initial
8 grant under this title; or

9 (2) a renewal grant, contract, or cooperative
10 agreement for entities that have already received an
11 implementation grant, contract, or cooperative
12 agreement under this title.

13 (c) DURATION.—Each grant awarded under this title
14 shall be for a period not to exceed 3 years.

15 (d) AMOUNT.—The amount of a grant, contract, or
16 cooperative agreement awarded under this title may not
17 exceed—

18 (1) for an implementation grant, contract, or
19 cooperative agreement, \$2,500,000; and

20 (2) for a renewal grant, contract, or cooperative
21 agreement, \$1,500,000.

22 (e) AWARD BASIS.—

23 (1) GEOGRAPHIC DIVERSITY.—The Secretary
24 shall award funds under this title in a manner that
25 ensures geographic diversity (such as urban and

1 rural distribution) in the areas in which activities
2 will be carried out using such funds.

3 (2) PRIORITY FOR AWARDS.—In awarding
4 funds under this title, the Secretary shall give pri-
5 ority to eligible entities that—

6 (A) in the case of awarding implementa-
7 tion grants, contracts, or cooperative agree-
8 ments—

9 (i) demonstrate long-term sustain-
10 ability of a program or activity funded
11 under this title;

12 (ii) will serve a high number or high
13 percentage of nontraditional populations
14 and individuals with barriers to employ-
15 ment; and

16 (iii) will provide a non-Federal share
17 of the cost of the activities; and

18 (B) in the case of awarding renewal
19 grants, contracts, or cooperative agreements—

20 (i) meet the criteria established in
21 subparagraph (A); and

22 (ii) have demonstrated ability to meet
23 the—

24 (I) strategic objectives of the im-
25 plementation grant, contract or coop-

1 erative agreement described in section
2 40103(b)(4); and
3 (II) meet or exceed the require-
4 ments of the evaluations and progress
5 reports described in section 40104(f).

6 **SEC. 40103. APPLICATION.**

7 (a) IN GENERAL.—An eligible entity desiring a grant.
8 contract, or cooperative agreement under this title shall
9 submit an application to the Secretary at such time, in
10 such manner, and containing such information as the Sec-
11 retary may require, including the contents described in
12 subsection (b).

13 (b) CONTENTS.—An application submitted under this
14 title shall contain, at a minimum—

15 (1) a description of the entities engaged in ac-
16 tivities funded under the grant, including—

17 (A) evidence of the eligible entity’s capac-
18 ity to carry out activities to achieve the stra-
19 tegic objectives described in section 40104(b);
20 and

21 (B) identification, and expected participa-
22 tion and responsibilities of each key stakeholder
23 in the targeted infrastructure industry de-
24 scribed in section 40104(b)(1) with which the

1 eligible entity will partner to carry out such ac-
2 tivities;

3 (2) a description of the targeted infrastructure
4 industry to be served by the eligible entity with
5 funds received under this title, and a description of
6 how such industry was identified, including—

7 (A) the quantitative data and evidence that
8 demonstrates the demand for employment in
9 such industry in the geographic area served by
10 the eligible entity under this title; and

11 (B) a description of the local, State, or
12 federally funded infrastructure projects with re-
13 spect to which the eligible entity anticipates en-
14 gaging the partners described in paragraph
15 (1)(B);

16 (3) a description of the workers that will be tar-
17 geted or recruited by the eligible entity, including—

18 (A) how recruitment activities will target
19 nontraditional populations to improve the per-
20 centages of nontraditional populations employed
21 in targeted infrastructure industries; and

22 (B) a description of potential barriers to
23 employment for targeted workers, and a de-
24 scription of strategies that will be used to help
25 workers overcome such barriers;

1 (4) a description of the strategic objectives de-
2 scribed in section 40104(b) that the eligible entity
3 intends to achieve concerning the targeted infra-
4 structure industry and activities to be carried out as
5 described in section 40104, including—

6 (A) a timeline for progress towards achiev-
7 ing such strategic objectives;

8 (B) a description of the manner in which
9 the eligible entity intends to make sustainable
10 progress towards achieving such strategic objec-
11 tives; and

12 (C) assurances the eligible entity will pro-
13 vide performance measures for measuring
14 progress towards achieving such strategic objec-
15 tives, as described in section 40104(f);

16 (5) a description of the recognized postsec-
17 ondary credentials that the eligible entity proposes
18 to prepare individuals participating in activities
19 under this title for, which shall—

20 (A) be nationally or regionally portable and
21 stackable;

22 (B) be related to the targeted infrastruc-
23 ture industry that the eligible entity proposes to
24 support; and

1 (C) be aligned to a career pathway and
2 work-based learning opportunity, such as an ap-
3 prenticeship program or a pre-apprenticeship
4 program articulating to an apprenticeship pro-
5 gram;

6 (6) a description of the Federal and non-Fed-
7 eral resources, available under provisions of law
8 other than this title, that will be leveraged in sup-
9 port of the partnerships and activities under this
10 title; and

11 (7) a description of how the eligible entity or
12 the education and training provider in partnership
13 with such eligible entity under this title will establish
14 or implement plans to be included on the list of eligi-
15 ble providers of training services described in section
16 122(d) of the Workforce Innovation and Opportunity
17 Act (29 U.S.C. 3152(d)).

18 **SEC. 40104. ELIGIBLE ACTIVITIES.**

19 (a) IN GENERAL.—An eligible entity receiving funds
20 under this title shall carry out activities described this sec-
21 tion to achieve the strategic objectives identified in the en-
22 tity's application under section 40103, including the objec-
23 tives described in subsection (b).

24 (b) STRATEGIC OBJECTIVES.—The activities to be
25 carried out with the funds awarded under this title shall

1 be designed to achieve strategic objectives, including the
2 following:

3 (1) Recruiting key stakeholders (such as em-
4 ployers, labor organizations, local boards, and edu-
5 cation and training providers, economic development
6 agencies, and as applicable, qualified intermediaries)
7 in the targeted infrastructure industry to establish
8 or expand industry and sector partnerships for the
9 purpose of—

10 (A) assisting the eligible entity in carrying
11 out the activities described in subsection (a);
12 and

13 (B) convening with the eligible entity in a
14 collaborative structure that supports the shar-
15 ing of information and best practices for sup-
16 porting the development of a diverse workforce
17 to support the targeted infrastructure industry.

18 (2) Identifying the training needs of the State
19 or local area in the targeted infrastructure industry,
20 including—

21 (A) needs for skills critical to competitive-
22 ness and innovation in the industry;

23 (B) needs of the apprenticeship programs
24 or other paid work-based learning programs
25 supported by the funds; and

1 (C) the needed establishment, expansion,
2 or revisions of career pathways and academic
3 curriculum in the targeted infrastructure indus-
4 tries to establish talent pipelines for such indus-
5 try.

6 (3) Identifying and quantifying any disparities
7 or gaps in employment of nontraditional populations
8 in the targeted infrastructure industries and estab-
9 lishing or expanding strategies to close such gaps.

10 (4) Supporting the development of consortia of
11 education and training providers receiving assistance
12 under this title to align curricula, recognized post-
13 secondary credentials, and programs to the targeted
14 infrastructure industry needs and the credentials de-
15 scribed in section 40103(b)(5), particularly for high-
16 skill, high-wage or in-demand industry sectors or oc-
17 cupations related to the targeted infrastructure in-
18 dustry.

19 (5) Providing information on activities carried
20 out with such funds to the State and local board and
21 the State agency carrying out the State program
22 under the Wagner-Peyser Act (29 U.S.C. 49 et
23 seq.), including staff of the agency that provide serv-
24 ices under such Act, to enable the State agency to
25 inform recipients of unemployment compensation or

1 the employment and training opportunities that may
2 be offered through such activities.

3 (6) Establishing or expanding partnerships with
4 employers in industry or sector partnerships to at-
5 tract potential workers from a diverse jobseeker
6 base, including individuals with barriers to employ-
7 ment and nontraditional populations, by identifying
8 any such barriers through analysis of the labor mar-
9 ket data and recruitment strategies, and imple-
10 menting strategies to help such workers overcome
11 such barriers and increase diversity in the targeted
12 infrastructure industries.

13 (c) PLANNING ACTIVITIES.—An eligible entity receiv-
14 ing a planning grant, contract, or cooperative agreement
15 under this title shall use not more than \$250,000 of such
16 funds to carry out planning activities during the first year
17 of the grant, contract, or agreement period, which may
18 include—

19 (1) establishing or expanding industry or sector
20 partnerships described in subsection (b)(1);

21 (2) conducting outreach to local labor organiza-
22 tions, employers, industry associations, education
23 and training providers, economic development orga-
24 nizations, and qualified intermediaries, as applicable;

1 (3) recruiting individuals for participation in
2 programs assisted with funds under this title, includ-
3 ing individuals with barriers to employment and
4 nontraditional populations;

5 (4) establishing or expanding paid work-based
6 learning opportunities, including apprenticeship pro-
7 grams or programs articulating to apprenticeship
8 programs;

9 (5) establishing or implementing plans for any
10 education and training provider receiving funding
11 under this title to be included on the list of eligible
12 providers of training services described in section
13 122(d) of the Workforce Innovation and Opportunity
14 Act (29 U.S.C. 3152(d));

15 (6) establishing or implementing plans for
16 awarding academic credit or providing for academic
17 alignment towards credit pathways for programs or
18 programs of study assisted with funds under this
19 title, including academic credit for industry recog-
20 nized credentials, competency-based education, work-
21 based learning, or apprenticeship programs;

22 (7) making available open, searchable, and com-
23 parable information on the recognized postsecondary
24 credentials awarded under such programs, including

1 the related skills or competencies and related em-
2 ployment and earnings outcomes;

3 (8) conducting an evaluation of workforce needs
4 in the local area; or

5 (9) career pathway and curriculum development
6 or expansion, program establishment, and acquiring
7 equipment necessary to support activities permitted
8 under this section.

9 (d) EMPLOYER ENGAGEMENT.—An eligible entity re-
10 ceiving funds under this title shall use the grant funds
11 to provide services to engage employers in efforts to
12 achieve the strategic objectives identified in the partner-
13 ship’s application under section 40103(b)(4), such as—

14 (1) navigating the registration process for a
15 sponsor of an apprenticeship program;

16 (2) connecting the employer with an education
17 and training provider, to support the development of
18 curriculum for work-based learning opportunities, in-
19 cluding the related instruction for apprenticeship
20 programs;

21 (3) providing training to incumbent workers to
22 serve as trainers or mentors to individuals partici-
23 pating in a work-based learning program funded
24 under this title;

1 (4) subsidizing the wages and benefits for indi-
2 viduals participating in activities or programs fund-
3 ed under this title for a period of not more than 6
4 months for employers demonstrating financial need,
5 including due to COVID-19; and

6 (5) recruiting for employment or participation
7 in programs funded under this title, including work-
8 based learning programs, including—

9 (A) individuals participating in programs
10 under the Workforce Innovation and Oppor-
11 tunity Act (29 U.S.C. 3101 et seq.), or the Re-
12 habilitation Act of 1973 (29 U.S.C. 701 et
13 seq.);

14 (B) recipients of assistance through the
15 supplemental nutrition assistance program es-
16 tablished under the Food and Nutrition Act of
17 2008 (7 U.S.C. 2011 et seq.);

18 (C) recipients of assistance through the
19 program of block grants to States for tem-
20 porary assistance for needy families established
21 under part A of title IV of the Social Security
22 Act (42 U.S.C. 601 et seq.);

23 (D) individuals with a barrier to employ-
24 ment; or

1 (E) nontraditional populations in the tar-
2 geted infrastructure industry served by such
3 funds.

4 (e) PARTICIPANT SUPPORTS.—The eligible entity re-
5 ceiving funds under this title shall use the grant funds
6 to provide services to support the success of individuals
7 participating in a program supported under this title,
8 which shall include—

9 (1) in coordination with the State or local
10 board—

11 (A) training services as described in sec-
12 tion 134(c)(3) of the Workforce Innovation and
13 Opportunity Act (29 U.S.C. 3174(c)(3));

14 (B) career services as described in section
15 134(c)(2) of such Act; and

16 (C) supportive services, such as child care
17 and transportation;

18 (2) providing access to necessary supplies, ma-
19 terials, technological devices, or required equipment,
20 attire, and other supports necessary to participate in
21 such programs or to start employment;

22 (3) job placement assistance, including in paid
23 work-based learning opportunities which may include
24 apprenticeship programs, or employment at the com-

1 pletion of a program provided by an education and
2 training provider;

3 (4) providing career awareness activities, such
4 as career guidance and academic counseling; and

5 (5) services to ensure individuals served by
6 funds under this title maintain employment after the
7 completion of a program funded under this title for
8 at least 12 months, including through the continu-
9 ation of services described under paragraphs (1)
10 through (4) as applicable continuation of services de-
11 scribed under paragraphs (1) through (4).

12 (f) EVALUATION AND PROGRESS REPORTS.—Not
13 later than 1 year after receiving a grant under this title,
14 and annually thereafter, the eligible entity receiving the
15 grant shall submit a report to the Secretary and the Gov-
16 ernor of the State that the eligible entity serves, that—

17 (1) describes the activities funded under this
18 title;

19 (2) evaluates the progress the eligible entity has
20 made towards achieving the strategic objectives iden-
21 tified under section 40103(b)(4); and

22 (3) evaluates the levels of performance achieved
23 by the eligible entity for training participants with
24 respect to the performance indicators under section
25 116(b)(2)(A) of the Workforce Innovation and Op-

1 opportunity Act (29 U.S.C. 3141(b)(2)(A)) for all such
2 workers, disaggregated by each population specified
3 in section 3(24) of the Workforce Innovation and
4 Opportunity Act (29 U.S.C. 3102(24)) and by race,
5 ethnicity, sex, and age.

6 (g) ADMINISTRATIVE COSTS.—An eligible partner-
7 ship may use not more than 5 percent of the funds award-
8 ed through a grant, contract, or cooperative agreement
9 under this title for administrative expenses in carrying out
10 this section.

11 **SEC. 40105. ADMINISTRATION BY THE SECRETARY.**

12 (a) IN GENERAL.—The Secretary may use not more
13 than 2 percent of the amount appropriated under section
14 40106 for each fiscal year for administrative expenses to
15 carry out this title, including the expenses of providing
16 the technical assistance and oversight activities under sub-
17 section (b).

18 (b) TECHNICAL ASSISTANCE; OVERSIGHT.—The Sec-
19 retary shall provide technical assistance and oversight to
20 assist the eligible entities in applying for and admin-
21 istering grants awarded under this title.

22 **SEC. 40106. AUTHORIZATION OF APPROPRIATIONS.**

23 There are authorized to be appropriated to carry out
24 this title such sums as may be necessary for fiscal year
25 2021 and each of the succeeding 4 fiscal years.

1 **SEC. 40107. SPECIAL RULE.**

2 Any funds made available under this title that are
3 used to fund an apprenticeship or apprenticeship program
4 shall only be used for, or provided to, an apprenticeship
5 or apprenticeship program that meets the definition of
6 such term in section 40101 of this title, including any
7 funds awarded for the purposes of grants, contracts, or
8 cooperative agreements, or the development, implementa-
9 tion, or administration, of an apprenticeship or an appren-
10 ticeship program.

