

AMENDMENT TO RULES COMMITTEE
PRINT 117-31
OFFERED BY MS. BONAMICI OF OREGON

Add at the end of division J the following:

1 **TITLE V—BUILDING U.S. INFRA-**
2 **STRUCTURE BY LEVERAGING**
3 **DEMANDS FOR SKILLS**
4 **(BUILDS)**

5 **SEC. 90501. DEFINITIONS.**

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

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

16 (3) CTE TERMS.—The terms “area career and
17 technical education school”, “articulation agree-
18 ment”, “career guidance and academic counseling”,
19 “credit transfer agreement”, “early college high

1 school”, “high school”, “program of study”, “Tribal
2 educational agency”, and “work-based learning”
3 have the meanings given the terms in section 3 of
4 the Carl D. Perkins Career and Technical Education
5 Act of 2006 (20 U.S.C. 2302).

6 (4) EDUCATION AND TRAINING PROVIDER.—

7 (A) IN GENERAL.—The term “education
8 and training provider” means an entity listed in
9 subparagraph (B) that provides academic cur-
10 riculum and instruction related to targeted in-
11 frastructure industries.

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

14 (i) An area career and technical edu-
15 cation school, early college high school, or
16 high school providing career and technical
17 education programs of study.

18 (ii) An Indian Tribe, Tribal organiza-
19 tion, or Tribal educational agency.

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

24 (iv) A provider of adult education and
25 literacy activities under the Adult Edu-

1 cation and Family Literacy Act (29 U.S.C.
2 3271 et seq.);

3 (v) A local agency administering plans
4 under title I of the Rehabilitation Act of
5 1973 (29 U.S.C. 720 et seq.), other than
6 section 112 or part C of that title (29
7 U.S.C. 732, 741);

8 (vi) A related instruction provider for
9 an apprenticeship program.

10 (vii) A public institution of higher
11 education (as defined in section 101 of the
12 Higher Education Act of 1965 (20 U.S.C.
13 1001).

14 (viii) A provider included on the list of
15 eligible providers of training services de-
16 scribed in section 122(d) of the Workforce
17 Innovation and Opportunity Act (29
18 U.S.C. 3152(d)).

19 (ix) A consortium of entities described
20 in any of clauses (i) through (viii).

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

23 (A) an industry or sector partnership;

24 (B) a State workforce development board
25 or State workforce development agency, or a

1 local board or local workforce development
2 agency;

3 (C) an eligible institution described in
4 paragraph (4)(B), or a consortium thereof;

5 (D) an Indian Tribe, Tribal organization,
6 or Tribal educational agency;

7 (E) a labor organization or joint-labor
8 management organization; or

9 (F) a qualified intermediary.

10 (6) NONTRADITIONAL POPULATION.—The term
11 “nontraditional population” means a group of indi-
12 viduals (such as a group of individuals from the
13 same gender or race) the members of which com-
14 prise fewer than 25 percent of the individuals em-
15 ployed in a targeted infrastructure industry.

16 (7) QUALIFIED INTERMEDIARY.—

17 (A) IN GENERAL.—The term “qualified
18 intermediary” means an entity that dem-
19 onstrates an expertise—

20 (i) in engaging in the partnerships de-
21 scribed in subparagraph (B); and

22 (ii) serving participants and employers
23 of programs funded under this title by—

24 (I) connecting employers to pro-
25 grams funded under this title;

1 (II) assisting in the design and
2 implementation of such programs, in-
3 cluding curriculum development and
4 delivery of instruction;

5 (III) providing professional devel-
6 opment activities such as training to
7 mentors;

8 (IV) connecting students or
9 workers to programs funded under
10 this title;

11 (V) developing and providing per-
12 sonalized support for individuals par-
13 ticipating in programs funded under
14 this title, including by partnering with
15 organizations to provide access to or
16 referrals for supportive services and
17 financial advising; or

18 (VI) providing services, re-
19 sources, and supports for develop-
20 ment, delivery, expansion, or improve-
21 ment of programs funded under this
22 title.

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

1 (i) industry or sector partnerships, in-
2 cluding establishing a new industry or sec-
3 tor partnership or expanding an existing
4 industry or sector partnership;

5 (ii) partnerships among employers,
6 joint labor-management organizations,
7 labor organizations, community-based or-
8 ganizations, education and training pro-
9 viders, social service organizations, eco-
10 nomic development organizations, Indian
11 Tribes or Tribal organizations, or one-stop
12 operators, or one-stop partners, in the
13 State workforce development system; or

14 (iii) partnerships with State or local
15 workforce development boards and among
16 one or more of the entities described in
17 clauses (i) and (ii).

18 (8) SECRETARY.—The term “Secretary” means
19 the Secretary of Labor.

20 (9) TARGETED INFRASTRUCTURE INDUSTRY.—
21 The term “targeted infrastructure industry” means
22 an industry, including the transportation (including
23 surface, transit, aviation, maritime, or railway trans-
24 portation), construction, energy (including the de-
25 ployment of renewable and clean energy, energy effi-

1 ciency, transmission, and battery storage), informa-
2 tion technology, or utilities industry) to be served by
3 a grant, contract, or cooperative agreement under
4 this title.

5 **SEC. 90502. GRANTS AUTHORIZED.**

6 (a) IN GENERAL.—The Secretary, in consultation
7 with the Secretary of Transportation, the Secretary of En-
8 ergy, the Secretary of Commerce, the Secretary of Edu-
9 cation, and the Chief of Engineers and Commanding Gen-
10 eral of the Army Corps of Engineers, shall award, on a
11 competitive basis, grants, contracts, or cooperative agree-
12 ments to eligible entities to plan and implement activities
13 to achieve the strategic objectives described in section
14 90504(b) with respect to a targeted infrastructure indus-
15 try identified in the application submitted under section
16 90503 by such eligible entities.

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

20 (1) an implementation grant, contract, or coop-
21 erative agreement, for entities seeking an initial
22 grant under this title; or

23 (2) a renewal grant, contract, or cooperative
24 agreement for entities that have already received an

1 implementation grant, contract, or cooperative
2 agreement under this title.

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

5 (d) AMOUNT.—The amount of a grant, contract, or
6 cooperative agreement awarded under this title may not
7 exceed—

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

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

12 (e) AWARD BASIS.—

13 (1) GEOGRAPHIC DIVERSITY.—The Secretary
14 shall award funds under this title in a manner that
15 ensures geographic diversity (such as urban and
16 rural distribution) in the areas in which activities
17 will be carried out using such funds.

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

21 (A) in the case of awarding implementa-
22 tion grants, contracts, or cooperative agree-
23 ments—

1 (i) demonstrate long-term sustain-
2 ability of a program or activity funded
3 under this title;

4 (ii) will serve a high number or high
5 percentage of nontraditional populations
6 and individuals with barriers to employ-
7 ment; and

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

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

12 (i) meet the criteria established in
13 subparagraph (A); and

14 (ii) have demonstrated ability to meet
15 the—

16 (I) strategic objectives of the im-
17 plementation grant, contract or coop-
18 erative agreement described in section
19 90503(b)(4); and

20 (II) meet or exceed the require-
21 ments of the evaluations and progress
22 reports described in section 90504(f).

23 **SEC. 90503. APPLICATION.**

24 (a) IN GENERAL.—An eligible entity desiring a grant,
25 contract, or cooperative agreement under this title shall

1 submit an application to the Secretary at such time, in
2 such manner, and containing such information as the Sec-
3 retary may require, including the contents described in
4 subsection (b).

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

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

9 (A) evidence of the eligible entity’s capac-
10 ity to carry out activities to achieve the stra-
11 tegic objectives described in section 90504(b);
12 and

13 (B) identification, and expected participa-
14 tion and responsibilities of each key stakeholder
15 in the targeted infrastructure industry de-
16 scribed in section 90504(b)(1) with which the
17 eligible entity will partner to carry out such ac-
18 tivities;

19 (2) a description of the targeted infrastructure
20 industry to be served by the eligible entity with
21 funds received under this title, and a description of
22 how such industry was identified, including—

23 (A) the quantitative data and evidence that
24 demonstrates the demand for employment in

1 such industry in the geographic area served by
2 the eligible entity under this title; and

3 (B) a description of the local, State, or
4 federally funded infrastructure projects with re-
5 spect to which the eligible entity anticipates en-
6 gaging the partners described in paragraph
7 (1)(B);

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

10 (A) how recruitment activities will target
11 nontraditional populations to improve the per-
12 centages of nontraditional populations employed
13 in targeted infrastructure industries; and

14 (B) a description of potential barriers to
15 employment for targeted workers, and a de-
16 scription of strategies that will be used to help
17 workers overcome such barriers;

18 (4) a description of the strategic objectives de-
19 scribed in section 90504(b) that the eligible entity
20 intends to achieve concerning the targeted infra-
21 structure industry and activities to be carried out as
22 described in section 90504, including—

23 (A) a timeline for progress towards achiev-
24 ing such strategic objectives;

1 (B) a description of the manner in which
2 the eligible entity intends to make sustainable
3 progress towards achieving such strategic objec-
4 tives; and

5 (C) assurances the eligible entity will pro-
6 vide performance measures for measuring
7 progress towards achieving such strategic objec-
8 tives, as described in section 90504(f);

9 (5) a description of the recognized postsec-
10 ondary credentials that the eligible entity proposes
11 to prepare individuals participating in activities
12 under this title for, which shall—

13 (A) be nationally or regionally portable and
14 stackable;

15 (B) be related to the targeted infrastruc-
16 ture industry that the eligible entity proposes to
17 support; and

18 (C) be aligned to a career pathway and
19 work-based learning opportunity, such as an ap-
20 prenticeship program or a pre-apprenticeship
21 program articulating to an apprenticeship pro-
22 gram;

23 (6) a description of the Federal and non-Fed-
24 eral resources, available under provisions of law
25 other than this title, that will be leveraged in sup-

1 port of the partnerships and activities under this
2 title; and

3 (7) a description of how the eligible entity or
4 the education and training provider in partnership
5 with such eligible entity under this title will establish
6 or implement plans to be included on the list of eligi-
7 ble providers of training services described in section
8 122(d) of the Workforce Innovation and Opportunity
9 Act (29 U.S.C. 3152(d)).

10 **SEC. 90504. ELIGIBLE ACTIVITIES.**

11 (a) IN GENERAL.—An eligible entity receiving funds
12 under this title shall carry out activities described this sec-
13 tion to achieve the strategic objectives identified in the en-
14 tity’s application under section 90503, including the objec-
15 tives described in subsection (b).

16 (b) STRATEGIC OBJECTIVES.—The activities to be
17 carried out with the funds awarded under this title shall
18 be designed to achieve strategic objectives, including the
19 following:

20 (1) Recruiting key stakeholders (such as em-
21 ployers, labor organizations, local workforce boards,
22 and education and training providers, economic de-
23 velopment agencies, and as applicable, qualified
24 intermediaries) in the targeted infrastructure indus-

1 try to establish or expand industry and sector part-
2 nerships for the purpose of—

3 (A) assisting the eligible entity in carrying
4 out the activities described in subsection (a);
5 and

6 (B) convening with the eligible entity in a
7 collaborative structure that supports the shar-
8 ing of information and best practices for sup-
9 porting the development of a diverse workforce
10 to support the targeted infrastructure industry.

11 (2) Identifying the training needs of the State
12 or local area in the targeted infrastructure industry,
13 including—

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

16 (B) needs of the apprenticeship programs
17 or other paid work-based learning programs
18 supported by the funds; and

19 (C) the needed establishment, expansion,
20 or revisions of career pathways and academic
21 curriculum in the targeted infrastructure indus-
22 tries to establish talent pipelines for such indus-
23 try.

24 (3) Identifying and quantifying any disparities
25 or gaps in employment of nontraditional populations

1 in the targeted infrastructure industries and estab-
2 lishing or expanding strategies to close such gaps.

3 (4) Supporting the development of consortia of
4 education and training providers receiving assistance
5 under this title to align curricula, recognized post-
6 secondary credentials, and programs to the targeted
7 infrastructure industry needs and the credentials de-
8 scribed in section 90503(b)(5), particularly for high-
9 skill, high-wage or in-demand industry sectors or oc-
10 cupations related to the targeted infrastructure in-
11 dustry.

12 (5) Providing information on activities carried
13 out with such funds to the State and local board and
14 the State agency carrying out the State program
15 under the Wagner-Peyser Act (29 U.S.C. 49 et
16 seq.), including staff of the agency that provide serv-
17 ices under such Act, to enable the State agency to
18 inform recipients of unemployment compensation or
19 the employment and training opportunities that may
20 be offered through such activities.

21 (6) Establishing or expanding partnerships with
22 employers in industry or sector partnerships to at-
23 tract potential workers from a diverse jobseeker
24 base, including individuals with barriers to employ-
25 ment and nontraditional populations, by identifying

1 any such barriers through analysis of the labor mar-
2 ket data and recruitment strategies, and imple-
3 menting strategies to help such workers overcome
4 such barriers and increase diversity in the targeted
5 infrastructure industries.

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

12 (1) establishing or expanding industry or sector
13 partnerships described in subsection (b)(1);

14 (2) conducting outreach to local labor organiza-
15 tions, employers, industry associations, education
16 and training providers, economic development orga-
17 nizations, and qualified intermediaries, as applicable;

18 (3) recruiting individuals for participation in
19 programs assisted with funds under this title, includ-
20 ing individuals with barriers to employment and
21 nontraditional populations;

22 (4) establishing or expanding paid work-based
23 learning opportunities, including apprenticeship pro-
24 grams or programs articulating to apprenticeship
25 programs;

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

7 (6) establishing or implementing plans for
8 awarding academic credit or providing for academic
9 alignment towards credit pathways for programs or
10 programs of study assisted with funds under this
11 title, including academic credit for industry-recog-
12 nized credentials, competency-based education, work-
13 based learning, or apprenticeship programs;

14 (7) making available open, searchable, and com-
15 parable information on the recognized postsecondary
16 credentials awarded under such programs, including
17 the related skills or competencies and related em-
18 ployment and earnings outcomes;

19 (8) conducting an evaluation of workforce needs
20 in the local area; or

21 (9) career pathway and curriculum development
22 or expansion, program establishment, and acquiring
23 equipment necessary to support activities permitted
24 under this section.

1 (d) EMPLOYER ENGAGEMENT.—An eligible entity re-
2 ceiving funds under this title shall use the grant funds
3 to provide services to engage employers in efforts to
4 achieve the strategic objectives identified in the partner-
5 ship’s application under section 90503(b)(4), such as—

6 (1) navigating the registration process for a
7 sponsor of an apprenticeship program;

8 (2) connecting the employer with an education
9 and training provider, to support the development of
10 curriculum for work-based learning opportunities, in-
11 cluding the related instruction for apprenticeship
12 programs;

13 (3) providing training to incumbent workers to
14 serve as trainers or mentors to individuals partici-
15 pating in a work-based learning program funded
16 under this title;

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

22 (5) recruiting for employment or participation
23 in programs funded under this title, including work-
24 based learning programs, including—

1 (A) individuals participating in programs
2 under the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3101 et seq.), or the Re-
4 habilitation Act of 1973 (29 U.S.C. 701 et
5 seq.);

6 (B) recipients of assistance through the
7 supplemental nutrition assistance program es-
8 tablished under the Food and Nutrition Act of
9 2008 (7 U.S.C. 2011 et seq.);

10 (C) recipients of assistance through the
11 program of block grants to States for tem-
12 porary assistance for needy families established
13 under part A of title IV of the Social Security
14 Act (42 U.S.C. 601 et seq.);

15 (D) individuals with a barrier to employ-
16 ment; or

17 (E) nontraditional populations in the tar-
18 geted infrastructure industry served by such
19 funds.

20 (e) PARTICIPANT SERVICES.—The eligible entity re-
21 ceiving funds under this title shall use the grant funds
22 to provide services to support the success of individuals
23 participating in a program supported under this title,
24 which shall include—

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

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

6 (B) career services as described in section
7 134(c)(2) of such Act; and

8 (C) supportive services, such as child care
9 and transportation;

10 (2) providing access to necessary supplies, ma-
11 terials, technological devices, or required equipment,
12 attire, and other supports necessary to participate in
13 such programs or to start employment;

14 (3) job placement assistance, including in paid
15 work-based learning opportunities which may include
16 apprenticeship programs, or employment at the com-
17 pletion of a program provided by an education and
18 training provider;

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

21 (5) services to ensure individuals served by
22 funds under this title maintain employment after the
23 completion of a program funded under this title for
24 at least 12 months, including through the continu-
25 ation of services described under paragraphs (1)

1 through (4) as applicable continuation of services de-
2 scribed under paragraphs (1) through (4).

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

8 (1) describes the activities funded under this
9 title;

10 (2) evaluates the progress the eligible entity has
11 made towards achieving the strategic objectives iden-
12 tified under section 90503(b)(4); and

13 (3) evaluates the levels of performance achieved
14 by the eligible entity for training participants with
15 respect to the performance indicators under section
16 116(b)(2)(A) of the Workforce Innovation and Op-
17 portunity Act (29 U.S.C. 3141(b)(2)(A)) for all such
18 workers, disaggregated by each population specified
19 in section 3(24) of the Workforce Innovation and
20 Opportunity Act (29 U.S.C. 3102(24)) and by race,
21 ethnicity, sex, and age.

22 (g) ADMINISTRATIVE COSTS.—An eligible partner-
23 ship may use not more than 5 percent of the funds award-
24 ed through a grant, contract, or cooperative agreement

1 under this title for administrative expenses in carrying out
2 this section.

3 **SEC. 90505. ADMINISTRATION BY THE SECRETARY.**

4 (a) IN GENERAL.—The Secretary may use not more
5 than 2 percent of the amount appropriated under section
6 90506 for each fiscal year for administrative expenses to
7 carry out this title, including the expenses of providing
8 the technical assistance and oversight activities under sub-
9 section (b).

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

14 **SEC. 90506. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated to carry out
16 this title such sums as may be necessary for fiscal year
17 2023 and each of the succeeding 4 fiscal years.

18 **SEC. 90507. SPECIAL RULE.**

19 Any funds made available under this title that are
20 used to fund an apprenticeship or apprenticeship program
21 shall only be used for, or provided to, an apprenticeship
22 or apprenticeship program that meets the definition of
23 such term in section 90501 of this title, including any
24 funds awarded for the purposes of grants, contracts, or
25 cooperative agreements, or the development, implementa-

1 tion, or administration, of an apprenticeship or an appren-
2 ticeship program.

