

AMENDMENT TO RULES COMMITTEE

PRINT 117-8

OFFERED BY MS. BONAMICI OF OREGON

Add at the end the following:

1 **DIVISION H—BUILDING U.S. IN-**
2 **FRASTRUCTURE BY**
3 **LEVERAGING DEMANDS FOR**
4 **SKILLS (BUILDS)**

5 **SEC. 11101. DEFINITIONS.**

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

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

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 rriculum 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;

1 (B) a State board or State workforce de-
2 velopment agency, or a local board or local
3 workforce development agency;

4 (C) an eligible institution, or a consortium
5 thereof;

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

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

10 (F) a qualified intermediary.

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

17 (7) QUALIFIED INTERMEDIARY.—

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

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

23 (ii) serving participants and employers
24 of programs funded under this division
25 by—

1 (I) connecting employers to pro-
2 grams funded under this division;

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

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

10 (IV) connecting students or
11 workers to programs funded under
12 this division;

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

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

1 (B) REQUIRED PARTNERSHIPS.—In car-
2 rying out activities under this division, the
3 qualified intermediary shall act in partnerships
4 with—

5 (i) industry or sector partnerships, in-
6 cluding establishing a new industry or sec-
7 tor partnership or expanding an existing
8 industry or sector partnership;

9 (ii) partnerships among employers,
10 joint labor-management organizations,
11 labor organizations, community-based or-
12 ganizations, State or local workforce devel-
13 opment boards, education and training
14 providers, social service organizations, eco-
15 nomic development organizations, Indian
16 Tribes or Tribal organizations, or one-stop
17 operators, or one-stop partners, in the
18 State workforce development system; or

19 (iii) partnerships among one or more
20 of the entities described in clauses (i) and
21 (ii).

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

24 (9) TARGETED INFRASTRUCTURE INDUSTRY.—
25 The term “targeted infrastructure industry” means

1 an industry, including the transportation (including
2 surface, transit, aviation, maritime, or railway trans-
3 portation), construction, energy (including the de-
4 ployment of renewable and clean energy, energy effi-
5 ciency, transmission, and battery storage), informa-
6 tion technology, or utilities industry) to be served by
7 a grant, contract, or cooperative agreement under
8 this division.

9 **SEC. 11102. GRANTS AUTHORIZED.**

10 (a) IN GENERAL.—The Secretary, in consultation
11 with the Secretary of Transportation, the Secretary of En-
12 ergy, the Secretary of Commerce, the Secretary of Edu-
13 cation, and the Chief of Engineers and Commanding Gen-
14 eral of the Army Corps of Engineers, shall award, on a
15 competitive basis, grants, contracts, or cooperative agree-
16 ments to eligible entities to plan and implement activities
17 to achieve the strategic objectives described in section
18 11104(b) with respect to a targeted infrastructure indus-
19 try identified in the application submitted under section
20 11103 by such eligible entities.

21 (b) TYPES OF AWARDS.—A grant, contract, or coop-
22 erative agreement awarded under this division may be in
23 the form of—

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

4 (2) a renewal grant, contract, or cooperative
5 agreement for entities that have already received an
6 implementation grant, contract, or cooperative
7 agreement under this division.

8 (c) DURATION.—Each grant awarded under this divi-
9 sion shall be for a period not to exceed 3 years.

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

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

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

17 (e) AWARD BASIS.—

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

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

1 (A) in the case of awarding implementa-
2 tion grants, contracts, or cooperative agree-
3 ments—

4 (i) demonstrate long-term sustain-
5 ability of a program or activity funded
6 under this division;

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

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

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

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

17 (ii) have demonstrated ability to meet
18 the—

19 (I) strategic objectives of the im-
20 plementation grant, contract or coop-
21 erative agreement described in section
22 11103(b)(4); and

23 (II) meet or exceed the require-
24 ments of the evaluations and progress
25 reports described in section 11104(f).

1 **SEC. 11103. APPLICATION.**

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

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

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

12 (A) evidence of the eligible entity's capac-
13 ity to carry out activities to achieve the stra-
14 tegic objectives described in section 11104(b);
15 and

16 (B) identification, and expected partici-
17 pation and responsibilities of each key stakeholder
18 in the targeted infrastructure industry de-
19 scribed in section 11104(b)(1) with which the
20 eligible entity will partner to carry out such ac-
21 tivities;

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

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

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

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

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

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

20 (4) a description of the strategic objectives de-
21 scribed in section 11104(b) that the eligible entity
22 intends to achieve concerning the targeted infra-
23 structure industry and activities to be carried out as
24 described in section 11104, including—

1 (A) a timeline for progress towards achiev-
2 ing such strategic objectives;

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

7 (C) assurances the eligible entity will pro-
8 vide performance measures for measuring
9 progress towards achieving such strategic objec-
10 tives, as described in section 11104(f);

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

15 (A) be nationally or regionally portable and
16 stackable;

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

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

1 (6) a description of the Federal and non-Fed-
2 eral resources, available under provisions of law
3 other than this division, that will be leveraged in
4 support of the partnerships and activities under this
5 division; and

6 (7) a description of how the eligible entity or
7 the education and training provider in partnership
8 with such eligible entity under this division will es-
9 tablish or implement plans to be included on the list
10 of eligible providers of training services described in
11 section 122(d) of the Workforce Innovation and Op-
12 portunity Act (29 U.S.C. 3152(d)).

13 **SEC. 11104. ELIGIBLE ACTIVITIES.**

14 (a) IN GENERAL.—An eligible entity receiving funds
15 under this division shall carry out activities described this
16 section to achieve the strategic objectives identified in the
17 entity’s application under section 11103, including the ob-
18 jectives described in subsection (b).

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

23 (1) Recruiting key stakeholders (such as em-
24 ployers, labor organizations, local boards, and edu-
25 cation and training providers, economic development

1 agencies, and as applicable, qualified intermediaries)
2 in the targeted infrastructure industry to establish
3 or expand industry and sector partnerships for the
4 purpose of—

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

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

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

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

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

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

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

5 (4) Supporting the development of consortia of
6 education and training providers receiving assistance
7 under this division to align curricula, recognized
8 postsecondary credentials, and programs to the tar-
9 geted infrastructure industry needs and the creden-
10 tials described in section 11103(b)(5), particularly
11 for high-skill, high-wage or in-demand industry sec-
12 tors or occupations related to the targeted infra-
13 structure industry.

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

23 (6) Establishing or expanding partnerships with
24 employers in industry or sector partnerships to at-
25 tract potential workers from a diverse jobseeker

1 base, including individuals with barriers to employ-
2 ment and nontraditional populations, by identifying
3 any such barriers through analysis of the labor mar-
4 ket data and recruitment strategies, and imple-
5 menting strategies to help such workers overcome
6 such barriers and increase diversity in the targeted
7 infrastructure industries.

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

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

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

20 (3) recruiting individuals for participation in
21 programs assisted with funds under this division, in-
22 cluding individuals with barriers to employment and
23 nontraditional populations;

24 (4) establishing or expanding paid work-based
25 learning opportunities, including apprenticeship pro-

1 grams or programs articulating to apprenticeship
2 programs;

3 (5) establishing or implementing plans for any
4 education and training provider receiving funding
5 under this division to be included on the list of eligi-
6 ble providers of training services described in section
7 122(d) of the Workforce Innovation and Opportunity
8 Act (29 U.S.C. 3152(d));

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

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

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

23 (9) career pathway and curriculum development
24 or expansion, program establishment, and acquiring

1 equipment necessary to support activities permitted
2 under this section.

3 (d) EMPLOYER ENGAGEMENT.—An eligible entity re-
4 ceiving funds under this division shall use the grant funds
5 to provide services to engage employers in efforts to
6 achieve the strategic objectives identified in the partner-
7 ship’s application under section 11103(b)(4), such as—

8 (1) navigating the registration process for a
9 sponsor of an apprenticeship program;

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

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

19 (4) subsidizing the wages and benefits for indi-
20 viduals participating in activities or programs fund-
21 ed under this division for a period of not more than
22 6 months for employers demonstrating financial
23 need, including due to COVID–19; and

1 (5) recruiting for employment or participation
2 in programs funded under this division, including
3 work-based learning programs, including—

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

9 (B) recipients of assistance through the
10 supplemental nutrition assistance program es-
11 tablished under the Food and Nutrition Act of
12 2008 (7 U.S.C. 2011 et seq.);

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

18 (D) individuals with a barrier to employ-
19 ment; or

20 (E) nontraditional populations in the tar-
21 geted infrastructure industry served by such
22 funds.

23 (e) PARTICIPANT SUPPORTS.—The eligible entity re-
24 ceiving funds under this division shall use the grant funds
25 to provide services to support the success of individuals

1 participating in a program supported under this division,
2 which shall include—

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

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

8 (B) career services as described in section
9 134(c)(2) of such Act; and

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

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

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

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

23 (5) services to ensure individuals served by
24 funds under this division maintain employment after
25 the completion of a program funded under this divi-

1 sion for at least 12 months, including through the
2 continuation of services described under paragraphs
3 (1) through (4) as applicable continuation of services
4 described under paragraphs (1) through (4).

5 (f) EVALUATION AND PROGRESS REPORTS.—Not
6 later than 1 year after receiving a grant under this divi-
7 sion, and annually thereafter, the eligible entity receiving
8 the grant shall submit a report to the Secretary and the
9 Governor of the State that the eligible entity serves,
10 that—

11 (1) describes the activities funded under this di-
12 vision;

13 (2) evaluates the progress the eligible entity has
14 made towards achieving the strategic objectives iden-
15 tified under section 11103(b)(4); and

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

1 (g) ADMINISTRATIVE COSTS.—An eligible partner-
2 ship may use not more than 5 percent of the funds award-
3 ed through a grant, contract, or cooperative agreement
4 under this division for administrative expenses in carrying
5 out this section.

6 **SEC. 11105. ADMINISTRATION BY THE SECRETARY.**

7 (a) IN GENERAL.—The Secretary may use not more
8 than 2 percent of the amount appropriated under section
9 11106 for each fiscal year for administrative expenses to
10 carry out this division, including the expenses of providing
11 the technical assistance and oversight activities under sub-
12 section (b).

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

17 **SEC. 11106. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated to carry out
19 this division such sums as may be necessary for fiscal year
20 2022 and each of the succeeding 4 fiscal years.

21 **SEC. 11107. SPECIAL RULE.**

22 Any funds made available under this division that are
23 used to fund an apprenticeship or apprenticeship program
24 shall only be used for, or provided to, an apprenticeship
25 or apprenticeship program that meets the definition of

1 such term in section 11101 of this division, including any
2 funds awarded for the purposes of grants, contracts, or
3 cooperative agreements, or the development, implementa-
4 tion, or administration, of an apprenticeship or an appren-
5 ticeship program.

