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

Add at the end of division J the following:

TITLE V—BUILDING U.S. INFRASTRUCTURE BY LEVERAGING DEMANDS FOR SKILLS (BUILDS)

SEC. 90501. DEFINITIONS.

(1) IN GENERAL.—In this title, except as otherwise provided in this title, the terms have the meanings given the terms in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(2) APPRENTICESHIP, APPRENTICESHIP PROGRAM.—The term “apprenticeship” or “apprenticeship program” means an apprenticeship program registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act” (29 U.S.C. 50 et seq.)).

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

(4) EDUCATION AND TRAINING PROVIDER.—

(A) IN GENERAL.—The term “education and training provider” means an entity listed in subparagraph (B) that provides academic curriculum and instruction related to targeted infrastructure industries.

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

(i) An area career and technical education school, early college high school, or high school providing career and technical education programs of study.

(ii) An Indian Tribe, Tribal organization, or Tribal educational agency.

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

(iv) A provider of adult education and literacy activities under the Adult Edu-
cation and Family Literacy Act (29 U.S.C. 3271 et seq.);
(v) A local agency administering plans under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741);
(vi) A related instruction provider for an apprenticeship program.
(viii) A provider included on the list of eligible providers of training services described in section 122(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3152(d)).
(ix) A consortium of entities described in any of clauses (i) through (viii).

(5) ELIGIBLE ENTITY.—The term “eligible entity” means—
(A) an industry or sector partnership;
(B) a State workforce development board or State workforce development agency, or a
local board or local workforce development agency;

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

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

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

(F) a qualified intermediary.

(6) NONTRADITIONAL POPULATION.—The term “nontraditional population” means a group of individuals (such as a group of individuals from the same gender or race) the members of which comprise fewer than 25 percent of the individuals employed in a targeted infrastructure industry.

(7) QUALIFIED INTERMEDIARY.—

(A) IN GENERAL.—The term “qualified intermediary” means an entity that demonstrates an expertise—

(i) in engaging in the partnerships described in subparagraph (B); and

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

(I) connecting employers to programs funded under this title;
(II) assisting in the design and implementation of such programs, including curriculum development and delivery of instruction;

(III) providing professional development activities such as training to mentors;

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

(V) developing and providing personalized support for individuals participating in programs funded under this title, including by partnering with organizations to provide access to or referrals for supportive services and financial advising; or

(VI) providing services, resources, and supports for development, delivery, expansion, or improvement of programs funded under this title.

(B) REQUIRED PARTNERSHIPS.—In carrying out activities under this title, the qualified intermediary shall act in partnerships with—
(i) industry or sector partnerships, including establishing a new industry or sector partnership or expanding an existing industry or sector partnership;

(ii) partnerships among employers, joint labor-management organizations, labor organizations, community-based organizations, education and training providers, social service organizations, economic development organizations, Indian Tribes or Tribal organizations, or one-stop operators, or one-stop partners, in the State workforce development system; or

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

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

(9) TARGETED INFRASTRUCTURE INDUSTRY.—The term “targeted infrastructure industry” means an industry, including the transportation (including surface, transit, aviation, maritime, or railway transportation), construction, energy (including the deployment of renewable and clean energy, energy effi-
ciency, transmission, and battery storage), informa-
tion technology, or utilities industry) to be served by
a grant, contract, or cooperative agreement under
this title.

SEC. 90502. GRANTS AUTHORIZED.

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

(b) Types of Awards.—A grant, contract, or coop-
erative agreement awarded under this title may be in the
form of—

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

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

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

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

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

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

(e) AWARD BASIS.—

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

(2) PRIORITY FOR AWARDS.—In awarding funds under this title, the Secretary shall give priority to eligible entities that—

(A) in the case of awarding implementation grants, contracts, or cooperative agreements—
(i) demonstrate long-term sustain-
ability of a program or activity funded
under this title;

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

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

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

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

(ii) have demonstrated ability to meet
the—

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

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

SEC. 90503. APPLICATION.

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

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

(1) a description of the entities engaged in activities funded under the grant, including—

(A) evidence of the eligible entity’s capacity to carry out activities to achieve the strategic objectives described in section 90504(b); and

(B) identification, and expected participation and responsibilities of each key stakeholder in the targeted infrastructure industry described in section 90504(b)(1) with which the eligible entity will partner to carry out such activities;

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

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

(B) a description of the local, State, or federally funded infrastructure projects with respect to which the eligible entity anticipates engaging the partners described in paragraph (1)(B);

(3) a description of the workers that will be targeted or recruited by the eligible entity, including—

(A) how recruitment activities will target nontraditional populations to improve the percentages of nontraditional populations employed in targeted infrastructure industries; and

(B) a description of potential barriers to employment for targeted workers, and a description of strategies that will be used to help workers overcome such barriers;

(4) a description of the strategic objectives described in section 90504(b) that the eligible entity intends to achieve concerning the targeted infrastructure industry and activities to be carried out as described in section 90504, including—

(A) a timeline for progress towards achieving such strategic objectives;
(B) a description of the manner in which
the eligible entity intends to make sustainable
progress towards achieving such strategic objec-
tives; and

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

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

(A) be nationally or regionally portable and
stackable;

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

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

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

title; and

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

SEC. 90504. ELIGIBLE ACTIVITIES.

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

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

(1) Recruiting key stakeholders (such as em-
ployers, labor organizations, local workforce boards,
and education and training providers, economic de-
velopment agencies, and as applicable, qualified
intermediaries) in the targeted infrastructure indus-
try to establish or expand industry and sector partnerships for the purpose of—

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

(B) convening with the eligible entity in a collaborative structure that supports the sharing of information and best practices for supporting the development of a diverse workforce to support the targeted infrastructure industry.

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

(A) needs for skills critical to competitiveness and innovation in the industry;

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

(C) the needed establishment, expansion, or revisions of career pathways and academic curriculum in the targeted infrastructure industries to establish talent pipelines for such industry.

(3) Identifying and quantifying any disparities or gaps in employment of nontraditional populations
in the targeted infrastructure industries and establishing or expanding strategies to close such gaps.

(4) Supporting the development of consortia of education and training providers receiving assistance under this title to align curricula, recognized post-secondary credentials, and programs to the targeted infrastructure industry needs and the credentials described in section 90503(b)(5), particularly for high-skill, high-wage or in-demand industry sectors or occupations related to the targeted infrastructure industry.

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

(6) Establishing or expanding partnerships with employers in industry or sector partnerships to attract potential workers from a diverse jobseeker base, including individuals with barriers to employment and nontraditional populations, by identifying
any such barriers through analysis of the labor mar-
ket data and recruitment strategies, and imple-
menting strategies to help such workers overcome
such barriers and increase diversity in the targeted
infrastructure industries.

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

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

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

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

(4) establishing or expanding paid work-based
learning opportunities, including apprenticeship pro-
grams or programs articulating to apprenticeship
programs;
(5) establishing or implementing plans for any education and training provider receiving funding under this title to be included on the list of eligible providers of training services described in section 122(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3152(d));

(6) establishing or implementing plans for awarding academic credit or providing for academic alignment towards credit pathways for programs or programs of study assisted with funds under this title, including academic credit for industry-recognized credentials, competency-based education, work-based learning, or apprenticeship programs;

(7) making available open, searchable, and comparable information on the recognized postsecondary credentials awarded under such programs, including the related skills or competencies and related employment and earnings outcomes;

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

(9) career pathway and curriculum development or expansion, program establishment, and acquiring equipment necessary to support activities permitted under this section.
(d) EMPLOYER ENGAGEMENT.—An eligible entity receiving funds under this title shall use the grant funds to provide services to engage employers in efforts to achieve the strategic objectives identified in the partnership’s application under section 90503(b)(4), such as—

1. navigating the registration process for a sponsor of an apprenticeship program;
2. connecting the employer with an education and training provider, to support the development of curriculum for work-based learning opportunities, including the related instruction for apprenticeship programs;
3. providing training to incumbent workers to serve as trainers or mentors to individuals participating in a work-based learning program funded under this title;
4. subsidizing the wages and benefits for individuals participating in activities or programs funded under this title for a period of not more than 6 months for employers demonstrating financial need, including due to COVID–19; and
5. recruiting for employment or participation in programs funded under this title, including work-based learning programs, including—
(A) individuals participating in programs under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), or the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

(B) recipients of assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

(C) recipients of assistance through the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

(D) individuals with a barrier to employment; or

(E) nontraditional populations in the targeted infrastructure industry served by such funds.

(e) PARTICIPANT SERVICES.—The eligible entity receiving funds under this title shall use the grant funds to provide services to support the success of individuals participating in a program supported under this title, which shall include—
(1) in coordination with the State or local board—

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

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

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

(2) providing access to necessary supplies, materials, technological devices, or required equipment, attire, and other supports necessary to participate in such programs or to start employment;

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

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

(5) services to ensure individuals served by funds under this title maintain employment after the completion of a program funded under this title for at least 12 months, including through the continuation of services described under paragraphs (1)
through (4) as applicable continuation of services described under paragraphs (1) through (4).

(f) **Evaluation and Progress Reports.**—Not later than 1 year after receiving a grant under this title, and annually thereafter, the eligible entity receiving the grant shall submit a report to the Secretary and the Governor of the State that the eligible entity serves, that—

(1) describes the activities funded under this title;

(2) evaluates the progress the eligible entity has made towards achieving the strategic objectives identified under section 90503(b)(4); and

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

(g) **Administrative Costs.**—An eligible partnership may use not more than 5 percent of the funds awarded through a grant, contract, or cooperative agreement
under this title for administrative expenses in carrying out
this section.

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

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

(b) Technical Assistance; Oversight.—The Sec-
retary shall provide technical assistance and oversight to
assist the eligible entities in applying for and admin-
istering grants awarded under this title.

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

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

**SEC. 90507. SPECIAL RULE.**

Any funds made available under this title that are
used to fund an apprenticeship or apprenticeship program
shall only be used for, or provided to, an apprenticeship
or apprenticeship program that meets the definition of
such term in section 90501 of this title, including any
funds awarded for the purposes of grants, contracts, or
cooperative agreements, or the development, implementa-
1 tion, or administration, of an apprenticeship or an appren-
2 ticeship program.