

**AMENDMENT TO H.R. 447**  
**OFFERED BY MS. STEFANIK OF NEW YORK**

Strike sections 3 and 4, and insert the following:

**1 SEC. 3. RULES AND REGULATIONS.**

2       In accordance with chapter 5 of title 5, United States  
3 Code, the Secretary of Labor may prescribe rules and reg-  
4 ulations to carry out this Act.

**5 SEC. 4. AMENDMENT.**

6       The Act of August 16, 1937 (commonly referred to  
7 as the “National Apprenticeship Act”; 50 Stat. 664, chap-  
8 ter 663; 29 U.S.C. 50 et seq.) is amended to read as fol-  
9 lows:

**10 “SEC. 1. SHORT TITLE; TABLE OF CONTENTS.**

11       “(a) SHORT TITLE.—This Act may be cited as the  
12 ‘National Apprenticeship Act of 2021’.

13       “(b) TABLE OF CONTENTS.—The table of contents  
14 for this Act is as follows:

“Sec. 1. Short title; table of contents.

“Sec. 2. Purposes.

“Sec. 3. Definitions.

“Sec. 4. Transition provisions.

“Sec. 5. Disaggregation of data.

**“TITLE I—PROMOTING APPRENTICESHIPS**

**“Subtitle A—The Office of Apprenticeship, State Registration Agency  
Approval Process**

“Sec. 111. The Office of Apprenticeship.

“Sec. 112. State apprenticeship agencies and State offices of Apprenticeship.

“Subtitle B—Process and Standards for the National Apprenticeship System

“Sec. 121. Process and Standards.

“Subtitle C—Evaluations and Research

“Sec. 131. Program evaluations and research.

“Subtitle D—General Provisions

“Sec. 141. Authorization of appropriations.

“TITLE II—MODERNIZING THE NATIONAL APPRENTICESHIP  
SYSTEM FOR THE 21ST CENTURY GRANTS

“Sec. 201. Grant requirements.

“Sec. 202. Grant appropriations.

1 **“SEC. 2. PURPOSES.**

2 “(a) **AUTHORITY.**—The purposes of this Act are to  
3 authorize and direct the Secretary of Labor to—

4 “(1) formulate and promote the furtherance of  
5 labor standards necessary to safeguard the welfare  
6 of apprentices;

7 “(2) extend the application of such standards  
8 by encouraging the inclusion thereof in contracts of  
9 apprenticeship (in this Act referred to as ‘appren-  
10 ticeship agreements’);

11 “(3) bring together employers and labor for the  
12 formulation of programs of apprenticeship;

13 “(4) cooperate with State agencies engaged in  
14 the formulation and promotion of standards of ap-  
15 prenticeship; and

16 “(5) cooperate with the Secretary of Education.

17 “(b) **ADDITIONAL PROGRAMS.**—In carrying out the  
18 authority provided in subsection (a), the Secretary—

1           “(1) shall establish and administer the program  
2           under title I; and

3           “(2) may establish and administer additional  
4           programs of work-based learning as the Secretary  
5           determines appropriate, which may include activities  
6           to respond to the COVID–19 public health emer-  
7           gency.

8   **“SEC. 3. DEFINITIONS.**

9           “In titles I and II:

10           “(1) APPRENTICE.—The term ‘apprentice’  
11           means a program participant in an apprenticeship  
12           program.

13           “(2) APPRENTICESHIP AGREEMENT.—The term  
14           ‘apprenticeship agreement’ means a written agree-  
15           ment under 121 between—

16                   “(A) an apprentice; and

17                   “(B) a sponsor.

18           “(3) APPRENTICESHIP HUB.—The term ‘ap-  
19           prenticeship hub’ means a regional or sectoral quali-  
20           fied intermediary recognized by a State apprentice-  
21           ship agency or a State Office of Apprenticeship as  
22           organizing and providing activities and services re-  
23           lated to the development of programs under the na-  
24           tional apprenticeship system.

1           “(4) APPRENTICEABLE OCCUPATION.—The  
2 term ‘apprenticeable occupation’ means an occupa-  
3 tion that the Secretary has determined meets the re-  
4 quirements of section 121.

5           “(5) APPRENTICESHIP PROGRAM.—The term  
6 ‘apprenticeship program’ means a program that  
7 meets the standards described in section 121 and is  
8 registered under title I.

9           “(6) COMPETENCY.—The term ‘competency’  
10 means the attainment of knowledge, skills, and abili-  
11 ties in a subject area.

12           “(7) DEPARTMENT.—The term ‘Department’  
13 means the Department of Labor.

14           “(8) EDUCATION AND TRAINING PROVIDER.—  
15 The term ‘education and training provider’ means—

16           “(A) an area career and technical edu-  
17 cation school;

18           “(B) an early college high school;

19           “(C) an educational service agency;

20           “(D) a high school;

21           “(E) a local educational agency or State  
22 educational agency;

23           “(F) an Indian Tribe, Tribal organization,  
24 or Tribal educational agency;

25           “(G) an institution of higher education;

1           “(H) a minority-serving institution (as de-  
2           scribed in any of paragraphs (1) through (7) of  
3           section 371(a) of the Higher Education Act of  
4           1965 (20 U.S.C. 1067q(a));

5           “(I) a provider of adult education and lit-  
6           eracy activities under the Adult Education and  
7           Family Literacy Act (29 U.S.C. 3271 et seq.);

8           “(J) a local agency administering plans  
9           under title I of the Rehabilitation Act of 1973  
10          (29 U.S.C. 720 et seq.), other than section 112  
11          or part C of that title (29 U.S.C. 732, 741);

12          “(K) a related instruction provider, as ap-  
13          proved by a registration agency; or

14          “(L) a consortium of entities described in  
15          any of subparagraphs (A) through (K).

16          “(9) INDIAN TRIBE; TRIBAL ORGANIZATION.—  
17          The terms ‘Indian Tribe’ and ‘Tribal organization’  
18          have the meaning given the terms (without regard to  
19          capitalization) in section 4 of the Indian Self-Deter-  
20          mination and Education Assistance Act (25 U.S.C.  
21          450b).

22          “(10) INTERIM CREDENTIAL.—”The term ‘in-  
23          terim credential’ means a recognized post-secondary  
24          credential issued to an apprentice as certification of

1       attainment of a competency necessary to receive a  
2       certificate of completion of an apprenticeship.

3           “(11)       JOURNEYWORKER.—The       term  
4       ‘journeyworker’ means a worker who has attained a  
5       level of skill, abilities, and competencies recognized  
6       within an industry as having mastered the skills and  
7       competencies required for the occupation.

8           “(12)   NATIONAL APPRENTICESHIP SYSTEM.—  
9       The term ‘national apprenticeship system’ means the  
10      apprenticeship programs, youth apprenticeship pro-  
11      grams, and pre-apprenticeship programs that meet  
12      the requirements of title I.

13          “(13)   UNDER-REPRESENTED APPRENTICESHIP  
14      POPULATION.—The term ‘under-represented appren-  
15      ticeship population’ means a group of individuals  
16      (such as a group of individuals from the same gen-  
17      der or race) the members of which comprise fewer  
18      than 25 percent of the individuals participating in a  
19      program under the national apprenticeship system.

20          “(14)   NONTRADITIONAL APPRENTICESHIP IN-  
21      DUSTRY OR OCCUPATION.—The term ‘nontraditional  
22      apprenticeship industry or occupation’ refers to an  
23      industry sector or occupation for which there are  
24      fewer than 10 percent of all apprentices in all indus-  
25      tries or occupations participating.

1           “(15) PROGRAM PARTICIPANT.—The term ‘pro-  
2           gram participant’ means an apprentice, a pre-ap-  
3           prentice, or a youth apprentice.

4           “(16) QUALIFIED INTERMEDIARY.—

5           “(A) IN GENERAL.—The term ‘qualified  
6           intermediary’ means an entity that dem-  
7           onstrates expertise in building, connecting, sus-  
8           taining, and measuring the performance of  
9           partnerships described in subparagraph (B) and  
10          serves program participants and employers  
11          by—

12                   “(i) connecting employers to programs  
13                   under the national apprenticeship system;

14                   “(ii) assisting in the design and imple-  
15                   mentation of such programs, including cur-  
16                   riculum development and delivery for re-  
17                   lated instruction;

18                   “(iii) supporting entities, sponsors, or  
19                   program administrators in meeting the  
20                   registration and reporting requirements of  
21                   this Act;

22                   “(iv) providing professional develop-  
23                   ment activities;

1 “(v) connecting students or workers to  
2 programs under the national apprentice-  
3 ship system;

4 “(vi) developing and providing person-  
5 alized program participant supports, in-  
6 cluding by partnering with organizations to  
7 provide access to or referrals for supportive  
8 services and financial advising;

9 “(vii) providing services, resources,  
10 and supports for development, delivery, ex-  
11 pansion, or improvement of programs  
12 under the national apprenticeship system;  
13 or

14 “(viii) serving as a program sponsor.

15 “(B) PARTNERSHIPS.—The partnerships  
16 described in subparagraph (A) means partner-  
17 ships among entities involved in programs  
18 under the national apprenticeship system, in-  
19 cluding—

20 “(i) industry or sector partnerships;

21 “(ii) partnerships among employers,  
22 joint labor-management organizations,  
23 labor organizations, community-based or-  
24 ganizations, State or local workforce devel-  
25 opment boards, education and training



1 providers, social service organizations, eco-  
2 nomic development organizations, Indian  
3 Tribes or Tribal organizations, or one-stop  
4 operators, or one-stop partners, in the  
5 State workforce development system; or

6 “(iii) partnerships among one or more  
7 of the entities described in clauses (i) and  
8 (ii).

9 “(17) REGISTRATION AGENCY.—The term ‘reg-  
10 istration agency’ means the Office of Apprenticeship,  
11 a State Office of Apprenticeship or State apprentice-  
12 ship agency that is responsible for—

13 “(A) approving or denying applications  
14 from sponsors for registration of programs  
15 under the national apprenticeship system in the  
16 State or area covered by the registration agen-  
17 cy; and

18 “(B) carrying out the responsibilities of  
19 supporting the youth apprenticeship, pre-ap-  
20 prenticeship, or apprenticeship programs reg-  
21 istered by the registration agency, in accord-  
22 ance with section 121.

23 “(18) RELATED INSTRUCTION.—The term ‘re-  
24 lated instruction’ means an organized and system-

1       atic form of instruction that meets the requirements  
2       of section 121.

3               “(19) RELATED FEDERAL PROGRAMS.—The  
4       term ‘related Federal programs’ means programs or  
5       activities under the following:

6               “(A) The Workforce Innovation and Op-  
7       portunity Act (29 U.S.C. 3102).

8               “(B) The Wagner-Peyser Act (29 U.S.C.  
9       49 et seq.).

10              “(C) The Elementary and Secondary Edu-  
11       cation Act of 1965 (20 U.S.C. 6301 et seq.).

12              “(D) The Higher Education Act of 1965  
13       (20 U.S.C. 1001 et seq.).

14              “(E) The Individuals with Disabilities  
15       Education Act (20 U.S.C. 1400 et seq.).

16              “(F) Title I of the Rehabilitation Act of  
17       1973 (29 U.S.C. 720 et seq.).

18              “(G) Title V of the Older Americans Act  
19       of 1965 (42 U.S.C. 3056 et seq.).

20              “(H) Career and technical education pro-  
21       grams at the postsecondary level under the Carl  
22       D. Perkins Career and Technical Education Act  
23       of 2006 (20 U.S.C. 2302).

24              “(I) Chapter 2 of title II of the Trade Act  
25       of 1974 (19 U.S.C. 2271 et seq.).

1           “(J) Chapter 41 of title 38, United States  
2 Code.

3           “(K) Employment and training activities  
4 carried out under the Community Services  
5 Block Grant Act (42 U.S.C. 9901 et seq.).

6           “(L) Employment and training activities  
7 carried out by the Department of Housing and  
8 Urban Development.

9           “(M) State unemployment compensation  
10 laws (in accordance with applicable Federal  
11 law).

12           “(N) Section 231 of the Second Chance  
13 Act of 2007 (34 U.S.C. 60541).

14           “(O) Part A of title IV of the Social Secu-  
15 rity Act (42 U.S.C. 601 et seq.).

16           “(P) Employment and training programs  
17 carried out by the Small Business Administra-  
18 tion.

19           “(Q) Section 6(d)(4) of the Food and Nu-  
20 trition Act of 2008 (7 U.S.C. 2015(d)(4)).

21           “(20) SECRETARY.—The term ‘Secretary’  
22 means the Secretary of Labor.

23           “(21) SPONSOR.—The term ‘sponsor’ means an  
24 employer, joint labor-management organization,  
25 trade association, professional association, labor or-

1 organization, education and training provider, or quali-  
2 fied intermediary that is applying to administer and  
3 operate, a program under the national apprentice-  
4 ship system.

5 “(22) STATE APPRENTICESHIP AGENCY.—The  
6 term ‘State apprenticeship agency’ means a State  
7 agency recognized as a State apprenticeship agency  
8 under section 112.

9 “(23) STATE APPRENTICESHIP COUNCIL.—The  
10 term ‘State apprenticeship council’ means an entity  
11 established under section 113(b)(3) to assist the  
12 State apprenticeship agency.

13 “(24) STATE OFFICE OF APPRENTICESHIP.—  
14 The term ‘State office of apprenticeship’ means the  
15 office designated by the Secretary to administer pro-  
16 grams under the national apprenticeship system in  
17 such State and meets the requirements of section  
18 111(b)(4).

19 “(25) STATE OR LOCAL WORKFORCE DEVELOP-  
20 MENT BOARDS.—The terms ‘State workforce devel-  
21 opment board’ and ‘local workforce development  
22 board’ have the meanings given the terms ‘State  
23 board’ and ‘local board’, respectively, in section 3 of  
24 the Workforce Innovation and Opportunity Act (29  
25 U.S.C. 3102).

1           “(26) STATE WORKFORCE AGENCY.—The terms  
2           ‘State workforce agency’ means the State agency  
3           with responsibility for workforce investment activi-  
4           ties under chapters 2 and 3 of subtitle B of title I  
5           of the Workforce Innovation and Opportunity Act  
6           (29 U.S.C. 3121 et seq., 3131 et seq.).

7           “(27) CTE TERMS.—The terms ‘area career  
8           and technical education school’, ‘articulation agree-  
9           ment’, ‘credit transfer agreement’, ‘postsecondary  
10          educational institution’, and ‘work-based learning’  
11          have the meanings given in section 3 of the Carl D.  
12          Perkins Career and Technical Education Act of  
13          2006 (20 U.S.C. 2302).

14          “(28) ESEA TERMS.—The terms ‘dual or con-  
15          current enrollment program’, ‘early college high  
16          school’, ‘education service agency’, ‘high school’,  
17          ‘local educational agency’, ‘paraprofessional’, and  
18          ‘State educational agency’ have the meanings given  
19          in section 8101 of the Elementary and Secondary  
20          Education Act of 1965 (20 U.S.C. 7801).

21          “(29) WIOA TERMS.—The terms ‘career path-  
22          way’, ‘in-demand industry sector or occupation’, ‘in-  
23          dividual with a barrier to employment’, ‘institution  
24          of higher education’, ‘industry or sector partnership’,  
25          ‘labor market area’, ‘local area’, ‘recognized postsec-

1       ondary credential’, ‘one-stop center’, ‘one-stop oper-  
2       ator’, ‘one-stop partner’, ‘State’, ‘supportive services’  
3       and ‘workforce development system’ have the mean-  
4       ings given in section 3 of the Workforce Innovation  
5       and Opportunity Act (29 U.S.C. 3102).

6       **“SEC. 4. TRANSITION PROVISIONS.**

7       “‘The Secretary shall take such actions as the Sec-  
8       retary determines to be appropriate to provide for the or-  
9       derly transition to the authority of this Act (as amended  
10      by the National Apprenticeship Act of 2021) from any au-  
11      thority under the Act of August 16, 1937 (commonly re-  
12      ferred to as the ‘National Apprenticeship Act’; 50 Stat.  
13      664, chapter 663; 29 U.S.C. 50 et seq.), as in effect on  
14      the day before the date of enactment of the National Ap-  
15      prenticeship Act of 2021. In accordance with chapter 5  
16      of title 5, United States Code, the Secretary may prescribe  
17      rules and regulations to carry out this Act.

18      **“SEC. 5. DISAGGREGATION OF DATA.**

19      “‘The disaggregation of data under this Act shall not  
20      be required when the number of program participants in  
21      a category is insufficient to yield statistically reliable infor-  
22      mation or when the results would reveal personally identi-  
23      fiable information about a program participant or would  
24      reveal such information when combined with other re-  
25      leased information.

1                   **“TITLE I—PROMOTING**  
2                   **APPRENTICESHIPS**  
3           **“Subtitle A—The Office of Appren-**  
4           **ticeship, State Registration**  
5           **Agency Approval Process**

6   **“SEC. 111. THE OFFICE OF APPRENTICESHIP.**

7           “(a) RESPONSIBILITIES.—The Secretary shall be re-  
8   sponsible for the administration of this Act and such func-  
9   tions affecting the national apprenticeship system as the  
10   Secretary shall delegate, which shall include the following:

11                   “(1) APPRENTICESHIP DEVELOPMENT AND EX-  
12                   PANSION.—The Secretary is authorized to carry out  
13                   promotion and awareness activities, including the  
14                   following:

15                                   “(A) Supporting the development or scal-  
16                                   ing of apprenticeship models nationally, pro-  
17                                   moting the effectiveness of youth apprentice-  
18                                   ship, pre-apprenticeship, and apprenticeship  
19                                   programs, and providing promotional materials  
20                                   to, among others, State apprenticeship agencies,  
21                                   State and local workforce development systems,  
22                                   State educational agencies, employers, trade as-  
23                                   sociations, professional associations, industry  
24                                   groups, labor organizations, joint labor-manage-  
25                                   ment organizations, education and training pro-

1           viders, and prospective apprentices in such pro-  
2           grams.

3           “(B) Promoting greater diversity in the  
4           national apprenticeship system in underrep-  
5           resented apprenticeship populations, and non-  
6           traditional apprenticeship industries and occu-  
7           pations, including by—

8                   “(i) promoting outreach to underrep-  
9                   resented apprenticeship populations;

10                   “(ii) engaging minority-serving insti-  
11                   tutions, and employers from nontraditional  
12                   apprenticeship industries or occupations;  
13                   and

14                   “(iii) engaging small, medium-size,  
15                   and minority businesses, and employers in  
16                   high-skill, high-wage, and in-demand in-  
17                   dustry sectors and occupations that are  
18                   nontraditional apprenticeship industries or  
19                   occupations.

20           “(2) TECHNICAL ASSISTANCE ACTIVITIES.—The  
21           Secretary shall—

22                   “(A) provide technical assistance and dis-  
23                   seminate best practices as applicable to employ-  
24                   ers, sponsors, State apprenticeship agencies,  
25                   qualified intermediaries, education and training



1 or related instruction providers, or other enti-  
2 ties; and

3 “(B) cooperate with the—

4 “(i) Secretary of Education on estab-  
5 lishing and sharing best practices for the  
6 alignment of apprenticeship programs with  
7 the education system, including supporting  
8 the stackability and portability of academic  
9 credit and credentials earned as part of  
10 such programs; and

11 “(ii) State workforce development sys-  
12 tems to promote awareness of opportuni-  
13 ties under the national apprenticeship sys-  
14 tem.

15 “(3) STATE OFFICES OF APPRENTICESHIP.—

16 “(A) ESTABLISHMENT OF OFFICES.—

17 “(i) IN GENERAL.—The Secretary, at  
18 the request of a State described in clause  
19 (ii), shall establish and operate State Of-  
20 fices of Apprenticeship to serve as the reg-  
21 istration agency for a State described in  
22 clause (ii).

23 “(ii) APPLICABLE STATES.—An appli-  
24 cable State is a State—

1                   “(I) in which, as of the day be-  
2                   fore the date of enactment of the Na-  
3                   tional Apprenticeship Act of 2021, the  
4                   Secretary has not—

5                               “(aa) established a State Of-  
6                               fice of Apprenticeship; and

7                               “(bb) is not recognized a  
8                               State apprenticeship agency  
9                               under section 112; and

10                              “(II) submits the request de-  
11                              scribed in clause (i).

12                              “(B) VACANCIES.—Subject to the avail-  
13                              ability of appropriations, in the case of a State  
14                              Office of Apprenticeship with a vacant position,  
15                              the Secretary shall—

16                                      “(i) make publicly available informa-  
17                                      tion on such vacancy; and

18                                      “(ii) report to the Committee on Edu-  
19                                      cation and Labor of the House of Rep-  
20                                      resentatives and the Committee on Health,  
21                                      Education, Labor, and Pensions of the  
22                                      Senate, on the status and length of such  
23                                      vacancy if such vacancy is not filled not  
24                                      later than 90 days after such position has  
25                                      become vacant.

1           “(C) RULE OF CONSTRUCTION.—Nothing  
2           in this paragraph shall be construed to prohibit  
3           any State described in subparagraph (A)(ii)  
4           from establishing an agency or entity to pro-  
5           mote programs under the national apprentice-  
6           ship system in such State, in coordination with  
7           the State Office of Apprenticeship operating in  
8           the State, however, such agency or entity may  
9           not serve as the registration agency in such  
10          State unless it obtains recognition pursuant to  
11          section 112.

12          “(4) QUALITY STANDARDS, APPRENTICESHIP  
13          AGREEMENT, AND REGISTRATION REVIEW.—In order  
14          for the Secretary to support the performance stand-  
15          ards of programs under the national apprenticeship  
16          system and to extend the application of such stand-  
17          ards in apprenticeship agreements, not later than 1  
18          year after the effective date of the National Appren-  
19          ticeship Act of 2021, and not less than every 5 years  
20          thereafter, the Secretary shall review, and where ap-  
21          propriate, update the process for meeting the re-  
22          quirements of subtitle B, including applicable regula-  
23          tions and subregulatory guidance to ensure that  
24          such process is easily accessible and efficient to  
25          bring together employers and labor as sponsors or

1 potential sponsors of programs under the national  
2 apprenticeship system.

3 “(5) APPRENTICEABLE OCCUPATIONS.—

4 “(A) PROACTIVELY APPROVED OCCUPA-  
5 TIONS.—Not later than 1 year after the date of  
6 enactment of the National Apprenticeship Act  
7 of 2021, the Secretary shall develop regulations  
8 outlining a process for proactively establishing  
9 and approving standards for apprenticeable oc-  
10 cupations in consultation with industry.

11 “(B) EXISTING APPRENTICEABLE OCCUPA-  
12 TIONS.—In consultation with employers, the  
13 Secretary shall regularly review and update the  
14 requirements for each apprenticeable occupation  
15 to ensure that such requirements are in compli-  
16 ance with requirements under this Act, meet  
17 the needs of employers in such occupation, and  
18 promote the participation of small businesses.

19 “(C) NEW APPRENTICEABLE OCCUPA-  
20 TION.—

21 “(i) IN GENERAL.—The Secretary  
22 shall review and make a determination on  
23 whether to approve an occupation as an  
24 apprenticeable occupation not later than  
25 45 days after receiving an application from

1 a person or current or prospective program  
2 sponsor seeking such approval from the  
3 Secretary.

4 “(ii) ESTIMATED TIMELINE.—If such  
5 determination is not made within 45 days,  
6 the Secretary shall provide the applicant  
7 with a written explanation for the delay  
8 and offer an estimated timeline for a deter-  
9 mination.

10 “(D) INDUSTRY RECOGNIZED OCCUPA-  
11 TIONAL STANDARDS.—

12 “(i) IN GENERAL.—From the funds  
13 appropriated under section 141(a), the  
14 Secretary shall convene, on an ongoing  
15 basis, the industry sector leaders and ex-  
16 perts described in clause (ii) for the pur-  
17 poses of establishing or updating specific  
18 frameworks of industry recognized occupa-  
19 tional standards for apprenticeable occupa-  
20 tions (including potential apprenticeable  
21 occupations) that—

22 “(I) meet the requirements of  
23 this Act; and

24 “(II) describe program scope and  
25 length, related instruction, on-the-job

1 training, recognized postsecondary  
2 credentials, and competencies, and rel-  
3 evant timelines for review of such  
4 frameworks.

5 “(ii) INDUSTRY SECTOR LEADERS AND  
6 EXPERTS.—The sector leaders and experts  
7 are employers, industry associations, joint  
8 labor-management organizations, labor or-  
9 ganizations, education and training pro-  
10 viders, credential providers, program par-  
11 ticipants, and other stakeholders relevant  
12 to the sector or occupation for which the  
13 frameworks are being established or up-  
14 dated, as determined by the Secretary.

15 “(iii) PRIORITY INDUSTRY RECOG-  
16 NIZED APPRENTICEABLE OCCUPATIONS.—  
17 In establishing frameworks under clause  
18 (i) for the first time after the effective date  
19 of the National Apprenticeship Act of  
20 2021, the Secretary shall prioritize the es-  
21 tablishment of such standards in high-skill,  
22 high-wage, or in-demand industry sectors  
23 and occupations.

24 “(6) PROGRAM OVERSIGHT AND EVALUA-  
25 TION.—The Secretary shall monitor State appren-

1 ticeship agencies and State Offices of Apprenticeship.  
2 ship.

3 “(7) PROMOTING DIVERSITY IN THE NATIONAL  
4 APPRENTICESHIP SYSTEM.—The Secretary shall pro-  
5 mote diversity and ensure equal opportunity to par-  
6 ticipate in programs for apprentices, youth appren-  
7 tices, and pre-apprentices, including—

8 “(A) taking steps necessary to promote di-  
9 versity in apprenticeable occupations under the  
10 national apprenticeship system, especially in  
11 high-skill, high-wage, or in-demand industry  
12 sectors and occupations in areas with high per-  
13 centages of low-income individuals; and

14 “(B) ensuring programs under the national  
15 apprenticeship system adopt and implement  
16 policies to provide for equal opportunity to par-  
17 ticipate in programs under the national appren-  
18 ticeship system and do not engage in discrimi-  
19 nation as prohibited by section 30.3(a) of title  
20 29, Code of Federal Regulations (as in effect on  
21 the day before the date of enactment of the Na-  
22 tional Apprenticeship Act of 2021), or engage  
23 in intimidation or retaliation as prohibited by  
24 section 30.17 of title 29, Code of Federal Regu-  
25 lations (as in effect on the day before the date

1 of enactment of the National Apprenticeship  
2 Act of 2021).

3 “(8) GRANTS AWARDS.—The Secretary shall  
4 award grants under title II.

5 “(9) COORDINATION.—The Secretary shall co-  
6 ordinate and align programs under the national ap-  
7 prenticeship system with related Federal programs.

8 “(b) INFORMATION COLLECTION AND DISSEMINA-  
9 TION.—The Secretary shall provide for data collection and  
10 dissemination of information regarding programs under  
11 the national apprenticeship system, including—

12 “(1) establishing and supporting a single infor-  
13 mation technology infrastructure to support data  
14 collection and reporting from State apprenticeship  
15 agencies, State Offices of Apprenticeship, grantees  
16 under title II, program sponsors, and program ad-  
17 ministrators under the national apprenticeship sys-  
18 tem by providing for a data infrastructure that—

19 “(A) is developed and maintained by the  
20 Secretary, with input from national data and  
21 privacy experts, and is informed by best prac-  
22 tices related to credential transparency; and

23 “(B) best meets the needs of the national  
24 apprenticeship system stakeholders reporting



1 data to the Secretary or State apprenticeship  
2 agencies; and

3 “(2) making nonpersonally identifiable appren-  
4 ticeship data publicly available, searchable, and com-  
5 parable so that interested parties can become aware  
6 of apprenticeship opportunities and of program out-  
7 comes that best meets the needs of youth appren-  
8 tices, pre-apprentices, and apprentices, employers,  
9 education and training providers, program sponsors,  
10 and relevant stakeholders, including—

11 “(A) information on program offerings  
12 under the national apprenticeship system based  
13 on geographical location and apprenticeable oc-  
14 cupation;

15 “(B) information on education and train-  
16 ing providers providing opportunities under  
17 such system, including whether programs under  
18 such system offer dual or concurrent enrollment  
19 programs and articulation agreements;

20 “(C) information about the educational  
21 and occupational credentials and related com-  
22 petencies of programs under such system; and

23 “(D) using the most recent data available  
24 to the Office that is consistent with national  
25 standards and practices.

1 **“SEC. 112. STATE APPRENTICESHIP AGENCIES AND STATE**  
2 **OFFICES OF APPRENTICESHIP.**

3 “(a) RECOGNITION OF STATE APPRENTICESHIP  
4 AGENCIES.—

5 “(1) IN GENERAL.—The Secretary shall recog-  
6 nize a State agency as a State apprenticeship agency  
7 in accordance with this section and cooperate with  
8 such State apprenticeship agency regarding the for-  
9 mulation and promotion of standards of apprentice-  
10 ship under subtitle B.

11 “(2) APPLICATION.—For a State desiring to  
12 have a State agency recognized as a State appren-  
13 ticeship agency under this section, the Governor  
14 shall submit the State plan described in subsection  
15 (c)—

16 “(A) to the Secretary at such time and in  
17 such manner as the Secretary may require; or

18 “(B) to the State workforce board for in-  
19 clusion in the the State plan under section 102  
20 or 103 of the Workforce Innovation and Oppor-  
21 tunity Act (20 U.S.C. 3112, 3113).

22 “(3) REVIEW AND RECOGNITION.—

23 “(A) IN GENERAL.—Not later than 90  
24 days after the date on which a State submits  
25 the State plan under paragraph (2), the Sec-  
26 retary shall notify the State regarding whether

1 the agency of the State is recognized as a State  
2 apprenticeship agency under this section.

3 “(B) DURATION OF RECOGNITION.—

4 “(i) DURATION.—The recognition of a  
5 State apprenticeship agency shall be for a  
6 4-year period beginning on the date the  
7 State apprenticeship agency is notified  
8 under subparagraph (A).

9 “(ii) NOTIFICATION.—

10 “(I) IN GENERAL.—The Sec-  
11 retary shall notify a State apprentice-  
12 ship agency not later than 180 days  
13 before the last day of the 4-year pe-  
14 riod regarding whether the State ap-  
15 prenticeship agency is in compliance  
16 with this section.

17 “(II) COMPLIANCE.—In the case  
18 of a State apprenticeship agency that  
19 is in compliance with this section, the  
20 agency’s recognition under this section  
21 shall be renewed for an additional 4-  
22 year period and the notification under  
23 subclause (I) shall include notification  
24 of such renewal.

1                   “(III) NONCOMPLIANCE.—In the  
2                   case of a State apprenticeship agency  
3                   that is not in compliance with this  
4                   section, the notification shall—

5                               “(aa) specify the areas of  
6                               noncompliance;

7                               “(bb) require corrective ac-  
8                               tion; and

9                               “(cc) offer technical assist-  
10                              ance.

11                   “(iii) RENEWAL AFTER CORREC-  
12                   TION.—If the Secretary determines that a  
13                   State apprenticeship agency has corrected  
14                   the identified areas of noncompliance  
15                   under this subparagraph not later than  
16                   180 days of notification of noncompliance,  
17                   the State apprenticeship agency’s recogni-  
18                   tion under this section shall be renewed for  
19                   an additional 4-year period.

20                   “(C) TRANSITION PERIOD FOR STATE  
21                   AGENCIES.—

22                               “(i) TRANSITION.—A State agency  
23                               that, as of the day before the date of en-  
24                               actment of the National Apprenticeship  
25                               Act of 2021, was recognized by the Sec-

1           retary for purposes of registering appren-  
2           ticeship programs in accordance with the  
3           Act of August 16, 1937 (50 Stat. 664,  
4           chapter 663; 29 U.S.C. 50 et seq.), shall  
5           continue to be recognized for 1 year after  
6           the effective date of the National Appren-  
7           ticeship Act of 2021.

8           “(ii) APPLICATION FOR RECOGNI-  
9           TION.—Not later than 1 year after the ef-  
10          fective date of the National Apprenticeship  
11          Act of 2021, a State agency that, as of the  
12          day before the date of enactment of the  
13          National Apprenticeship Act of 2021, was  
14          recognized by the Secretary for purposes of  
15          registering apprenticeship programs in ac-  
16          cordance with the Act of August 16, 1937  
17          (50 Stat. 664, chapter 663; 29 U.S.C. 50  
18          et seq.), shall submit an application under  
19          paragraph (2).

20          “(iii) RECOGNITION PERIOD.—A State  
21          agency described in clause (ii) shall be rec-  
22          ognized as a State apprenticeship agency  
23          under this section for a 4-year period be-  
24          ginning on the date on which the Secretary

1                   approves the application submitted by the  
2                   State agency under paragraph (2).

3           “(b) AUTHORITY OF A STATE APPRENTICESHIP  
4 AGENCY.—

5                   “(1) IN GENERAL.—For the period during  
6                   which a State apprenticeship agency is recognized  
7                   under subsection (a) and to maintain such recogni-  
8                   tion, the State apprenticeship agency shall carry out  
9                   the requirements of this Act.

10                   “(2) PROGRAM RECOGNITION.—With respect to  
11                   a State with a State apprenticeship agency, the  
12                   State apprenticeship agency shall have sole authority  
13                   to recognize a pre-apprenticeship, youth apprentice-  
14                   ship, or apprenticeship program in such State, which  
15                   shall include—

16                           “(A) determining whether such program is  
17                           in compliance with the standards for such pro-  
18                           gram under section 121;

19                           “(B) in the case of such a program that is  
20                           in compliance with such standards, recognizing  
21                           the program and providing a certificate of rec-  
22                           ognition for such program;

23                           “(C) providing technical assistance to cur-  
24                           rent or potential sponsors; and

1           “(D) in the case of such a program that  
2 fails to meet the requirements of this Act, pro-  
3 viding for the withdrawal of recognition of the  
4 program in accordance with section 131(b).

5           “(3) STATE APPRENTICESHIP COUNCIL.—

6           “(A) IN GENERAL.—A State apprentice-  
7 ship agency may establish and use or continue  
8 the use of a State apprenticeship council if the  
9 State apprenticeship council operates, or will  
10 operate, under the direction of the State ap-  
11 prenticeship agency, and in compliance with the  
12 requirements of this Act. The State apprentice-  
13 ship council shall not have authority to register  
14 programs or otherwise control or direct the op-  
15 erations of the State apprenticeship agency.

16           “(B) COMPOSITION.—A State apprentice-  
17 ship council may be regulatory or advisory in  
18 nature, and shall—

19                   “(i) be composed of persons familiar  
20 with apprenticeable occupations; and

21                   “(ii) be fairly balanced, with an equal  
22 number of—

23                           “(I) representatives of employer  
24 organizations (including from non-

1 traditional apprenticeship industries  
2 or occupations);

3 “(II) representatives of labor or-  
4 ganizations or joint labor-management  
5 organizations (including from non-  
6 traditional apprenticeship industries  
7 or occupations); and

8 “(III) public members.

9 “(C) SPECIAL RULE.—A State apprentice-  
10 ship council shall not be eligible for recognition  
11 as a State apprenticeship agency.

12 “(c) STATE PLAN.—

13 “(1) IN GENERAL.—

14 “(A) IN GENERAL.—For a state appren-  
15 ticeship agency to be eligible to receive allot-  
16 ments under subsection (f), the State shall sub-  
17 mit to the Secretary a State plan in accordance  
18 with subsection (a)(2).

19 “(B) SUBSEQUENT PLANS.—

20 “(i) IN GENERAL.—Except as other-  
21 wise provided in this paragraph, a State  
22 plan shall be submitted to the Secretary  
23 not later than 120 days prior to the end of  
24 the 4-year period covered by the preceding  
25 State plan.



1           “(ii) APPROVAL.—A State plan shall  
2           be subject to the approval of the Secretary  
3           and shall be considered to be approved at  
4           the end of the 90-day period beginning on  
5           the date that the plan is submitted under  
6           this paragraph, unless the Secretary, dur-  
7           ing the 90-day period, provides the State  
8           apprenticeship agency, in writing—

9                       “(I) an explanation for why the  
10                      State plan is inconsistent with the re-  
11                      quirements of this Act; and

12                     “(II) an opportunity for an ap-  
13                     peal of such determination.

14           “(C) MODIFICATIONS.—

15                   “(i) IN GENERAL.—At the end of the  
16                   first 2-year period of any 4-year State  
17                   plan, the State may submit modifications  
18                   to the State plan to reflect changes in  
19                   labor market and economic conditions or  
20                   other factors affecting the implementation  
21                   of the State plan.

22                   “(ii) APPROVAL.—A modified State  
23                   plan submitted for review under clause (i)  
24                   shall be subject to the approval require-  
25                   ments described in subparagraph (B)(ii).

1           “(2) STATE LAWS.—The State plan shall in-  
2       clude—

3           “(A) a description of any laws (including  
4       regulations), policies, and operational proce-  
5       dures relating to the process of recognizing pro-  
6       grams under the national apprenticeship system  
7       that are inconsistent with, or impose require-  
8       ments in addition to, the requirements of this  
9       Act; and

10          “(B) an assurance that the State will no-  
11       tify the Secretary if there are any changes to  
12       the State laws (including regulations), policies,  
13       or procedures described in subparagraph (A)  
14       that occur after the date of submission of such  
15       plan.

16          “(3) TECHNICAL ASSISTANCE.—A description  
17       of how the State apprenticeship agency will provide  
18       technical assistance for—

19          “(A) potential sponsors, employers, quali-  
20       fied intermediaries, apprentices, or any poten-  
21       tial program participant in the national appren-  
22       ticeship system in the State for the purposes of  
23       recruitment, retention, and program develop-  
24       ment or expansion; and

1           “(B) sponsors of programs registered in  
2           the State that are not meeting performance  
3           goals under subtitle C for purposes of assisting  
4           such sponsors in meeting such goals.

5           “(4) RECIPROCITY.—An assurance that the  
6           State apprenticeship agency, in the case of a pro-  
7           gram recognized by a registration agency in another  
8           State and seeking registration in the State of such  
9           agency under this paragraph, shall recognize such  
10          program in the State of such agency for purposes of  
11          this Act by not later than 30 days after receipt of  
12          an application for such recognition.

13          “(5) PROMOTING DIVERSITY IN THE NATIONAL  
14          APPRENTICESHIP SYSTEM.—A description of how  
15          the State apprenticeship agency will promote diver-  
16          sity and equal employment opportunity in programs  
17          under the national apprenticeship system in the  
18          State that—

19                 “(A) promotes diversity in apprenticeable  
20                 occupations offered throughout the State, and a  
21                 description of how such agency will promote the  
22                 addition of apprenticeable occupations in high-  
23                 skill, high-wage, or in-demand industry sectors  
24                 and occupations, and in nontraditional appren-  
25                 ticeship occupations and sectors; and

1           “(B) provides technical assistance on the  
2           implementation of the requirements of section  
3           111(b)(7)(B).

4           “(6) COMPLAINTS.—A description of the system  
5           for the State apprenticeship agency to receive and  
6           resolve complaints concerning violations of the ap-  
7           prenticeship agreement, submitted by program par-  
8           ticipants, sponsors, or employers.

9           “(7) STATE APPRENTICESHIP HUBS.—A de-  
10          scription of how the State apprenticeship agency will  
11          consider the creation and implementation of appren-  
12          ticeship hubs throughout the State, in a manner  
13          that takes into consideration geographic diversity,  
14          that shall work with industry and sector partner-  
15          ships to expand programs under the national ap-  
16          prenticeship system, and apprenticeable occupations,  
17          in the State.

18          “(8) STATE APPRENTICESHIP PERFORMANCE  
19          OUTCOMES.—A description of how the State appren-  
20          ticeship agency shall—

21                 “(A) in coordination with the Secretary,  
22                 establish annual performance goals for the pro-  
23                 grams registered by the State apprenticeship  
24                 agency for the indicators described in section  
25                 131(b)(1)(A);

1           “(B) describe how the State apprenticeship  
2           agency will collect performance data from pro-  
3           grams registered by the agency; and

4           “(C) annually report on the outcomes of  
5           each such program in relation to the State es-  
6           tablished goals under subparagraph (A).

7           “(10) ALIGNMENT OF WORKFORCE ACTIVI-  
8           TIES.—Each State plan shall describe how programs  
9           under the national apprenticeship system in the  
10          State are aligned with State workforce and edu-  
11          cation activities.

12          “(11) STATE APPRENTICESHIP COUNCIL.—A  
13          description of the composition, roles, and responsi-  
14          bility of the State apprenticeship council, if such  
15          council exists, and how the Council will comply with  
16          the requirements of subsection (b)(3).

17          “(d) STATE APPRENTICESHIP AGENCY FUNDING.—  
18          A State apprenticeship agency shall use funds received  
19          under subsection (f)(1)(A)(ii) according to the following  
20          requirements:

21                 “(1) PROGRAM ADMINISTRATION.—The State  
22                 apprenticeship agency shall use such funds to sup-  
23                 port the administration of programs under the na-  
24                 tional apprenticeship system across the State, in-  
25                 cluding for—

1           “(A) staff and resources;

2           “(B) oversight and evaluation as required  
3 under this Act;

4           “(C) technical assistance to program spon-  
5 sors, program participants, employers, edu-  
6 cation and training providers, and qualified  
7 intermediaries;

8           “(D) pre-apprenticeship, youth, and ap-  
9 prenticeship program recruitment and develop-  
10 ment, including for—

11           “(i) engaging potential providers of  
12 such programs such as employers, qualified  
13 intermediaries, related instruction pro-  
14 viders, and potential program participants;

15           “(ii) publicizing apprenticeship oppor-  
16 tunities and benefits; and

17           “(iii) engaging State workforce and  
18 education systems for collaboration and  
19 alignment across systems; and

20           “(E) supporting the enrollment and ap-  
21 prenticeship certification requirements to allow  
22 veterans and other individuals eligible for the  
23 educational assistance programs under chapters  
24 30 through 36 of title 38, United States Code,  
25 and any related educational assistance pro-

1           grams under laws administered by the Sec-  
2           retary of Veterans Affairs, to use such assist-  
3           ance for the apprenticeship program, including  
4           the requirement of designating a certifying offi-  
5           cial.

6           “(2) LEADERSHIP ACTIVITIES.—

7                   “(A) IN GENERAL.—A State apprentice-  
8                   ship agency may reserve not more than 25 per-  
9                   cent of the funds received under subsection (f)  
10                  in support of State apprenticeship initiatives  
11                  described in this paragraph.

12                  “(B) DIVERSITY.—Not less than 5 percent  
13                  of the amount reserved under subparagraph (A)  
14                  shall be used by the State apprenticeship agen-  
15                  cy for supporting and expanding diversity in  
16                  apprenticeable occupations under the national  
17                  apprenticeship system in the State, and pro-  
18                  gram participant populations in the State.

19                  “(C) INCENTIVES FOR EMPLOYERS.—A  
20                  State apprenticeship agency may use the funds  
21                  reserved under subparagraph (A) to incentivize  
22                  employers to participate in programs under the  
23                  national apprenticeship system.

24                  “(D) STATE-SPECIFIC INITIATIVES.—A  
25                  State apprenticeship agency may use the funds

1 reserved under subparagraph (A) for State-spe-  
2 cific initiatives, such as the development or ex-  
3 pansion of youth apprenticeship programs, pre-  
4 apprenticeship programs, or apprenticeship pro-  
5 grams in high-skill, high-wage, or in-demand in-  
6 dustry sectors and occupations.

7 “(E) WORKFORCE ALIGNMENT.—A State  
8 apprenticeship agency may use the funds re-  
9 served under subparagraph (A) to engage with  
10 the State’s workforce development system in  
11 support of alignment with the State’s workforce  
12 activities and strategic vision.

13 “(F) EDUCATION ALIGNMENT.—A State  
14 apprenticeship agency may use the funds re-  
15 served under subparagraph (A) to engage with  
16 the State education system in support of align-  
17 ment of related instruction provided under the  
18 national apprenticeship system in the State  
19 with academic credit granting postsecondary  
20 programs.

21 “(3) STATE MATCH FOR FEDERAL INVEST-  
22 MENT.—Except in the case of exceptional cir-  
23 cumstances, as determined by the Secretary, in  
24 order to receive a full allotment under subsection (f),  
25 a State apprenticeship agency shall use matching



1 funds from non-Federal resources to carry out the  
2 activities of the agency under this Act in an amount  
3 not less than 15 percent of such allotment.

4 “(e) DERECOGNITION OF STATE APPRENTICESHIP  
5 AGENCIES.—

6 “(1) IN GENERAL.—The Secretary may with-  
7 draw recognition of a State apprenticeship agency  
8 before the end of the agency’s 4-year recognition pe-  
9 riod under subsection (a)(2)(B) if the Secretary de-  
10 termines, after notice and an opportunity for a hear-  
11 ing, that the State apprenticeship agency has failed  
12 for one of the reasons described in paragraph (2),  
13 and has not been in compliance with the perform-  
14 ance improvement plan under paragraph (3) to rem-  
15 edy such failure.

16 “(2) DERECOGNITION CRITERIA.—The recogni-  
17 tion of a State apprenticeship agency under this sec-  
18 tion may be withdrawn under paragraph (1) in a  
19 case in which the State apprenticeship agency fails  
20 to—

21 “(A) adopt or properly enforce a State  
22 plan;

23 “(B) properly carry out its role as the sole  
24 registration agency in the State;

1           “(C) submit a report under section  
2           131(a)(1)(B) for any program year;

3           “(D) meet the State levels of performance  
4           as described in subsection (b)(2)(A)(iii) for 3  
5           program years, or demonstrate improvements in  
6           performance during such period; or

7           “(E) otherwise fulfill or operate in compli-  
8           ance with the requirements of this Act.

9           “(3) DERECOGNITION PROCESS.—

10           “(A) IN GENERAL.—If a State apprentice-  
11           ship agency fails for any of the reasons de-  
12           scribed in paragraph (2), the Secretary shall  
13           provide technical assistance to such agency for  
14           corrective action to remedy such failure, includ-  
15           ing assistance in the development of a perform-  
16           ance improvement plan.

17           “(B) REDUCTION OF FUNDS.—Except in  
18           the case of exceptional circumstances as deter-  
19           mined by the Secretary, in a case in which such  
20           a State apprenticeship agency continues such  
21           failure after the provision of the technical as-  
22           sistance under subparagraph (A)—

23                   “(i) the percentage of the funds to be  
24                   allotted to the State apprenticeship agency  
25                   under subsection (f) for each fiscal year

1 following the fiscal year in which such fail-  
2 ure has been identified shall be reduced by  
3 5 percentage points; and

4 “(ii) the Secretary shall provide notice  
5 to the State apprenticeship agency that the  
6 agency’s recognition under this section  
7 may be withdrawn if the agency fails to  
8 remedy the failure.

9 “(C) TERMINATION OF PROCEEDINGS.—If  
10 the Secretary determines that the State appren-  
11 ticeship agency’s corrective action under sub-  
12 paragraph (A) has addressed the agency’s fail-  
13 ure identified under paragraph (2), the Sec-  
14 retary shall—

15 “(i) restore the agency’s full funding  
16 allocation under this title for the next full  
17 fiscal year and for each succeeding year;  
18 and

19 “(ii) notify the State apprenticeship  
20 agency that the agency’s recognition will  
21 not be withdrawn under this section for  
22 the reason for which the agency’s funding  
23 under this title was most recently reduced.

24 “(D) OPPORTUNITY FOR HEARING.—

1           “(i) IN GENERAL.—In a case in which  
2           a State apprenticeship agency fails to rem-  
3           edy a failure identified under paragraph  
4           (2), the Secretary shall—

5                       “(I) notify, in writing, the State  
6                       apprenticeship agency of the failure of  
7                       the State apprenticeship agency, in-  
8                       cluding a description of such failure  
9                       and an explanation the agency’s rec-  
10                      ognition under this section may be  
11                      withdrawn as a result of such failure;  
12                      and

13                     “(II) offer the State apprentice-  
14                     ship agency an opportunity to request  
15                     a hearing not later than 30 days after  
16                     the date of such notice.

17                     “(ii) REFERRAL TO OFFICE OF AD-  
18                     MINISTRATIVE LAW JUDGES.—In a case in  
19                     which the State apprenticeship agency re-  
20                     quests a hearing under clause (i)(II), the  
21                     Secretary shall refer the matter to the De-  
22                     partment’s Office of Administrative Law  
23                     Judges, which shall adjudicate the matter  
24                     pursuant to its regulations, with an oppor-  
25                     tunity to appeal the Administrative Law

1 Judge's decision to the Department's Ad-  
2 ministrative Review Board.

3 “(4) REQUIREMENTS AFTER WITHDRAWAL OF  
4 RECOGNITION.—

5 “(A) OFFICE OF APPRENTICESHIP.—

6 “(i) PRIOR TO ORDER.—Prior to the  
7 withdrawal of the recognition of a State  
8 apprenticeship agency under this section,  
9 the Secretary shall—

10 “(I) establish a State Office of  
11 Apprenticeship using the process de-  
12 scribed in section 111(b)(3); and

13 “(II) provide to the State ap-  
14 prenticeship agency an order with-  
15 drawing recognition of such agency  
16 under this section.

17 “(ii) AFTER ORDER.—Not later than  
18 30 days after the date of such order, notify  
19 the sponsors of the programs under the  
20 national apprenticeship system in such  
21 State that were registered with the State  
22 apprenticeship agency to enable each such  
23 sponsor to be registered with the Secretary  
24 (acting through the State Office of Ap-

1                   prenticeship established under clause  
2                   (i)(II)).

3                   “(B) STATE APPRENTICESHIP AGENCY RE-  
4                   QUIREMENTS.—A State agency whose recogni-  
5                   tion as a State apprenticeship agency under  
6                   this section has been withdrawn under para-  
7                   graph (3) shall—

8                   “(i) provide to the Secretary program  
9                   standards, apprenticeship agreements,  
10                  completion records, cancellation and sus-  
11                  pension records, performance metrics, and  
12                  any other documents relating to the State’s  
13                  programs under the national apprentice-  
14                  ship system in the State;

15                  “(ii) cooperate fully during the transi-  
16                  tion period beginning on the date of the  
17                  order withdrawing such recognition and  
18                  ending on the date on which the Secretary  
19                  establishes a State Office of Apprentice-  
20                  ship in the State; and

21                  “(iii) return any unused funds re-  
22                  ceived under this Act.

23                  “(5) REINSTATEMENT OF RECOGNITION.—A  
24                  State apprenticeship agency that has had its rec-  
25                  ognition withdrawn under this section may have

1 such recognition reinstated upon presentation of  
2 adequate evidence that the State apprenticeship  
3 agency has—

4 “(A) has submitted an application under  
5 subsection (a)(2), and

6 “(B) has demonstrated the ability to oper-  
7 ate in compliance with the requirements of this  
8 Act.

9 “(f) RESERVATION AND STATE ALLOTMENTS.—

10 “(1) STATE ALLOTMENTS.—

11 “(A) IN GENERAL.—Of the amount appro-  
12 priated under subsection (g) for a fiscal year—

13 “(i)  $\frac{1}{3}$  shall be equally distributed  
14 among each State Office of Apprenticeship,  
15 outlying area, and eligible State; and

16 “(ii)  $\frac{2}{3}$  shall be allotted to eligible  
17 States on the basis described in subpara-  
18 graph (B).

19 “(B) FORMULA.—

20 “(i) IN GENERAL.—Of the amount  
21 available under subparagraph (A)(ii)—

22 “(I) 50 percent shall be allotted  
23 on the basis of the relative share of  
24 apprentices in each eligible State, as  
25 determined on the basis of the most

1 recent satisfactory data available from  
2 the Secretary, compared to the total  
3 number of apprentices in all eligible  
4 States; and

5 “(II) 50 percent shall be allotted  
6 on the basis described in clause (ii).

7 “(ii) ALLOTMENTS.—Of the amount  
8 available under clause (i)(II)—

9 “(I)  $33\frac{1}{3}$  percent shall be allot-  
10 ted on the basis of the relative share  
11 of jobs that are available in each eligi-  
12 ble State on the last business day of  
13 the month, as determined on the basis  
14 of the most recent satisfactory data  
15 available from the Secretary, com-  
16 pared to the total number of jobs  
17 available in all eligible States, as so  
18 determined; and

19 “(II)  $33\frac{1}{3}$  percent shall be allot-  
20 ted the basis of the relative number of  
21 unemployed individuals in areas of  
22 substantial unemployment in each  
23 State, compared to the total number  
24 of unemployed individuals in areas of



1 substantial unemployment in all eligi-  
2 ble States; and

3 “(III) 33 $\frac{1}{3}$  percent shall be allot-  
4 ted on the basis of the relative share  
5 of individuals in the civilian labor  
6 force in each eligible State, compared  
7 to the total number of individuals in  
8 the civilian labor force in all eligible  
9 States.

10 “(2) DEFINITIONS.—In this subsection:

11 “(A) AREA OF SUBSTANTIAL UNEMPLOY-  
12 MENT.—The term ‘area of substantial unem-  
13 ployment’ has the meaning given the term in  
14 section 132(b)(1)(B)(v) of the Workforce Inno-  
15 vation and Opportunity Act (29 U.S.C.  
16 3172(b)(1)(B)(v)).

17 “(B) ELIGIBLE STATE.—The term ‘eligible  
18 State’ means a State that has a State appren-  
19 ticeship agency.

20 “(C) OUTLYING AREA.—The term ‘out-  
21 lying area’ means American Samoa, Guam, the  
22 Commonwealth of the Northern Mariana Is-  
23 lands, and the United States Virgin Islands.

1 “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated to carry out this sec-  
3 tion—

4 “(1) \$75,000,000 for fiscal year 2022;

5 “(2) \$76,000,000 for fiscal year 2023;

6 “(3) \$77,000,000 for fiscal year 2024;

7 “(4) \$78,000,000 for fiscal year 2025; and

8 “(5) \$79,000,000 for fiscal year 2026.

9 **“Subtitle B—Process and Stand-**  
10 **ards for the National Appren-**  
11 **ticeship System**

12 **“SEC. 121. PROCESS AND STANDARDS.**

13 “(a) APPRENTICESHIP.—

14 “(1) APPROVAL.—For an occupation to be an  
15 apprenticeable occupation under this Act, an entity  
16 seeking approval for such occupation to be an  
17 apprenticeable occupation shall submit an applica-  
18 tion to the Secretary that demonstrates that appren-  
19 ticeships under such apprenticeable occupation will  
20 prepare individuals for the full range of skills and  
21 competencies needed for such occupation through a  
22 time-based, competency-based, or a hybrid model as  
23 described in section 121(b)(1)(D).

24 “(2) ADDITIONAL APPRENTICEABLE OCCUPA-  
25 TIONS.—The Secretary, in consultation with employ-

1       ers and other stakeholders in related industries, may  
2       establish standards for additional apprenticeable oc-  
3       cupations as necessary.

4       “(b) APPRENTICESHIP PROGRAM STANDARDS.—In  
5       addition to the standards described in subsection (e), an  
6       apprenticeship program shall meet the following stand-  
7       ards:

8               “(1) The program has an organized and clearly  
9       written plan, developed by the sponsor, that in-  
10      cludes, at a minimum, the following information:

11               “(A) The employment and training to be  
12      received by each apprentice participating in the  
13      program, including—

14               “(i) an outline of the work processes  
15      or the plan in which the apprentice will re-  
16      ceive supervised work experience and on-  
17      the-job learning;

18               “(ii) the allocation of the approximate  
19      amount of time to be spent in each major  
20      work process; and

21               “(iii) a description or timeline explain-  
22      ing the periodic reviews and evaluations of  
23      the apprentice’s performance on the job  
24      and in related instruction.

1           “(B) A description of the organized, re-  
2           lated instruction the apprentice will receive in  
3           technical subjects related to the occupation,  
4           which—

5                   “(i) for time-based or hybrid appren-  
6                   ticeship programs as described in subpara-  
7                   graph (D), shall include not less than 144  
8                   hours for each year of apprenticeship, un-  
9                   less an alternative requirement is put forth  
10                  by the employer and sponsor that reflects  
11                  industry standards and is accepted by the  
12                  registration agency;

13                   “(ii) may be accomplished through  
14                   classroom instruction, occupational or in-  
15                   dustry courses, instruction provided  
16                   through electronic media, or other instruc-  
17                   tion approved by the registration agency;  
18                   and

19                   “(iii) shall be provided by one or more  
20                   qualified instructors that—

21                           “(I) meet the requirements for a  
22                           vocational-technical instructor in the  
23                           State of registration; or

24                           “(II) are subject matter experts,  
25                           defined for purposes of this subpara-

1 graph as individuals recognized within  
2 an industry as having expertise in a  
3 specific occupation.

4 “(C) A progressively increasing, clearly de-  
5 fined schedule of wages to be paid to the ap-  
6 prentice that is—

7 “(i) consistent with skill gains or at-  
8 tainment of a recognized postsecondary  
9 credential; and

10 “(ii) ensures the entry wage is not  
11 less than the greater of—

12 “(I) the minimum wage required  
13 under section 6(a) of the Fair Labor  
14 Standards Act of 1938 (29 U.S.C.  
15 206(a)); or

16 “(II) the applicable wage re-  
17 quired by other applicable Federal or  
18 State laws (including regulations) or  
19 collective bargaining agreements.

20 “(D) The term of the apprenticeship pro-  
21 gram, which may be measured using—

22 “(i) a time-based model, which re-  
23 quires the completion of the industry  
24 standard for on-the-job learning hours  
25 (which in no case shall be less than 2,000

1 hours, unless an alternative requirement is  
2 put forth by the employer and sponsor that  
3 reflects industry standards and is accepted  
4 by the registration agency);

5 “(ii) a competency-based model, which  
6 requires the attainment of competency in  
7 the occupation; or

8 “(iii) a hybrid model, which blends the  
9 time-based and competency-based ap-  
10 proaches.

11 “(E) The methods used to measure an ap-  
12 prentice’s skills and competencies, which shall  
13 include—

14 “(i) in the case of a competency-based  
15 model, the individual apprentice’s success-  
16 ful demonstration of acquired skills and  
17 knowledge through appropriate means of  
18 testing and evaluation for such com-  
19 petencies, and by requiring apprentices to  
20 complete a paid on-the-job learning compo-  
21 nent of the apprenticeship;

22 “(ii) in the case of a time-based ap-  
23 prenticeship described in subparagraph  
24 (D)(i), the individual apprentice’s comple-  
25 tion of the required hours of on-the-job

1 learning as described in a work process  
2 schedule; or

3 “(iii) in the case of a hybrid appren-  
4 ticeship described in subparagraph (D)(iii),  
5 a combination of specified minimum num-  
6 ber of hours of on-the-job learning and the  
7 successful demonstration of competency, as  
8 described in a work process schedule.

9 “(2) The program equally grants advanced  
10 standing or credit to all individuals applying for the  
11 apprenticeship with demonstrated competency or ac-  
12 quired experience or skills, and provides commensu-  
13 rate wages for any progression in standing or credit  
14 so granted, including for veterans’ service-acquired  
15 skills and experiences.

16 “(3) The program has minimum qualifications  
17 for individuals desiring to enter the apprenticeship  
18 program, with an eligible starting age for an appren-  
19 tice of not less than 16 years.

20 “(4) In the case of a program that chooses to  
21 issue an interim credential, the program—

22 “(A) clearly identifies each interim creden-  
23 tial;

24 “(B) only issues an interim credential for  
25 recognized components of an apprenticeable oc-

1           cupation and demonstrates how each interim  
2           credential specifically links to the knowledge,  
3           skills, and abilities associated with such compo-  
4           nents; and

5                   “(C) establishes the process for assessing  
6           an individual apprentice’s demonstration of  
7           competency and measurable skill gains associ-  
8           ated with the particular interim credential.

9           “(c) PRE-APPRENTICESHIP PROGRAM STANDARDS.—  
10          In addition to the standards described in subsection (e),  
11          a pre-apprenticeship program shall meet the following  
12          standards:

13                   “(1) The program is designed to assist individ-  
14          uals who do not meet minimum qualifications for an  
15          apprenticeship program as described in subsection  
16          (b), and prepare them to enter and succeed in ap-  
17          prenticeship programs, including by providing the  
18          skills and competency attainment needed to enter  
19          the apprenticeship program.

20                   “(2) The program includes a written plan devel-  
21          oped by the sponsor that—

22                           “(A) provides for work-based learning in  
23          which an industry or sector partnership and a  
24          related instruction provider collaborate to pro-  
25          vide training that will introduce participants to



1 the skills, competencies, and materials used in  
2 one or more apprenticeable occupations;

3 “(B) is based on and aligned with national,  
4 State, regional, or local industry standards for  
5 high-skill, high-wage, or in-demand industry  
6 sectors and occupations;

7 “(C) to the extent appropriate and prac-  
8 ticable, meets the related instruction require-  
9 ments as described in clauses (ii) through (iv)  
10 of subsection (b)(1)(C); and

11 “(D) includes mentoring, career exposure,  
12 career planning, and career awareness activi-  
13 ties.

14 “(d) YOUTH APPRENTICESHIP PROGRAM STAND-  
15 ARDS.—In addition to the standards described in sub-  
16 section (e), a youth apprenticeship program shall meet the  
17 following standards:

18 “(1) The program is designed for youth appren-  
19 tices who at the start of the program are enrolled  
20 in high school.

21 “(2) The program includes each of the following  
22 core elements:

23 “(A) The employment and training to be  
24 received by each youth apprentice participating  
25 in the program, including—

1                   “(i) an outline of the work processes  
2                   or the plan in which the youth apprentice  
3                   will receive supervised work experience;

4                   “(ii) the allocation of the approximate  
5                   amount of time to be spent in each major  
6                   work process; and

7                   “(iii) a description or timeline explain-  
8                   ing the periodic reviews and evaluations of  
9                   the youth apprentice’s performance on the  
10                  job and in related instruction.

11                  “(B) Related classroom-based instruction,  
12                  which may be fulfilled through dual or concur-  
13                  rent enrollment.

14                  “(C) The term of the youth apprenticeship  
15                  program, as described in subsection (b)(1)(E).

16                  “(D) For a competency-based or hybrid  
17                  youth apprenticeship program, the methods  
18                  used to measure skill acquisition for a youth  
19                  apprentice, including ongoing assessment  
20                  against established skill and competency stand-  
21                  ards as described in subsection (a)(1)(F).

22                  “(E) Prepares the youth apprentice for  
23                  placement in further education, employment, or  
24                  an apprenticeship program.

1           “(3) In the case of a youth apprenticeship pro-  
2           gram that chooses to issue an interim credential, the  
3           program meets the requirements of subsection  
4           (b)(4).

5           “(e) GENERAL REQUIREMENTS.—Each program  
6           under the national apprenticeship system shall meet the  
7           following standards:

8           “(1) The program has safe equipment, environ-  
9           ments, and facilities for on-the-job learning and su-  
10          pervision.

11          “(2) The program records and maintains all  
12          records concerning the program as may be required  
13          by the Secretary, the registration agency of the pro-  
14          gram, or any other applicable law, including records  
15          required under title 38, United States Code, in order  
16          for veterans and other individuals eligible for edu-  
17          cational assistance under such title to use such as-  
18          sistance for enrollment in the program.

19          “(3) The program provides all individuals with  
20          an equal opportunity to participate in the program  
21          as described in section 111(b)(7)(B).

22          “(4) The program awards a certificate of com-  
23          pletion in recognition of successful completion of the  
24          program, evidenced by an appropriate certificate  
25          issued by the registration agency.

1           “(5) The program provides that an individual  
2           who is to become a program participant under the  
3           program enters into a written apprenticeship agree-  
4           ment described in subsection (g) with the sponsor of  
5           the program.

6           “(f) WAIVER OR MODIFICATION AUTHORITY.—The  
7           Secretary shall have authority to—

8           “(1) waive any requirements of subsections (b)  
9           through (e) for small businesses or first-time spon-  
10          sors who demonstrate a need for such waiver; and

11          “(2) modify the requirements of subsections (b)  
12          through (e), as applicable, upon request from em-  
13          ployers or other industry stakeholders.

14          “(g) APPRENTICESHIP AGREEMENTS.—To ensure  
15          the standards described in subsections (a) through (e) are  
16          applied to programs under the national apprenticeship  
17          system, the registration agency shall require a sponsor to  
18          develop an apprenticeship agreement that shall—

19          “(1) be the same for each program participant;

20          “(2) contain the names and signatures of the  
21          program participant and the sponsor;

22          “(3) meet the requirements of subsection (h),  
23          and any other requirements determined solely by the  
24          sponsor; and

1           “(4) be submitted to the registration agency in  
2           accordance with section 121(i).

3           “(h) APPRENTICESHIP AGREEMENT STANDARDS.—  
4           Each agreement under subsection (g) shall contain, explic-  
5           itly or by reference—

6           “(1) in the case of an apprenticeship pro-  
7           gram—

8           “(A) that is time-based, a statement of the  
9           number of hours to be spent by the program  
10          participant in on-the-job learning and work  
11          components in order to complete the program;

12          “(B) that is competency-based, a descrip-  
13          tion of the skill sets to be attained by comple-  
14          tion of the program, including the on-the-job  
15          learning and work components; or

16          “(C) that is hybrid-based, the minimum  
17          number of hours to be spent by the program  
18          participant in on-the-job learning and work  
19          components and in related instruction, and a  
20          description of the skill sets and competencies to  
21          be attained by completion of the program;

22          “(2) the number of hours and form of related  
23          instruction;

24          “(3) a schedule of the work processes in the oc-  
25          cupation or industry divisions in which the program

1 participant is to be educated and the approximate  
2 time to be spent at each process;

3 “(4) for apprenticeships, the graduated wage  
4 scale to be paid to the apprentices in the appren-  
5 tices’ locality, benefits offered to the apprentices in  
6 the apprentices’ locality, and how the wages and  
7 benefits compare to State, local, or regional wages in  
8 the related occupation;

9 “(5) assurance of compliance with section  
10 111(b)(7)(B) stating that the program participant  
11 will be accorded equal opportunity; and

12 “(6) the ratio of program participants to men-  
13 tors, journeyworkers, or on-the-job training instruc-  
14 tors, as applicable, for the apprenticeable occupa-  
15 tion, that are based on evidence-based and evidence-  
16 informed best practices for safety throughout the  
17 work processes of the program, job site, department,  
18 or plant.

19 “(i) APPRENTICESHIP REGISTRATION APPLICA-  
20 TION.—The Secretary shall provide for the registration of  
21 programs in which a sponsor applying to register a pro-  
22 gram under the national apprenticeship system shall re-  
23 quest registration of such program from a registration  
24 agency by submitting the information required by the reg-  
25 istration agency, including—

1           “(1) information demonstrating that each of  
2           the requirements of subsections (a) through (f) will  
3           be met for the program;

4           “(2) a copy of the apprenticeship agreement de-  
5           scribed in subsection (g) used by the sponsor;

6           “(3) a written assurance that, if the program is  
7           registered under this title, the sponsor will admin-  
8           ister the program in accordance with the require-  
9           ments of this title and comply with the requirements  
10          of the apprenticeship agreement for each apprentice;  
11          and

12          “(4) methods for reporting annually data de-  
13          scribing the outcomes associated with the program  
14          as required by the registration agency.

15          “(j) RECOGNITION AND REGISTRATION PROCESS.—

16                  “(1) REVIEW AND APPROVAL PROCESS.—

17                          “(A) PROVISIONAL APPROVAL REVIEW.—

18                          An application submitted under subsection (i)  
19                          that the registration agency determines meets  
20                          the requirements described in such subsection  
21                          shall be registered for a provisional 1-year pe-  
22                          riod beginning not later than 30 days after  
23                          such application is submitted. During such pe-  
24                          riod, the registration agency shall accept and  
25                          record the apprenticeship agreement as evidence

1 of the program’s compliance and registration to  
2 operate such program.

3 “(B) FULL APPROVAL OR EXTENDED PRO-  
4 VISIONAL APPROVAL.—By the end of a provi-  
5 sional registration period for a program, the  
6 registration agency providing provisional ap-  
7 proval under subparagraph (A) shall review the  
8 program for quality and for compliance with the  
9 applicable standards under this subtitle and all  
10 other applicable program requirements under  
11 this Act, and—

12 “(i) if a registration agency con-  
13 ducting a provisional review determines  
14 that the program complies with the stand-  
15 ards and requirements under this Act, the  
16 registration agency shall fully approve the  
17 registration of the program; or

18 “(ii) if a registration agency con-  
19 ducting a provisional review determines  
20 that the program is not conforming to the  
21 requirements or standards under this Act,  
22 the registration agency may continue the  
23 provisional registration of the program  
24 through the first full training cycle for pro-  
25 gram participants, and conduct an addi-



1            tional provisional review at the conclusion  
2            of the training cycle.

3            “(C) FAILURE TO MEET REQUIRE-  
4            MENTS.—If a registration agency conducting a  
5            provisional review under subparagraph (A) de-  
6            termines that the program is not in operation  
7            or does not conform to the requirements under  
8            this Act, the registration agency shall rec-  
9            ommend technical assistance and corrective ac-  
10          tion for the program, or deregistration, in ac-  
11          cordance with procedures established under sec-  
12          tion 131(b).

13          “(2) CERTIFICATE OF REGISTRATION.—

14            “(A) IN GENERAL.—A registration agency  
15            that registers a program under paragraph (1)  
16            shall—

17            “(i) provide the sponsor of the pro-  
18            gram with a certificate of registration or  
19            other written evidence of registration;

20            “(ii) provide a copy of the certificate  
21            of registration; and

22            “(iii) provide a copy of the certificate  
23            of registration to the Secretary of Veterans  
24            Affairs or the applicable State veterans  
25            agency for the purpose of aligning the reg-

1                   istration process with the process for ap-  
2                   proving such program for eligible veterans’  
3                   use of supplemental educational assistance  
4                   benefits.

5                   “(B) REGISTRATION NAME.—A program  
6                   shall be registered in the name of the sponsor,  
7                   or if a sponsor enters into a partnership with  
8                   an employer who registers the program, in the  
9                   name of the employer.

10                  “(3) PROGRAM PARTICIPANT REGISTRATION.—  
11                  A sponsor providing a program that is registered in  
12                  accordance with paragraph (2) shall provide to an  
13                  individual seeking to be a program participant the  
14                  opportunity to apply through the sponsor, and  
15                  shall—

16                         “(A) enter into a written individual ap-  
17                         prenticeship agreement described in subsection  
18                         (g) with each such individual before the com-  
19                         mencement of the program; and

20                         “(B) individually register each program  
21                         participant with the registration agency by fil-  
22                         ing a copy of the individual apprenticeship  
23                         agreement with the registration agency or as  
24                         otherwise required by the registration agency,

1           and sharing a copy with the Secretary as appro-  
2           priate, as described under subsection (i).

3           “(4) TRANSITION PROCESS FOR PREVIOUSLY  
4           APPROVED PROGRAMS.—With respect to the sponsor  
5           of a program that is approved for apprenticeship  
6           purposes as of the day before the date of enactment  
7           of the National Apprenticeship Act of 2021, a reg-  
8           istration agency shall do the following:

9                   “(A) If such program meets the require-  
10                   ments of this Act, take such steps as necessary  
11                   to ensure such program maintains status as a  
12                   program under this Act.

13                   “(B) If such program does not comply  
14                   with the requirements of this Act, provide tech-  
15                   nical assistance to ensure such sponsor is in  
16                   compliance with this Act not later than 3 years  
17                   after the date of the date of enactment of this  
18                   Act.

19           “(k) MODIFICATIONS OR CHANGES TO YOUTH AP-  
20           PRENTICESHIP, PRE-APPRENTICESHIP, OR APPRENTICE-  
21           SHIP PROGRAMS.—

22                   “(1) SPONSOR PROPOSAL.—Any sponsor that  
23                   wishes to modify a program shall submit the pro-  
24                   posal for such modification to the registration agen-  
25                   cy for the program.

1           “(2) REGISTRATION AGENCY REQUIREMENTS.—

2           “(A) IN GENERAL.—The registration agen-  
3           cy shall determine whether to approve the pro-  
4           posal and notify the sponsor of the determina-  
5           tion by not later than 60 days after receipt of  
6           the proposal.

7           “(B) APPROVAL OF PROPOSAL.—If the  
8           proposal is approved, the registration agency  
9           shall amend the record of the program to reflect  
10          the modification , and provide the sponsor or  
11          program administrator with an acknowledgment  
12          of the modified program, by not later than 30  
13          days after the date of approval.

14          “(C) DISAPPROVAL OF PROPOSAL.—If the  
15          proposal is not approved, the registration agen-  
16          cy shall—

17                 “(i) notify the sponsor of the reasons  
18                 for the disapproval and provide the sponsor  
19                 with technical assistance to maintain the  
20                 program as originally registered;

21                 “(ii) provide the sponsor with the op-  
22                 portunity to submit a revised modification  
23                 proposal, including providing appropriate  
24                 technical assistance to modify the proposal

1 in order to meet the requirements of this  
2 Act; and

3 “(iii) in a case in which the sponsor  
4 submits a revised modification proposal,  
5 not later than 60 days after receipt of such  
6 proposal—

7 “(I) approve the proposal; or

8 “(II) disapprove the program and  
9 provide the sponsor with technical as-  
10 sistance to maintain the program as  
11 originally registered.

## 12 **“Subtitle C—Evaluations and** 13 **Research**

### 14 **“SEC. 131. PROGRAM EVALUATIONS AND RESEARCH.**

15 “(a) PURPOSE.—The purpose of this section is to es-  
16 tablish performance accountability measures related to  
17 program completion and key indicators of performance  
18 under the Workforce Innovation and Opportunity Act (29  
19 U.S.C. 3101 et seq.).

20 “(b) REVIEWS BY REGISTRATION AGENCIES.—

21 “(1) PERFORMANCE REVIEWS.—

22 “(A) IN GENERAL.—A registration agency  
23 shall annually collect performance data for each  
24 program registered under section 121 by such  
25 agency, to determine—

1           “(i) the performance of the program  
2           with respect to the indicators of perform-  
3           ance under section 116(b)(2)(A)(i) of the  
4           Workforce Innovation and Opportunity Act  
5           (29 U.S.C. 3141(b)(2)(A)(i) or in the case  
6           of a youth apprenticeship program, section  
7           116(b)(2)(A)(ii) of such Act (29 U.S.C.  
8           3141(b)(2)(A)(ii)), to the extent prac-  
9           ticable and as applicable to programs  
10          under the national apprenticeship system;  
11          and

12           “(ii) the completion rates of the pro-  
13          gram.

14          “(B) REPORTS.—The registration agency  
15          for a State shall annually prepare and submit  
16          to the Secretary a State performance report  
17          that includes, with respect to each program reg-  
18          istered under section 121 by such agency—

19           “(i) information specifying the levels  
20           of performance described in subparagraph  
21           (A);

22           “(ii) the percentage of program par-  
23           ticipants in under-represented apprentice-  
24           ship populations;

1 “(iv) the average time to completion  
2 for the program as compared to the de-  
3 scription in the agreement under section  
4 123(b)(1);

5 “(v) the average cost per participant  
6 during the most recent program year and  
7 the 3 preceding program years;

8 “(vi) information on the State’s uses  
9 of funds;

10 “(vii) how resources, whether finan-  
11 cial, time, or other were spent on the deliv-  
12 ery, improvement, and expansion of pro-  
13 gram services, activities and evaluations;  
14 and

15 “(viii) the disaggregation of the per-  
16 formance data described in clauses (i)  
17 through (v) by—

18 “(I) the program type (appren-  
19 ticeship, youth apprenticeship, or pre-  
20 apprenticeship program) involved; and

21 “(II) race, ethnicity, sex, age,  
22 and membership in a population speci-  
23 fied in section 3(24) of the Workforce  
24 Innovation and Opportunity Act (29  
25 U.S.C. 3102(24)).

1           “(2) REPORTS.—Not later than 60 days after  
2 receiving a report under paragraph (1)(B), the Sec-  
3 retary shall make such report publicly available.

4           “(3) COMPREHENSIVE PROGRAM REVIEWS.—

5                 “(A) IN GENERAL.—A registration agency  
6 shall periodically review each program reg-  
7 istered under section 121 by such agency for  
8 quality assurance and compliance with the re-  
9 quirements of title I.

10               “(B) TIMING OF REVIEWS.—A review de-  
11 scribed in subparagraph (A) shall occur not less  
12 frequently than once every 5 years.

13               “(C) REVIEW.—The review shall be a com-  
14 prehensive review regarding all aspects of the  
15 program performance determining whether the  
16 sponsor of the program is complying with the  
17 requirements of title I.

18               “(D) REPORTS.—

19                     “(i) IN GENERAL.—On completion of  
20 a review under this paragraph, the reg-  
21 istration agency shall prepare and submit  
22 to the Secretary a report containing the re-  
23 sults of the review.

24                     “(ii) PUBLIC AVAILABILITY.—The  
25 Secretary shall develop and make publicly



1 available a statewide summary of reports  
2 submitted by each registration agency.

3 “(4) REGISTRATION AGENCY DISCRETION.—

4 The registration agency may modify the require-  
5 ments of this subsection for small businesses or  
6 first-time sponsors who demonstrate a need for such  
7 modification.

8 “(c) SUBSEQUENT ACTION.—

9 “(1) TECHNICAL ASSISTANCE.—The registra-  
10 tion agency shall provide technical assistance to the  
11 sponsor and identify areas that require technical as-  
12 sistance, including assistance in the development of  
13 a performance improvement plan if the registration  
14 agency determines, pursuant to any review under  
15 subsection (a), that the youth apprenticeship, pre-  
16 apprenticeship, or apprenticeship program—

17 “(A) is not in operation;

18 “(B) is not in compliance with the require-  
19 ments of title I; or

20 “(C) is achieving levels of performance on  
21 the indicators described in subsection (b)(1)(A)  
22 that are lower than the State goals.

23 “(2) CORRECTIVE ACTION AND  
24 DEREGISTRATION OF AN APPRENTICESHIP PRO-  
25 GRAM.—The registration agency may take corrective

1 action, and if warranted, deregister a youth appren-  
2 ticeship, pre-apprenticeship, or apprenticeship pro-  
3 gram, after making a determination that the pro-  
4 gram demonstrates persistent and significant failure  
5 to perform successfully, which occurs when—

6 “(A) the sponsor of the program consist-  
7 ently fails to register at least 1 program partici-  
8 pant;

9 “(B) the program shows a pattern of poor  
10 results as determined solely by the registration  
11 agency on the indicators described in subsection  
12 (a)(1)(A) over a period of 3 years, given the  
13 characteristics of program participants and eco-  
14 nomic conditions in the area served, or are  
15 lower than the national or State average;

16 “(C) the program shows no indication of  
17 improvement in the areas identified by the reg-  
18 istration agency and in the performance im-  
19 provement plan under paragraph (1); or

20 “(D) the sponsor has not administered the  
21 program in accordance with the program’s reg-  
22 istration, as applicable, or with the require-  
23 ments of this Act.

24 “(3) NOTIFICATION AND HEARING.—If the reg-  
25 istration agency makes a determination described in

1 paragraph (2), the registration agency shall notify  
2 the Secretary and the sponsor of the determination  
3 in writing, and permit the sponsor to request a hear-  
4 ing by the Office of Administrative Law Judges. The  
5 registration agency shall transmit to the Secretary a  
6 report containing all pertinent facts and cir-  
7 cumstances concerning the determination, including  
8 findings and a recommendation for deregistration,  
9 and copies of all relevant documents and records. If  
10 the sponsor requests a hearing it shall be conducted  
11 in accordance with the Office of Administrative Law  
12 Judges regulations. A party to the proceeding may  
13 petition for review of the final decision of the Ad-  
14 ministrative Law Judge. If the sponsor does not re-  
15 quest the hearing, the registration agency shall  
16 deregister the program after the period for request-  
17 ing such a hearing has expired.

18 “(4) NOTIFICATION AND TREATMENT OF AP-  
19 PRENTICES.—Not later than 15 days after the reg-  
20 istration agency deregisters a program, or not later  
21 than 15 days after the period for requesting such a  
22 hearing has expired, the sponsor or program admin-  
23 istrator shall notify each program participant—

24 “(A) of such deregistration and the effec-  
25 tive date;

1           “(B) that such deregistration automatically  
2           deprives the program participant of individual  
3           registration as part of such program, including  
4           the ability to receive a certificate of completion  
5           from the registration agency;

6           “(C) that the deregistration of the pro-  
7           gram removes the program participant from eli-  
8           gibility for any Federal financial or other assist-  
9           ance, or right, privilege, or exemption under  
10          Federal law, that—

11                   “(i) relates to an apprentice; and

12                   “(ii) requires the registration agency’s  
13                   approval; and

14          “(D) that all youth apprentices, pre-ap-  
15          prentices, or apprentices are referred to the  
16          registration agency for information about po-  
17          tential transfers to other programs under the  
18          national apprenticeship system.

19          “(d) EVALUATION AND RESEARCH.—For the purpose  
20          of improving the management and effectiveness of the pro-  
21          grams and activities carried out under this Act, the Sec-  
22          retary shall conduct, through an independent entity, eval-  
23          uation and research on the programs and activities carried  
24          out under this title.

1       “(e) TECHNIQUES.—The research conducted under  
2 this section shall utilize appropriate methodology and re-  
3 search designs.

4       “(f) CONTENTS.—Such research shall address—

5           “(1) the general effectiveness of such programs  
6 and activities in relation to their cost, including the  
7 extent to which the programs and activities—

8                   “(A) improve the skill and employment  
9 competencies of participants in comparison to  
10 comparably-situated individuals who did not  
11 participate in such programs and activities;

12                   “(B) to the extent feasible, increase the  
13 levels of total employment, of attainment of rec-  
14 ognized postsecondary credentials, and of meas-  
15 urable skills, above the levels that would have  
16 existed in the absence of such programs and ac-  
17 tivities;

18                   “(C) respond to the needs reflected in  
19 labor market data in the local area and align  
20 with high-skill, high-wage, or in-demand indus-  
21 tries or occupations; and

22                   “(D) demonstrate a return on investment  
23 of Federal, State, local, sponsor, employer, and  
24 other funding for programs under the national  
25 apprenticeship system, capturing the full level

1 of investment in, and impact of, such programs  
2 under the national apprenticeship system;

3 “(2) best practices in increasing underrep-  
4 resented apprenticeship populations’ participation in  
5 programs under the national apprenticeship system;  
6 and

7 “(3) opportunities to scale up effective models  
8 under the national apprenticeship system.

9 “(g) REPORTS.—

10 “(1) INDEPENDENT ENTITY.—The independent  
11 entity carrying out the research under subsection (d)  
12 shall prepare and submit to the Secretary a final re-  
13 port containing the results of the research.

14 “(2) REPORTS TO CONGRESS.—Not later than  
15 60 days after the receipt of the final report de-  
16 scribed in paragraph (1), the Secretary shall submit  
17 the final report to the Committee on Education and  
18 Labor of the House of Representatives and the Com-  
19 mittee on Health, Education, Labor, and Pensions  
20 of the Senate.

21 “(h) PUBLIC ACCESS.—The Secretary shall make the  
22 final report publicly available no later than 60 days after  
23 the receipt of the final report.

1       **“Subtitle D—General Provisions**

2       **“SEC. 141. AUTHORIZATION OF APPROPRIATIONS.**

3           “There are authorized to be appropriated to carry out  
4 sections 111 and 112—

5           “(1) \$40,000,000 for fiscal year 2022;

6           “(2) \$41,000,000 for fiscal year 2023;

7           “(3) \$42,000,000 for fiscal year 2024;

8           “(4) \$43,000,000 for fiscal year 2025; and

9           “(5) \$44,000,000 for fiscal year 2026.

10       **“TITLE II—MODERNIZING THE**  
11       **NATIONAL APPRENTICESHIP**  
12       **SYSTEM FOR THE 21ST CEN-**  
13       **TURY GRANTS**

14       **“SEC. 201. GRANT REQUIREMENTS.**

15           “(a) PURPOSE.—The purpose of this section is to ex-  
16 pand access to, and participation in, new industry-led  
17 earn-and-learn programs leading to career opportunities  
18 in all occupations, particularly high-wage, high-skill, and  
19 high-demand occupations, including in response to the  
20 COVID–19 public health emergency.

21           “(b) AUTHORIZATION OF APPRENTICESHIP GRANT  
22 PROGRAM.—

23           “(1) IN GENERAL.—From the amounts author-  
24 ized under section 202, the Secretary shall award

1 grants, on a competitive basis, to eligible partner-  
2 ships for the purpose described in subsection (a).

3 “(2) DURATION.—The Secretary shall award  
4 grants under this section for a period of—

5 “(A) not less than 1 year; and

6 “(B) not more than 4 years.

7 “(3) LIMITATIONS.—

8 “(A) AMOUNT.—A grant awarded under  
9 this section may not be in an amount greater  
10 than \$1,500,000.

11 “(B) NUMBER OF AWARDS.—An eligible  
12 partnership or member of such partnership may  
13 not be awarded more than one grant under this  
14 section.

15 “(C) ADMINISTRATION COSTS.—An eligible  
16 partnership awarded a grant under this section  
17 may not use more than 5 percent of the grant  
18 funds to pay administrative costs associated  
19 with activities funded by the grant.

20 “(c) MATCHING FUNDS.—To receive a grant under  
21 this section, an eligible partnership shall, through cash or  
22 in-kind contributions, provide matching funds from non-  
23 Federal sources in an amount equal to or greater than  
24 50 percent of the amount of such grant.

25 “(d) APPLICATIONS.—



1           “(1) IN GENERAL.—To receive a grant under  
2 this section, an eligible partnership shall submit to  
3 the Secretary at such a time as the Secretary may  
4 require, an application that—

5           “(A) identifies and designates the entity  
6 within the eligible partnership responsible for  
7 the administration and supervision of the earn-  
8 and-learn program for which such grant funds  
9 would be used;

10           “(B) identifies the businesses and institu-  
11 tions of higher education that comprise the eli-  
12 gible partnership;

13           “(C) identifies the source and amount of  
14 the matching funds required under subsection  
15 (c);

16           “(D) identifies the number of program  
17 participants who will participate and complete  
18 the relevant earn-and-learn program within 1  
19 year of the expiration of the grant;

20           “(E) identifies the amount of time, not to  
21 exceed 2 years, required for program partici-  
22 pants to complete the program;

23           “(F) identifies the anticipated earnings of  
24 program participants—

1 “(i) 1 year after program completion;

2 and

3 “(ii) 3 years after program comple-

4 tion;

5 “(G) describes the specific project for

6 which the application is submitted, including a

7 summary of the relevant classroom and paid

8 structured on-the-job learning students will re-

9 ceive;

10 “(H) describes how the eligible partnership

11 will finance the program after the end of the

12 grant period;

13 “(I) describes how the eligible partnership

14 will support the collection of information and

15 data for purposes of the program evaluation re-

16 quired under subsection (i); and

17 “(J) describes the alignment of the pro-

18 gram with State identified in-demand industry

19 sectors and occupations.

20 “(2) APPLICATION REVIEW PROCESS.—

21 “(A) REVIEW PANEL.—Applications sub-

22 mitted under paragraph (1) shall be read by a

23 panel of readers composed of individuals se-

24 lected by the Secretary. The Secretary shall as-

25 sure that an individual assigned under this

1 paragraph does not have a conflict of interest  
2 with respect to the applications reviewed by  
3 such individual.

4 “(B) COMPOSITION OF REVIEW PANEL.—  
5 The panel of reviewers selected by the Secretary  
6 under subparagraph (A) shall be comprised as  
7 follows:

8 “(i) A majority of the panel shall be  
9 individuals who are representative of busi-  
10 nesses, which may include owners, execu-  
11 tives with optimum hiring authority, or in-  
12 dividuals representing business organiza-  
13 tions or business trade associations.

14 “(ii) The remainder of the panel shall  
15 be equally divided between individuals who  
16 are—

17 “(I) representatives of institu-  
18 tions of higher education that offer  
19 programs of two years or less; and

20 “(II) representatives of State  
21 workforce development boards estab-  
22 lished under section 101 of the Work-  
23 force Innovation and Opportunity Act  
24 (29 U.S.C. 3111).

1           “(C) REVIEW OF APPLICATIONS.—The  
2           Secretary shall instruct the review panel se-  
3           lected by the Secretary under subparagraph (A)  
4           to evaluate applications using only the criteria  
5           specified in paragraph (1) and make rec-  
6           ommendations with respect to—

7                   “(i) the quality of the applications;

8                   “(ii) whether a grant should be  
9                   awarded for a project under this title; and

10                   “(iii) the amount and duration of  
11                   such grant.

12           “(D) PRIORITY AND DISTRIBUTION.—

13                   “(i) PRIORITY.—In awarding grants  
14                   under this section, the Secretary shall give  
15                   priority to an eligible partnership—

16                           “(I) proposing to serve a high  
17                           number or high percentage of partici-  
18                           pants who are from underrepresented  
19                           apprenticeship populations; or

20                           “(II) providing opportunities in  
21                           high-wage, high-skill, or in-demand  
22                           sectors and occupations.

23                   “(ii) GEOGRAPHIC DISTRIBUTION.—In  
24                   awarding grants under this section, the  
25                   Secretary shall, to the extent practicable,

1 ensure a geographically diverse distribution  
2 of grants, including a geographically di-  
3 verse distribution among regions of the  
4 country and among urban, suburban, and  
5 rural areas.

6 “(E) NOTIFICATION.—Not later than June  
7 30 of each year, the Secretary shall notify each  
8 eligible partnership submitting an application  
9 under this section of—

10 “(i) the scores given the applicant by  
11 the panel pursuant to this section;

12 “(ii) the recommendations of the  
13 panel with respect to such application;

14 “(iii) the reasons for the decision of  
15 the Secretary in awarding or refusing to  
16 award a grant under this section; and

17 “(iv) modifications, if any, in the rec-  
18 ommendations of the panel made to the  
19 Secretary.

20 “(e) AWARD BASIS.—The Secretary shall award  
21 grants under this section on the following basis—

22 “(1) the number of participants to be served by  
23 the grant;

24 “(2) the anticipated income of program partici-  
25 pants in relation to the regional median income;

1           “(3) the alignment of the program with State-  
2           identified in-demand industry sectors; and

3           “(4) the recommendations of the readers under  
4           subsection (d)(2)(C).

5           “(f) PURPOSES OF AWARDS.—The Secretary may  
6           award grants, contracts, or cooperative agreements to eli-  
7           gible entities on a competitive basis for any of the fol-  
8           lowing purposes:

9           “(1) The creation of new earn-and-learn pro-  
10          grams, including apprenticeship, pre-apprenticeship,  
11          and youth apprenticeship programs, or expansion of  
12          existing programs.

13          “(2) Encouraging employer participation in  
14          programs under the national apprenticeship sys-  
15          tem—

16                 “(A) that target individuals with barriers  
17                 to employment in youth apprenticeship, pre-ap-  
18                 prenticeship, or apprenticeship programs,  
19                 prioritizing underrepresented apprenticeship  
20                 populations, such as women, minorities, long-  
21                 term unemployed individuals with a disability,  
22                 individuals with substance abuse issues, and  
23                 veterans;

24                 “(B) that are in high-need social service-  
25                 related industries, sectors, or occupations, such

1 as direct care workers and early childhood edu-  
2 cators;

3 “(C) that target individuals currently or  
4 formerly incarcerated; or

5 “(D) among small- and medium-sized em-  
6 ployers.

7 “(3) If the eligible entity is a qualified inter-  
8 mediary—

9 “(A) supporting national industry and eq-  
10 uity intermediaries in establishing or expanding  
11 sector-based partnerships to support the deliv-  
12 ery or expansion of programs under the na-  
13 tional apprenticeship system to significant scale  
14 in the United States—

15 “(i) in key sectors, including manufac-  
16 turing, information technology, cyber secu-  
17 rity, health care, insurance and finance,  
18 energy, hospitality, retail, construction,  
19 and other sectors identified by the Sec-  
20 retary; and

21 “(ii) for underrepresented apprentice-  
22 ship populations, women, minorities, indi-  
23 viduals with disabilities, and individuals  
24 impacted by the criminal justice system; or

1           “(B) serving programs under the national  
2           apprenticeship system in a local or regional set-  
3           ting.

4           “(4) Strengthen alignment between programs  
5           under the national apprenticeship system and edu-  
6           cation and training providers with secondary and  
7           postsecondary education systems, including degree  
8           and credential requirements.

9           “(g) USE OF FUNDS.—Grant funds provided under  
10          this section may be used for—

11           “(1) supports including marketing, national e-  
12           tools, and other expanded capacity and technical as-  
13           sistance supports;

14           “(2) the purchase of appropriate equipment,  
15           technology, or instructional material, aligned with  
16           business and industry needs, including machinery,  
17           testing equipment, hardware and software;

18           “(3) student books, supplies, and equipment re-  
19           quired for enrollment;

20           “(4) the reimbursement of up to 50 percent of  
21           the wages of a student participating in an earn-and-  
22           learn program receiving a grant under this section;

23           “(5) the development of industry-specific pro-  
24           gramming;



1           “(6) supporting the transition of industry-based  
2 professionals from an industry setting to an aca-  
3 demic setting;

4           “(7) industry-recognized certification exams or  
5 other assessments leading to a recognized postsec-  
6 ondary credential associated with the earn-and-learn  
7 program;

8           “(8) any fees associated with the certifications  
9 or assessments described in paragraph (7);

10          “(9) establishing or expanding partnerships  
11 with organizations that provide program participants  
12 access to financial planning mentoring, and sup-  
13 portive services that are necessary to enable an indi-  
14 vidual to participate in and complete a program  
15 under the national apprenticeship system;

16          “(10) conducting outreach and recruitment ac-  
17 tivities, including assessments of potential partici-  
18 pants for, and enrollment of participants in a pro-  
19 gram under the national apprenticeship system;

20          “(11) conducting outreach, engagement, and re-  
21 cruitment with employers, industry associations,  
22 labor and labor-management organizations, qualified  
23 intermediaries, education and training providers,  
24 State or local workforce agencies, potential sponsors,  
25 communities with high numbers or percentages of

1 underrepresented apprenticeship populations, small-  
2 and medium-sized businesses, or rural communities  
3 to establish or expand industry or sector partner-  
4 ships and opportunities under the national appren-  
5 ticeship system; and

6 “(12) conducting any activities as described in  
7 the application that would advance the purposes of  
8 the grant.

9 “(h) TECHNICAL ASSISTANCE.—The Secretary may  
10 provide technical assistance to eligible partnerships award-  
11 ed under a grant under this section throughout the grant  
12 period for purposes of grant management.

13 “(i) EVALUATION.—

14 “(1) IN GENERAL.—The Secretary may reserve  
15 up to \$500,000 from the amounts made available  
16 under section 202 in order to provide for the inde-  
17 pendent evaluation, which may be conducted by a  
18 third-party entity, of the grant program established  
19 under this section that includes the following:

20 “(A) An assessment of the effectiveness of  
21 the grant program in expanding earn-and-learn  
22 program opportunities offered by employers in  
23 conjunction with institutions of higher edu-  
24 cation.

1           “(B) The number of students who partici-  
2           pated in programs assisted under this section.

3           “(C) The percentage of students partici-  
4           pating in programs assisted under this section  
5           who successfully completed the program in the  
6           time described in subsection (d)(1)(E).

7           “(D) The median earnings of program par-  
8           ticipants—

9                   “(i) 1 year after exiting the program;  
10                   and

11                   “(ii) 3 years after exiting the pro-  
12                   gram.

13           “(E) The percentage of program partici-  
14           pants assisted under this section who success-  
15           fully receive a recognized postsecondary creden-  
16           tial.

17           “(F) The number of program participants  
18           served by programs receiving funding under  
19           this section—

20                   “(i) 2 years after the end of the grant  
21                   period; and

22                   “(ii) 4 years after the end of the  
23                   grant period.

24           “(2) PUBLICATION.—The evaluation required  
25           by this subsection shall be made publicly available on

1 the website of the Department within 90 days after  
2 such evaluation is completed.

3 “(j) DEFINITIONS.—In this section:

4 “(1) EARN-AND-LEARN PROGRAM.—The term  
5 ‘earn-and-learn program’ means an education pro-  
6 gram, including an apprenticeship program, that  
7 provides students with structured, sustained, and  
8 paid on-the-job training and accompanying, for cred-  
9 it, classroom instruction that—

10 “(A) is for a period of between 3 months  
11 and 2 years; and

12 “(B) leads to, on completion of the pro-  
13 gram, a recognized postsecondary credential.

14 “(2) ELIGIBLE PARTNERSHIP.—The term ‘eligi-  
15 ble partnership’ shall mean a consortium that in-  
16 cludes—

17 “(A) 1 or more businesses; and

18 “(B) 1 or more institutions of higher edu-  
19 cation.

20 **“SEC. 202. GRANT APPROPRIATIONS.**

21 “(a) AUTHORIZATION OF APPROPRIATIONS.—There  
22 are authorized to be appropriated to carry out only reg-  
23 istered apprenticeship activities under this title—

24 “(1) \$200,000,000 for fiscal year 2022;

25 “(2) \$210,000,000 for fiscal year 2023;

1 “(3) \$220,000,000 for fiscal year 2024;

2 “(4) \$230,000,000 for fiscal year 2025; and

3 “(5) \$240,000,000 for fiscal year 2026.

4 “(b) SPECIAL RULE.—Of the funds made available  
5 for this title, no less than \$200,000,000 shall be provided  
6 from the H–1B Nonimmigrant Petitioner Account.”.

7 **SEC. 5. CONFORMING AMENDMENTS.**

8 (a) AMERICAN COMPETITIVENESS AND WORKFORCE  
9 IMPROVEMENT ACT OF 1998.—Section 414(c) of the  
10 American Competitiveness and Workforce Improvement  
11 Act of 1998 (29 U.S.C. 2916a) is repealed.

12 (b) IMMIGRATION AND NATIONALITY ACT.—Section  
13 286(s)(2) of the Immigration and Nationality Act (8  
14 U.S.C. 1356(s)(2)) is amended—

15 (1) in the heading, by striking “FOR JOB  
16 TRAINING” and inserting “FOR PROGRAMS UNDER  
17 THE NATIONAL APPRENTICESHIP SYSTEM”; and

18 (2) by striking “for demonstration programs  
19 and projects described in section 414(c) of the  
20 American Competitiveness and Workforce Improve-  
21 ment Act of 1998” and inserting “to carry out title  
22 II of the National Apprenticeship Act of 2021”.

