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116TH CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
116–593

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 8294) TO AMEND THE NATIONAL APPRENTICESHIP ACT AND EXPAND THE NATIONAL APPRENTICESHIP SYSTEM TO INCLUDE APPRENTICESHIPS, YOUTH APPRENTICESHIPS, AND PRE-APPRENTICESHIP REGISTERED UNDER SUCH ACT, TO PROMOTE THE FURTHERANCE OF LABOR STANDARDS NECESSARY TO SAFEGUARD THE WELFARE OF APPRENTICES, AND FOR OTHER PURPOSES

NOVEMBER 17, 2020.—Referred to the House Calendar and ordered to be printed

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Mr. MORELLE, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 1224]

The Committee on Rules, having had under consideration House Resolution 1224, by a record vote of 8 to 3, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 8294, the National Apprenticeship Act of 2020, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill, modified by the amendment printed in part A of this report, shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. Section 2 of the resolution provides that following debate, each further amendment printed in part B of this report not earlier considered as part of amendments en bloc pursuant to section 3 shall be considered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the ques-

tion. Section 3 of the resolution provides that at any time after debate the chair of the Committee on Education and Labor or his designee may offer amendments en bloc consisting of further amendments printed in part B of this report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution waives all points of order against the amendments printed in part B of this report and amendments en bloc described in section 3. The resolution provides one motion to recommit with or without instructions. The resolution amends House Resolution 967, agreed to May 15, 2020 (as most recently amended by House Resolution 1107, agreed to September 15, 2020): (1) in section 4, by striking "November 20, 2020" and inserting "the remainder of the One Hundred Sixteenth Congress"; (2) in section 11, by striking "legislative day of November 20, 2020" and inserting "remainder of the One Hundred Sixteenth Congress"; and (3) in section 12, by striking "legislative day of November 20, 2020" and inserting "remainder of the One Hundred Sixteenth Congress".

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill includes waivers of the following:

- Clause 12(a)(1) of rule XXI, which prohibits consideration of a bill unless there is a searchable electronic comparative print that shows how the bill proposes to change current law.
- Clause 12(b) of rule XXI, which prohibits consideration of a bill unless there is a searchable electronic comparative print that shows how the text of the bill as proposed to be considered differs from the text of the bill as reported.

Although the resolution waives all points of order against provisions in the bill, as amended, the Committee is not aware of any points of order. The waiver of all points of order is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in part B of this report or against amendments en bloc described in Section 3 of the resolution, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 360

Motion by Mr. Cole to report an open rule. Defeated: 3–8

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	
Mr. Raskin	Nay	Mrs. Lesko	Yea

Majority Members	Vote	Minority Members	Vote
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Ms. Matsui	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 361

Motion by Mr. Woodall to amend the rule to H.R. 8294 to make in order amendment #22, offered by Rep. Thompson (PA), which provides the Secretary of Labor with authority to establish and administer additional programs of work-based learning, including to respond to the COVID–19 public health emergency. Defeated: 3–8

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	
Mr. Raskin	Nay	Mrs. Lesko	Yea
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Ms. Matsui	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 362

Motion by Mr. Morelle to report the rule. Adopted: 8–3

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Nay
Mrs. Torres	Yea	Mr. Woodall	Nay
Mr. Perlmutter	Yea	Mr. Burgess	
Mr. Raskin	Yea	Mrs. Lesko	Nay
Ms. Scanlon	Yea		
Mr. Morelle	Yea		
Ms. Shalala	Yea		
Ms. Matsui	Yea		
Mr. McGovern, Chairman	Yea		

SUMMARY OF THE AMENDMENT TO H.R. 8294 IN PART A CONSIDERED AS ADOPTED

1. Scott, Bobby (VA): Makes a series of technical and conforming changes. Ensures the definition of a "State" includes outlying areas. Includes employment and training activities in the Departments of Commerce, Energy and Transportation, and the Small Business Administration, to the "Related Federal Programs" definition. Ensures costs related to assessments and licenses are allowable. Clarifies that the 2,000 hours on-the-job learning requirement for time-based apprenticeship programs is cumulative, and that the exception to this requirement should be made only for nontraditional apprenticeship industries or occupations. Allows sponsors with five or fewer apprentices, pre-apprentices or youth apprentices to report data annually rather than quarterly. Ensures pre-apprenticeship programs are developed in consultation with an apprenticeship program sponsor.

SUMMARY OF THE AMENDMENTS TO H.R. 8294 IN PART B MADE IN ORDER

1. Beyer (VA), Pressley (MA): Ensures the accessibility of apprenticeship programs and promotes the inclusion of people with disabilities within those programs. (10 minutes)

2. Brown (MD): Requires at least one of the nine employers or association representatives on the National Advisory Committee on Apprenticeships must be from a women, minority, or veteran-owned business. (10 minutes)

3. Cárdenas (CA): Changes "an apprentice" to "a program participant" for a potential member of the national advisory committee on apprenticeships, which would make the committee inclusive of pre-apprentices and youth apprentices. (10 minutes)

4. Castro (TX): Adds "media and entertainment" to the list of non-traditional industries eligible for consideration when the Administrator is awarding grants, contracts, or cooperative agreements to expand program offerings in the national apprenticeship program. (10 minutes)

5. Crow (CO): Includes education occupations in the expansion of programs under the national apprenticeship system and ensures that individuals in these programs can access apprenticeship funds. (10 minutes)

6. Horsford (NV): Ensures adequate equity and opportunity in the national apprenticeship system. (10 minutes)

7. Kilmer (WA), Fitzpatrick (PA): Adds computer science as a nontraditional apprenticeship industry or occupation. (10 minutes)

8. Lamb (PA), Taylor (TX): Incorporates veterans into the underlying bill by: adding veterans service organizations (VSOs) to the list of partner organizations involved in the national apprenticeship system; adding VSOs to the entities that should be contacted for promoting and raising awareness about apprenticeship opportunities; and adding veterans' status as one of the demographic identifiers for reporting on apprenticeships under the bill. The revised version combines amendments 23, 24, and 25 into one amendment. (10 minutes)

9. Levin, Andy (MI): Any eligible entity applying for a title II grant should be partnering with a labor or joint labor-management organization, to the extent practicable. (10 minutes)

10. Meng (NY): Includes user-friendly formats and languages that are easily accessible in efforts to promote youth apprenticeships and greater diversity in national apprenticeship system. Includes the FCC under the Ex Officio nonvoting members section of the National Advisory Committee on Apprenticeships. (10 minutes)

11. Moore (WI): Makes a range of changes to strengthen efforts to ensure that low-income individuals and others with barriers to employment are able to participate in apprenticeships, including in fields where such groups are underrepresented. (10 minutes)

12. Pappas (NH): Allows for demonstration projects to provide for innovation in the national apprenticeship system, including activities responding to the COVID–19 public health emergency. (10 minutes)

13. Ryan (OH), Rice, Kathleen (NY): Adds "adult" education to the list with "secondary and postsecondary" education regarding

the grants for educational alignment with programs under the national apprenticeship system. (10 minutes)

14. Smith, Adam (WA), Langevin (RI): Allows pre-apprenticeship programs that receive grant funds under Title II to use funds to provide stipends to pre-apprentices for costs incurred during the pre-apprenticeship program such as housing, transportation, childcare, and other out-of-pocket expenses. (10 minutes)

15. Smucker (PA): Includes providing authority for additional programs of work-based learning, striking the establishment of the National Advisory Committee and interagency agreement, and providing additional flexibility for the state plan process. (10 minutes)

16. Stefanik (NY): Strikes the requirement that the Secretary must also approve an alternative time-based model that reflects industry standards and hazards of the occupation, leaving such approval at the discretion of the state registration agency. (10 minutes)

17. Titus (NV), Bilirakis (FL), Murphy, Stephanie (FL), Welch (VT), Norton (DC), Brown (MD), Panetta (CA), Peters (CA), Case (HI), Sablan (MP), Horsford (NV), Soto (FL), Lee, Susie (NV): Adds "hospitality and tourism" to the list of nontraditional apprenticeship industries that are eligible under the Modernizing the Apprenticeship System for the 21st Century Grants program. (10 minutes)

PART A—TEXT OF AMENDMENT TO H.R. 8294 CONSIDERED AS ADOPTED

Page 8, line 4, insert "of a State" after "Governor".

Page 8, beginning line 5, strike "joint" and all that follows through "management", and insert "joint labor-management".

Page 9, after line 21, insert the following new paragraph, and redesignate the succeeding paragraphs accordingly:

"(18) OUTLYING AREA.—The term 'outlying area' means American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands.

Page 11, beginning line 20, strike "The" and all that follows through "means" on line 21, and insert "The term 'partnerships described in subparagraph (B)' means".

Page 14, lines 7 through 8, strike "Career" and all that follows through "the", and insert "The".

Page 14, strike lines 18 through 20, and redesignate the succeeding subparagraphs accordingly.

Page 15, line 3, strike "programs" and insert "activities".

Page 15, line 4, insert "the Department of Housing and Urban Development, the Department of Defense, the Department of Commerce, the Department of Energy, the Department of Transportation, and" after "by".

Page 15, after line 19, insert the following new paragraph, and redesignate the succeeding paragraphs accordingly:

"(29) STATE.—The term 'State'—

"(A) has the meaning given such term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102); and

"(B) includes each of the outlying areas.

Page 17, line 22, strike "'State',".

Page 60, line 7, strike "and".

Page 60, line 17, strike the period at the end and insert "; and".

Page 60, after line 17, insert the following new subparagraph:

"(F) supporting the retention and completion of program participants in such programs, such as by assisting with the costs—

"(i) related to enrolling in such programs; or

"(ii) of assessments related to obtaining a recognized postsecondary credential.

Page 74, line 2, insert "(as defined in section 2)" after "means a State".

Page 74, strike lines 4 through 7, and redesignate the succeeding subparagraphs accordingly.

Page 80, line 19, strike "joint-labor management" and insert "joint labor-management".

Page 86, line 8, insert "a cumulative" after "less than".

Page 86, line 10, insert "from a nontraditional apprenticeship industry or occupation as of the date of the enactment of the National Apprenticeship Act of 2020" after "sponsor".

Page 90, lines 6 through 8, strike "sponsor that is reviewed and approved by the sponsor to the agreement with the sponsor of an apprenticeship program," and insert "sponsor of the pre-apprenticeship program that is developed in consultation with the sponsor of the apprenticeship program described in paragraph (2)(A),".

Page 97, line 3, strike "costs".

Page 97, line 4, strike "or related instruction" and insert ", related instruction, or assessment or licensure fees".

Page 98, lines 15 through 17, strike "methods" and all that follows through "agency." and insert "methods the program sponsor will use to report data describing outcomes associated with the program as required by the registration agency—

"(A) on an annual basis for any program sponsor with fewer than 5 program participants; or

"(B) on a quarterly basis for any program sponsor with 5 or more program participants.

Page 116, line 12, strike "and 112" and insert ", 112, 131, and 132".

Page 123, beginning line 7, strike "joint-labor management" and insert "joint labor-management".

Page 136, line 17, insert "assessment or licensure fees," after "equipment,".

Page 141, line 23, insert "or assessment or licensure fees" before "associated".

Page 142, line 22, strike "labor management" and insert "labor-management".

Page 144, line 17, insert ", assessment or licensure fees," before "or wages".

Page 145, line 17, insert ", assessment or licensure fees," before "or wages".

Page 146, line 20, insert ", assessment or licensure fees," before "or wages".

Page 147, line 11, insert ", assessment or licensure fees," before "or wages".

Page 151, line 9, strike "joint-labor management" and insert "joint labor-management".

PART B—TEXT OF AMENDMENTS TO H.R. 8294 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BEYER OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 94, strike lines 15 through 18 and insert the following:

"(3) The program provides—

"(A) all individuals with an equal opportunity to participate in the program as described in subparagraphs (B) and (C) of section 111(b)(7); and

"(B) materials that conform with accessibility standards under section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), such as materials that conform with the most recent Web Content Accessibility Guidelines."

Page 85, line 9, strike "and".

Page 85, line 12, strike the period and insert "; and".

Page 85, after line 12, insert the following:

"(v) where appropriate and to the extent practicable, incorporate the principles of universal design for learning under section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003)."

Page 115, beginning on line 9, strike "nontraditional" and all that follows through "participation" and insert "participation of nontraditional apprenticeship populations and individuals with barriers to employment, including individuals with disabilities,".

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2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROWN OF MARYLAND OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 35, after line 19, insert "(at least 1 of which represents a women, minority, or veteran-owned business)" after "program".

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3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CÁRDENAS OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 37, line 11, strike "an apprentice" and insert "a program participant".

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4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CASTRO OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 117, line 19, insert "media and entertainment," after "healthcare,".

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5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CROW OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 117, line 19, insert "education," after "health care,".

Page 118, line 22, insert ", elementary school, and secondary school" after "childhood".

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6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HORSFORD OF NEVADA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 11, beginning on line 7, strike "connecting" and all that follows through "system" and insert "supporting the recruitment, retention, and completion of potential program participants, including nontraditional apprenticeship populations and individuals with barriers to employment".

Page 29, line 2, insert "national qualified intermediaries, including those supporting increased participation of nontraditional apprenticeship populations and nontraditional apprenticeship industries or occupations," after "program participants,".

Page 37, strike lines 9 and 10, and insert the following:

"(VIII) a national qualified intermediary, including a national qualified intermediary that supports increased participation of nontraditional apprenticeship populations and nontraditional apprenticeship industries or occupations; and"

Page 77, line 13, insert "including minority serving institutions," after "postsecondary educational institutions,".

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7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KILMER OF WASHINGTON OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 117, line 18, insert "computer science," after "technology,".

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8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LAMB OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 12, line 9, strike "or".

Page 12, line 10, insert "or veterans-service organizations," after "partners,".

Page 21, line 9, insert "veterans-service organizations," after "facilities,"

Page 107, line 21, insert "veteran status," after "age,"

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9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEVIN OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 123, line 14, insert ", and partner with a labor or joint labor-management organization" after "partnership".

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10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MENG OF NEW YORK OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 23, line 17, insert before the period the following: ", in user-friendly formats and languages that are easily accessible, as determined by the Administrator".

Page 38, line 5, strike "and".

Page 38, line 6, strike the period and insert "; and".

Page 38, after line 6, insert the following:

"(xi) the Federal Communications Commission.".

Page 76, line 3, insert before the semicolon the following: ", and that are in user-friendly formats and languages that are easily accessible, as determined by the Secretaries".

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11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MOORE OF WISCONSIN OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 22, line 11, insert "developing the state plan in section 113(c)," after "including".

Page 22, line 12, insert a comma after "subtitle B".

Page 29, after line 24, insert the following:

"(E) NONTRADITIONAL APPRENTICESHIP POPULATIONS.—The Administrator shall regularly evaluate the participation of the nontraditional apprenticeship populations for each of the approved apprenticeable occupations, such as women, minorities, long-term unemployed, individuals with a disability, individuals with substance abuse issues, veterans, military spouses, individuals experiencing homelessness, individuals impacted by the criminal or juvenile justice system, and foster and former foster youth.

Page 30, line 10, strike "and" at the end.

Page 30, line 12, strike the period at the end and insert "; and".

Page 30, after line 12, insert the following:

"(D) require regular reports on the performance of state agencies, including on efforts state agencies make to increase employer awareness of apprenticeship programs for employers who have not participated.

Page 31, line 20, insert "low-income participants in related federal programs," after "disabilities".

Page 32, line 15, strike the period at the end and insert ", to better promote participation in the national apprenticeship program.".

Page 104, after line 15, insert the following: " and"

"(D) LIST OF DISAPPROVED PROGRAMS.—The registration agency shall maintain a list of programs that were disapproved which includes the reasons for each such disapproval and provide such list to the Administrator at least annually.

Page 114, line 21, strike "and" at the end.

Page 115, line 2, insert "and" at the end.

Page 115, after line 2, insert the following:

"(E) regularly assess the impact of apprenticeship programs under the national apprentice system in effectively increasing the participation of women, minorities, individuals with disabilities, long term unemployed, individuals impacted by the criminal and juvenile justice system, foster and former foster youth, and individuals with barriers to employment;

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12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PAPPAS OF NEW HAMPSHIRE OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 41, line 14, strike "and".

Page 41, line 24, strike the period and insert a "; and".

Page 41, after line 24, insert the following:

"(5) make recommendations on the development of demonstrations projects as described in section 132(f).

Page 116, after line 8, insert the following:

"(f) DEMONSTRATION AUTHORITY.—

"(1) IN GENERAL.—The Secretary is authorized to initiate demonstration projects, subject to the recommendation of two-thirds of the voting members of the Advisory Committee, such that each demonstration project—

"(A) is limited in size and scope;

"(B) has a duration of no more than 3 years;

"(C) is carried out in nontraditional apprenticeship industries or occupations; and

"(D) which may include activities that respond to the COVID–19 public health emergency.

"(2) LIMITATION ON FUNDING.—In initiating demonstration projects under subsection (a), the Secretary may not use more than $2,000,000 annually from the funding authorized under section 141(a).

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13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RYAN OF OHIO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 120, line 7, insert a comma after "secondary".

Page 120, line 8—

(1) strike "and"; and

(2) insert ", and adult" after "postsecondary".

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14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SMITH OF WASHINGTON OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 141, line 24, strike "or".

Page 141, after line 24, insert the following:

"(viii) providing stipends to pre-apprentices enrolled in a pre-apprenticeship program to cover costs such as housing, transportation, childcare or out of pocket expenses resulting from the pre-apprenticeship program such as assessments and fees for industry-recognized credentials or drivers licenses during the time of enrollment; or".

Page 142, line 1, strike "(viii)" and insert "(ix)".

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15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SMUCKER OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Strike sections 3 and 4, and insert the following:

SEC. 3. RULES AND REGULATIONS.

In accordance with chapter 5 of title 5, United States Code, the Secretary of Labor may prescribe rules and regulations to carry out this Act.

SEC. 4. AMENDMENT.

The Act of August 16, 1937 (commonly referred to as the "National Apprenticeship Act"; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) is amended to read as follows:

"SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

"(a) SHORT TITLE.—This Act may be cited as the 'National Apprenticeship Act'.

"(b) TABLE OF CONTENTS.—The table of contents 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.

"SEC. 2. PURPOSES.

"(a) AUTHORITY.—The purposes of this Act are to authorize and direct the Secretary of Labor to—

"(1) formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices;

"(2) extend the application of such standards by encouraging the inclusion thereof in contracts of apprenticeship (in this Act referred to as 'apprenticeship agreements');

"(3) bring together employers and labor for the formulation of programs of apprenticeship;

"(4) cooperate with State agencies engaged in the formulation and promotion of standards of apprenticeship; and

"(5) cooperate with the Secretary of Education.

"(b) ADDITIONAL PROGRAMS.—In carrying out the authority provided in subsection (a), the Secretary—

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

"(2) may establish and administer additional programs of work-based learning as the Secretary determines appropriate, which may include activities to respond to the COVID–19 public health emergency.

"SEC. 3. DEFINITIONS.

"In titles I and II:

"(1) APPRENTICE.—The term 'apprentice' means a program participant in an apprenticeship program.

"(2) APPRENTICESHIP AGREEMENT.—The term 'apprenticeship agreement' means a written agreement under 121 between—

"(A) an apprentice; and

"(B) a sponsor.

"(3) APPRENTICESHIP HUB.—The term 'apprenticeship hub' means a regional or sectoral qualified intermediary recognized by a State apprenticeship agency or a State Office of Apprenticeship as organizing and providing activities and services related to the development of programs under the national apprenticeship system.

"(4) APPRENTICEABLE OCCUPATION.—The term 'apprenticeable occupation' means an occupation that the Secretary has determined meets the requirements of section 121.

"(5) APPRENTICESHIP PROGRAM.—The term 'apprenticeship program' means a program that meets the standards described in section 121 and is registered under title I.

"(6) COMPETENCY.—The term 'competency' means the attainment of knowledge, skills, and abilities in a subject area.

"(7) DEPARTMENT.—The term 'Department' means the Department of Labor.

"(8) EDUCATION AND TRAINING PROVIDER.—The term 'education and training provider' means—

"(A) an area career and technical education school;

"(B) an early college high school;

"(C) an educational service agency;

"(D) a high school;

"(E) a local educational agency or State educational agency;

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

"(G) an institution of higher education;

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

"(I) a provider of adult education and literacy activities under the Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.);

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

"(K) a related instruction provider, as approved by a registration agency; or

"(L) a consortium of entities described in any of subparagraphs (A) through (K).

"(9) INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms 'Indian Tribe' and 'Tribal organization' have the meaning given the terms (without regard to capitalization) in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

"(10) INTERIM CREDENTIAL.—"The term 'interim credential' means a recognized post-secondary credential issued to an apprentice as certification of attainment of a competency necessary to receive a certificate of completion of an apprenticeship.

"(11) JOURNEYWORKER.—The term 'journeyworker' means a worker who has attained a level of skill, abilities, and com-

petencies recognized within an industry as having mastered the skills and competencies required for the occupation.

"(12) NATIONAL APPRENTICESHIP SYSTEM.—The term 'national apprenticeship system' means the apprenticeship programs, youth apprenticeship programs, and pre-apprenticeship programs that meet the requirements of title I.

"(13) UNDER-REPRESENTED APPRENTICESHIP POPULATION.—The term 'under-represented apprenticeship population' means a group of individuals (such as a group of individuals from the same gender or race) the members of which comprise fewer than 25 percent of the individuals participating in a program under the national apprenticeship system.

"(14) NONTRADITIONAL APPRENTICESHIP INDUSTRY OR OCCUPATION.—The term 'nontraditional apprenticeship industry or occupation' refers to an industry sector or occupation for which there are fewer than 10 percent of all apprentices in all industries or occupations participating.

"(15) PROGRAM PARTICIPANT.—The term 'program participant' means an apprentice, a pre-apprentice, or a youth apprentice.

"(16) QUALIFIED INTERMEDIARY.—

"(A) IN GENERAL.—The term 'qualified intermediary' means an entity that demonstrates expertise in building, connecting, sustaining, and measuring the performance of partnerships described in subparagraph (B) and serves program participants and employers by—

"(i) connecting employers to programs under the national apprenticeship system;

"(ii) assisting in the design and implementation of such programs, including curriculum development and delivery for related instruction;

"(iii) supporting entities, sponsors, or program administrators in meeting the registration and reporting requirements of this Act;

"(iv) providing professional development activities;

"(v) connecting students or workers to programs under the national apprenticeship system;

"(vi) developing and providing personalized program participant supports, including by partnering with organizations to provide access to or referrals for supportive services and financial advising;

"(vii) providing services, resources, and supports for development, delivery, expansion, or improvement of programs under the national apprenticeship system; or

"(viii) serving as a program sponsor.

"(B) PARTNERSHIPS.—The partnerships described in subparagraph (A) means partnerships among entities involved in programs under the national apprenticeship system, including—

"(i) industry or sector partnerships;

"(ii) partnerships among employers, joint labor-management organizations, labor organizations, community-based organizations, State or local workforce development boards, education and training providers, social service organizations, economic development or-

ganizations, Indian Tribes or Tribal organizations, or one-stop operators, or one-stop partners, in the State workforce development system; or

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

"(17) REGISTRATION AGENCY.—The term 'registration agency' means the Office of Apprenticeship, a State Office of Apprenticeship or State apprenticeship agency that is responsible for—

"(A) approving or denying applications from sponsors for registration of programs under the national apprenticeship system in the State or area covered by the registration agency; and

"(B) carrying out the responsibilities of supporting the youth apprenticeship, pre-apprenticeship, or apprenticeship programs registered by the registration agency, in accordance with section 121.

"(18) RELATED INSTRUCTION.—The term 'related instruction' means an organized and systematic form of instruction that meets the requirements of section 121.

"(19) RELATED FEDERAL PROGRAMS.—The term 'related Federal programs' means programs or activities under the following:

"(A) The Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

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

"(C) The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

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

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

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

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

"(H) Career and technical education programs at the postsecondary level under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

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

"(J) Chapter 41 of title 38, United States Code.

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

"(L) Employment and training activities carried out by the Department of Housing and Urban Development.

"(M) State unemployment compensation laws (in accordance with applicable Federal law).

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

"(O) Part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

"(P) Employment and training programs carried out by the Small Business Administration.

"(Q) Section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)).

"(20) SECRETARY.—The term 'Secretary' means the Secretary of Labor.

"(21) SPONSOR.—The term 'sponsor' means an employer, joint labor-management organization, trade association, professional association, labor organization, education and training provider, or qualified intermediary that is applying to administer and operate, a program under the national apprenticeship system.

"(22) STATE APPRENTICESHIP AGENCY.—The term 'State apprenticeship agency' means a State agency recognized as a State apprenticeship agency under section 112.

"(23) STATE APPRENTICESHIP COUNCIL.—The term 'State apprenticeship council' means an entity established under section 113(b)(3) to assist the State apprenticeship agency.

"(24) STATE OFFICE OF APPRENTICESHIP.—The term 'State office of apprenticeship' means the office designated by the Secretary to administer programs under the national apprenticeship system in such State and meets the requirements of section 111(b)(4).

"(25) STATE OR LOCAL WORKFORCE DEVELOPMENT BOARDS.—The terms 'State workforce development board' and 'local workforce development board' have the meanings given the terms 'State board' and 'local board', respectively, in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

"(26) STATE WORKFORCE AGENCY.—The terms 'State workforce agency' means the State agency with responsibility for workforce investment activities under chapters 2 and 3 of subtitle B of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3121 et seq., 3131 et seq.).

"(27) CTE TERMS.—The terms 'area career and technical education school', 'articulation agreement', 'credit transfer agreement', 'postsecondary educational institution', and 'work-based learning' have the meanings given in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

"(28) ESEA TERMS.—The terms 'dual or concurrent enrollment program', 'early college high school', 'education service agency', 'high school', 'local educational agency', 'paraprofessional', and 'State educational agency' have the meanings given in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

"(29) WIOA TERMS.—The terms 'career pathway', 'in-demand industry sector or occupation', 'individual with a barrier to employment', 'institution of higher education', 'industry or sector partnership', 'labor market area', 'local area', 'recognized postsecondary credential', 'one-stop center', 'one-stop operator', 'one-stop partner', 'State', 'supportive services' and 'workforce development system' have the meanings given in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

"SEC. 4. TRANSITION PROVISIONS.

"The Secretary shall take such actions as the Secretary determines to be appropriate to provide for the orderly transition to the authority of this Act (as amended by the National Apprenticeship

Act of 2020) from any authority under the Act of August 16, 1937 (commonly referred to as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.), as in effect on the day before the date of enactment of the National Apprenticeship Act of 2020. In accordance with chapter 5 of title 5, United States Code, the Secretary may prescribe rules and regulations to carry out this Act.

"SEC. 5. DISAGGREGATION OF DATA.

"The disaggregation of data under this Act shall not be required when the number of program participants in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about a program participant or would reveal such information when combined with other released information.

"TITLE I—PROMOTING APPRENTICESHIPS

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

"SEC. 111. THE OFFICE OF APPRENTICESHIP.

"(a) RESPONSIBILITIES.—The Secretary shall be responsible for the administration of this Act and such functions affecting the national apprenticeship system as the Secretary shall delegate, which shall include the following:

"(1) APPRENTICESHIP DEVELOPMENT AND EXPANSION.—The Secretary is authorized to carry out promotion and awareness activities, including the following:

"(A) Supporting the development or scaling of apprenticeship models nationally, promoting the effectiveness of youth apprenticeship, pre-apprenticeship, and apprenticeship programs, and providing promotional materials to, among others, State apprenticeship agencies, State and local workforce development systems, State educational agencies, employers, trade associations, professional associations, industry groups, labor organizations, joint labor-management organizations, education and training providers, and prospective apprentices in such programs.

"(B) Promoting greater diversity in the national apprenticeship system in underrepresented apprenticeship populations, and nontraditional apprenticeship industries and occupations, including by—

"(i) promoting outreach to underrepresented apprenticeship populations;

"(ii) engaging minority-serving institutions, and employers from nontraditional apprenticeship industries or occupations; and

"(iii) engaging small, medium-size, and minority businesses, and employers in high-skill, high-wage, and in-demand industry sectors and occupations that

are nontraditional apprenticeship industries or occupations.

"(2) TECHNICAL ASSISTANCE ACTIVITIES.—The Secretary shall—

"(A) provide technical assistance and disseminate best practices as applicable to employers, sponsors, State apprenticeship agencies, qualified intermediaries, education and training or related instruction providers, or other entities; and

"(B) cooperate with the—

"(i) Secretary of Education on establishing and sharing best practices for the alignment of apprenticeship programs with the education system, including supporting the stackability and portability of academic credit and credentials earned as part of such programs; and

"(ii) State workforce development systems to promote awareness of opportunities under the national apprenticeship system.

"(3) STATE OFFICES OF APPRENTICESHIP.—

"(A) ESTABLISHMENT OF OFFICES.—

"(i) IN GENERAL.—The Secretary, at the request of a State described in clause (ii), shall establish and operate State Offices of Apprenticeship to serve as the registration agency for a State described in clause (ii).

"(ii) APPLICABLE STATES.—An applicable State is a State—

"(I) in which, as of the day before the date of enactment of the National Apprenticeship Act of 2020, the Secretary has not—

"(aa) established a State Office of Apprenticeship; and

"(bb) is not recognized a State apprenticeship agency under section 112; and

"(II) submits the request described in clause (i).

"(B) VACANCIES.—Subject to the availability of appropriations, in the case of a State Office of Apprenticeship with a vacant position, the Secretary shall—

"(i) make publicly available information on such vacancy; and

"(ii) report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, on the status and length of such vacancy if such vacancy is not filled not later than 90 days after such position has become vacant.

"(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to prohibit any State described in subparagraph (A)(ii) from establishing an agency or entity to promote programs under the national apprenticeship system in such State, in coordination with the State Office of Apprenticeship operating in the State, however, such agency or entity may not serve as the registration agency in such State unless it obtains recognition pursuant to section 112.

"(4) QUALITY STANDARDS, APPRENTICESHIP AGREEMENT, AND REGISTRATION REVIEW.—In order for the Secretary to support the performance standards of programs under the national apprenticeship system and to extend the application of such standards in apprenticeship agreements, not later than 1 year after the effective date of the National Apprenticeship Act of 2020, and not less than every 5 years thereafter, the Secretary shall review, and where appropriate, update the process for meeting the requirements of subtitle B, including applicable regulations and subregulatory guidance to ensure that such process is easily accessible and efficient to bring together employers and labor as sponsors or potential sponsors of programs under the national apprenticeship system.

"(5) APPRENTICEABLE OCCUPATIONS.—

"(A) PROACTIVELY APPROVED OCCUPATIONS.—Not later than 1 year after the date of enactment of the National Apprenticeship Act of 2020, the Secretary shall develop regulations outlining a process for proactively establishing and approving standards for apprenticeable occupations in consultation with industry.

"(B) EXISTING APPRENTICEABLE OCCUPATIONS.—In consultation with employers, the Secretary shall regularly review and update the requirements for each apprenticeable occupation to ensure that such requirements are in compliance with requirements under this Act, meet the needs of employers in such occupation, and promote the participation of small businesses.

"(C) NEW APPRENTICEABLE OCCUPATION.—

"(i) IN GENERAL.—The Secretary shall review and make a determination on whether to approve an occupation as an apprenticeable occupation not later than 45 days after receiving an application from a person or current or prospective program sponsor seeking such approval from the Secretary.

"(ii) ESTIMATED TIMELINE.—If such determination is not made within 45 days, the Secretary shall provide the applicant with a written explanation for the delay and offer an estimated timeline for a determination.

"(D) INDUSTRY RECOGNIZED OCCUPATIONAL STANDARDS.—

"(i) IN GENERAL.—From the funds appropriated under section 141(a), the Secretary shall convene, on an ongoing basis, the industry sector leaders and experts described in clause (ii) for the purposes of establishing or updating specific frameworks of industry recognized occupational standards for apprenticeable occupations (including potential apprenticeable occupations) that—

"(I) meet the requirements of this Act; and

"(II) describe program scope and length, related instruction, on-the-job training, recognized postsecondary credentials, and competencies, and relevant timelines for review of such frameworks.

"(ii) INDUSTRY SECTOR LEADERS AND EXPERTS.—The sector leaders and experts are employers, industry associations, joint labor-management organizations,

labor organizations, education and training providers, credential providers, program participants, and other stakeholders relevant to the sector or occupation for which the frameworks are being established or updated, as determined by the Secretary.

"(iii) PRIORITY INDUSTRY RECOGNIZED APPRENTICEABLE OCCUPATIONS.—In establishing frameworks under clause (i) for the first time after the effective date of the National Apprenticeship Act of 2020, the Secretary shall prioritize the establishment of such standards in high-skill, high-wage, or in-demand industry sectors and occupations.

"(6) PROGRAM OVERSIGHT AND EVALUATION.—The Secretary shall monitor State apprenticeship agencies and State Offices of Apprenticeship.

"(7) PROMOTING DIVERSITY IN THE NATIONAL APPRENTICESHIP SYSTEM.—The Secretary shall promote diversity and ensure equal opportunity to participate in programs for apprentices, youth apprentices, and pre-apprentices, including—

"(A) taking steps necessary to promote diversity in apprenticeable occupations under the national apprenticeship system, especially in high-skill, high-wage, or in-demand industry sectors and occupations in areas with high percentages of low-income individuals; and

"(B) ensuring programs under the national apprenticeship system adopt and implement policies to provide for equal opportunity to participate in programs under the national apprenticeship system and do not engage in discrimination as prohibited by section 30.3(a) of title 29, Code of Federal Regulations (as in effect on the day before the date of enactment of the National Apprenticeship Act of 2020), or engage in intimidation or retaliation as prohibited by section 30.17 of title 29, Code of Federal Regulations (as in effect on the day before the date of enactment of the National Apprenticeship Act of 2020).

"(8) GRANTS AWARDS.—The Secretary shall award grants under title II.

"(9) COORDINATION.—The Secretary shall coordinate and align programs under the national apprenticeship system with related Federal programs.

"(b) INFORMATION COLLECTION AND DISSEMINATION.—The Secretary shall provide for data collection and dissemination of information regarding programs under the national apprenticeship system, including—

"(1) establishing and supporting a single information technology infrastructure to support data collection and reporting from State apprenticeship agencies, State Offices of Apprenticeship, grantees under title II, program sponsors, and program administrators under the national apprenticeship system by providing for a data infrastructure that—

"(A) is developed and maintained by the Secretary, with input from national data and privacy experts, and is informed by best practices related to credential transparency; and

"(B) best meets the needs of the national apprenticeship system stakeholders reporting data to the Secretary or State apprenticeship agencies; and

"(2) making nonpersonally identifiable apprenticeship data publicly available, searchable, and comparable so that interested parties can become aware of apprenticeship opportunities and of program outcomes that best meets the needs of youth apprentices, pre-apprentices, and apprentices, employers, education and training providers, program sponsors, and relevant stakeholders, including—

"(A) information on program offerings under the national apprenticeship system based on geographical location and apprenticeable occupation;

"(B) information on education and training providers providing opportunities under such system, including whether programs under such system offer dual or concurrent enrollment programs and articulation agreements;

"(C) information about the educational and occupational credentials and related competencies of programs under such system; and

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

"SEC. 112. STATE APPRENTICESHIP AGENCIES AND STATE OFFICES OF APPRENTICESHIP.

"(a) RECOGNITION OF STATE APPRENTICESHIP AGENCIES.—

"(1) IN GENERAL.—The Secretary shall recognize a State agency as a State apprenticeship agency in accordance with this section and cooperate with such State apprenticeship agency regarding the formulation and promotion of standards of apprenticeship under subtitle B.

"(2) APPLICATION.—For a State desiring to have a State agency recognized as a State apprenticeship agency under this section, the Governor shall submit the State plan described in subsection (c)—

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

"(B) to the State workforce board for inclusion in the the State plan under section 102 or 103 of the Workforce Innovation and Opportunity Act (20 U.S.C. 3112, 3113).

"(3) REVIEW AND RECOGNITION.—

"(A) IN GENERAL.—Not later than 90 days after the date on which a State submits the State plan under paragraph (2), the Secretary shall notify the State regarding whether the agency of the State is recognized as a State apprenticeship agency under this section.

"(B) DURATION OF RECOGNITION.—

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

"(ii) NOTIFICATION.—

"(I) IN GENERAL.—The Secretary shall notify a State apprenticeship agency not later than 180 days before the last day of the 4-year period re-

garding whether the State apprenticeship agency is in compliance with this section.

"(II) COMPLIANCE.—In the case of a State apprenticeship agency that is in compliance with this section, the agency's recognition under this section shall be renewed for an additional 4-year period and the notification under subclause (I) shall include notification of such renewal.

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

"(aa) specify the areas of noncompliance;

"(bb) require corrective action; and

"(cc) offer technical assistance.

"(iii) RENEWAL AFTER CORRECTION.—If the Secretary determines that a State apprenticeship agency has corrected the identified areas of noncompliance under this subparagraph not later than 180 days of notification of noncompliance, the State apprenticeship agency's recognition under this section shall be renewed for an additional 4-year period.

"(C) TRANSITION PERIOD FOR STATE AGENCIES.—

"(i) TRANSITION.—A State agency that, as of the day before the date of enactment of the National Apprenticeship Act of 2020, was recognized by the Secretary for purposes of registering apprenticeship programs in accordance with the Act of August 16, 1937 (50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.), shall continue to be recognized for 1 year after the effective date of the National Apprenticeship Act of 2020.

"(ii) APPLICATION FOR RECOGNITION.—Not later than 1 year after the effective date of the National Apprenticeship Act of 2020, a State agency that, as of the day before the date of enactment of the National Apprenticeship Act of 2020, was recognized by the Secretary for purposes of registering apprenticeship programs in accordance with the Act of August 16, 1937 (50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.), shall submit an application under paragraph (2).

"(iii) RECOGNITION PERIOD.—A State agency described in clause (ii) shall be recognized as a State apprenticeship agency under this section for a 4-year period beginning on the date on which the Secretary approves the application submitted by the State agency under paragraph (2).

"(b) AUTHORITY OF A STATE APPRENTICESHIP AGENCY.—

"(1) IN GENERAL.—For the period during which a State apprenticeship agency is recognized under subsection (a) and to maintain such recognition, the State apprenticeship agency shall carry out the requirements of this Act.

"(2) PROGRAM RECOGNITION.—With respect to a State with a State apprenticeship agency, the State apprenticeship agency shall have sole authority to recognize a pre-apprenticeship, youth apprenticeship, or apprenticeship program in such State, which shall include—

"(A) determining whether such program is in compliance with the standards for such program under section 121;

"(B) in the case of such a program that is in compliance with such standards, recognizing the program and providing a certificate of recognition for such program;

"(C) providing technical assistance to current or potential sponsors; and

"(D) in the case of such a program that fails to meet the requirements of this Act, providing for the withdrawal of recognition of the program in accordance with section 131(b).

"(3) STATE APPRENTICESHIP COUNCIL.—

"(A) IN GENERAL.—A State apprenticeship agency may establish and use or continue the use of a State apprenticeship council if the State apprenticeship council operates, or will operate, under the direction of the State apprenticeship agency, and in compliance with the requirements of this Act. The State apprenticeship council shall not have authority to register programs or otherwise control or direct the operations of the State apprenticeship agency.

"(B) COMPOSITION.—A State apprenticeship council may be regulatory or advisory in nature, and shall—

"(i) be composed of persons familiar with apprenticeable occupations; and

"(ii) be fairly balanced, with an equal number of—

"(I) representatives of employer organizations (including from nontraditional apprenticeship industries or occupations);

"(II) representatives of labor organizations or joint labor-management organizations (including from nontraditional apprenticeship industries or occupations); and

"(III) public members.

"(C) SPECIAL RULE.—A State apprenticeship council shall not be eligible for recognition as a State apprenticeship agency.

"(c) STATE PLAN.—

"(1) IN GENERAL.—

"(A) IN GENERAL.—For a state apprenticeship agency to be eligible to receive allotments under subsection (f), the State shall submit to the Secretary a State plan in accordance with subsection (a)(2).

"(B) SUBSEQUENT PLANS.—

"(i) IN GENERAL.—Except as otherwise provided in this paragraph, a State plan shall be submitted to the Secretary not later than 120 days prior to the end of the 4-year period covered by the preceding State plan.

"(ii) APPROVAL.—A State plan shall be subject to the approval of the Secretary and shall be considered to be approved at the end of the 90-day period beginning on the date that the plan is submitted under this paragraph, unless the Secretary, during the 90-day period, provides the State apprenticeship agency, in writing—

"(I) an explanation for why the State plan is inconsistent with the requirements of this Act; and

"(II) an opportunity for an appeal of such determination.

"(C) MODIFICATIONS.—

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

"(ii) APPROVAL.—A modified State plan submitted for review under clause (i) shall be subject to the approval requirements described in subparagraph (B)(ii).

"(2) STATE LAWS.—The State plan shall include—

"(A) a description of any laws (including regulations), policies, and operational procedures relating to the process of recognizing programs under the national apprenticeship system that are inconsistent with, or impose requirements in addition to, the requirements of this Act; and

"(B) an assurance that the State will notify the Secretary if there are any changes to the State laws (including regulations), policies, or procedures described in subparagraph (A) that occur after the date of submission of such plan.

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

"(A) potential sponsors, employers, qualified intermediaries, apprentices, or any potential program participant in the national apprenticeship system in the State for the purposes of recruitment, retention, and program development or expansion; and

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

"(4) RECIPROCITY.—An assurance that the State apprenticeship agency, in the case of a program recognized by a registration agency in another State and seeking registration in the State of such agency under this paragraph, shall recognize such program in the State of such agency for purposes of this Act by not later than 30 days after receipt of an application for such recognition.

"(5) PROMOTING DIVERSITY IN THE NATIONAL APPRENTICESHIP SYSTEM.—A description of how the State apprenticeship agency will promote diversity and equal employment opportunity in programs under the national apprenticeship system in the State that—

"(A) promotes diversity in apprenticeable occupations offered throughout the State, and a description of how such agency will promote the addition of apprenticeable occupations in high-skill, high-wage, or in-demand industry sectors and occupations, and in nontraditional apprenticeship occupations and sectors; and

"(B) provides technical assistance on the implementation of the requirements of section 111(b)(7)(B).

"(6) COMPLAINTS.—A description of the system for the State apprenticeship agency to receive and resolve complaints concerning violations of the apprenticeship agreement, submitted by program participants, sponsors, or employers.

"(7) STATE APPRENTICESHIP HUBS.—A description of how the State apprenticeship agency will consider the creation and implementation of apprenticeship hubs throughout the State, in a manner that takes into consideration geographic diversity, that shall work with industry and sector partnerships to expand programs under the national apprenticeship system, and apprenticeable occupations, in the State.

"(8) STATE APPRENTICESHIP PERFORMANCE OUTCOMES.—A description of how the State apprenticeship agency shall—

"(A) in coordination with the Secretary, establish annual performance goals for the programs registered by the State apprenticeship agency for the indicators described in section 131(b)(1)(A);

"(B) describe how the State apprenticeship agency will collect performance data from programs registered by the agency; and

"(C) annually report on the outcomes of each such program in relation to the State established goals under subparagraph (A).

"(10) ALIGNMENT OF WORKFORCE ACTIVITIES.—Each State plan shall describe how programs under the national apprenticeship system in the State are aligned with State workforce and education activities.

"(11) STATE APPRENTICESHIP COUNCIL.—A description of the composition, roles, and responsibility of the State apprenticeship council, if such council exists, and how the Council will comply with the requirements of subsection (b)(3).

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

"(1) PROGRAM ADMINISTRATION.—The State apprenticeship agency shall use such funds to support the administration of programs under the national apprenticeship system across the State, including for—

"(A) staff and resources;

"(B) oversight and evaluation as required under this Act;

"(C) technical assistance to program sponsors, program participants, employers, education and training providers, and qualified intermediaries;

"(D) pre-apprenticeship, youth, and apprenticeship program recruitment and development, including for—

"(i) engaging potential providers of such programs such as employers, qualified intermediaries, related instruction providers, and potential program participants;

"(ii) publicizing apprenticeship opportunities and benefits; and

"(iii) engaging State workforce and education systems for collaboration and alignment across systems; and

"(E) supporting the enrollment and apprenticeship certification requirements to allow veterans and other individuals eligible for the educational assistance programs under chapters 30 through 36 of title 38, United States Code, and any related educational assistance programs under laws administered by the Secretary of Veterans Affairs, to use such assistance for the apprenticeship program, including the requirement of designating a certifying official.

"(2) LEADERSHIP ACTIVITIES.—

"(A) IN GENERAL.—A State apprenticeship agency may reserve not more than 25 percent of the funds received under subsection (f) in support of State apprenticeship initiatives described in this paragraph.

"(B) DIVERSITY.—Not less than 5 percent of the amount reserved under subparagraph (A) shall be used by the State apprenticeship agency for supporting and expanding diversity in apprenticeable occupations under the national apprenticeship system in the State, and program participant populations in the State.

"(C) INCENTIVES FOR EMPLOYERS.—A State apprenticeship agency may use the funds reserved under subparagraph (A) to incentivize employers to participate in programs under the national apprenticeship system.

"(D) STATE-SPECIFIC INITIATIVES.—A State apprenticeship agency may use the funds reserved under subparagraph (A) for State-specific initiatives, such as the development or expansion of youth apprenticeship programs, preapprenticeship programs, or apprenticeship programs in high-skill, high-wage, or in-demand industry sectors and occupations.

"(E) WORKFORCE ALIGNMENT.—A State apprenticeship agency may use the funds reserved under subparagraph (A) to engage with the State's workforce development system in support of alignment with the State's workforce activities and strategic vision.

"(F) EDUCATION ALIGNMENT.—A State apprenticeship agency may use the funds reserved under subparagraph (A) to engage with the State education system in support of alignment of related instruction provided under the national apprenticeship system in the State with academic credit granting postsecondary programs.

"(3) STATE MATCH FOR FEDERAL INVESTMENT.—Except in the case of exceptional circumstances, as determined by the Secretary, in order to receive a full allotment under subsection (f), a State apprenticeship agency shall use matching funds from non-Federal resources to carry out the activities of the agency under this Act in an amount not less than 15 percent of such allotment.

"(e) DERECOGNITION OF STATE APPRENTICESHIP AGENCIES.—

"(1) IN GENERAL.—The Secretary may withdraw recognition of a State apprenticeship agency before the end of the agency's 4-year recognition period under subsection (a)(2)(B) if the Secretary determines, after notice and an opportunity for a hearing, that the State apprenticeship agency has failed for one of

the reasons described in paragraph (2), and has not been in compliance with the performance improvement plan under paragraph (3) to remedy such failure.

"(2) DERECOGNITION CRITERIA.—The recognition of a State apprenticeship agency under this section may be withdrawn under paragraph (1) in a case in which the State apprenticeship agency fails to—

"(A) adopt or properly enforce a State plan;

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

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

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

"(E) otherwise fulfill or operate in compliance with the requirements of this Act.

"(3) DERECOGNITION PROCESS.—

"(A) IN GENERAL.—If a State apprenticeship agency fails for any of the reasons described in paragraph (2), the Secretary shall provide technical assistance to such agency for corrective action to remedy such failure, including assistance in the development of a performance improvement plan.

"(B) REDUCTION OF FUNDS.—Except in the case of exceptional circumstances as determined by the Secretary, in a case in which such a State apprenticeship agency continues such failure after the provision of the technical assistance under subparagraph (A)—

"(i) the percentage of the funds to be allotted to the State apprenticeship agency under subsection (f) for each fiscal year following the fiscal year in which such failure has been identified shall be reduced by 5 percentage points; and

"(ii) the Secretary shall provide notice to the State apprenticeship agency that the agency's recognition under this section may be withdrawn if the agency fails to remedy the failure.

"(C) TERMINATION OF PROCEEDINGS.—If the Secretary determines that the State apprenticeship agency's corrective action under subparagraph (A) has addressed the agency's failure identified under paragraph (2), the Secretary shall—

"(i) restore the agency's full funding allocation under this title for the next full fiscal year and for each succeeding year; and

"(ii) notify the State apprenticeship agency that the agency's recognition will not be withdrawn under this section for the reason for which the agency's funding under this title was most recently reduced.

"(D) OPPORTUNITY FOR HEARING.—

"(i) IN GENERAL.—In a case in which a State apprenticeship agency fails to remedy a failure identified under paragraph (2), the Secretary shall—

"(I) notify, in writing, the State apprenticeship agency of the failure of the State apprenticeship agency, including a description of such failure and an explanation the agency's recognition under this section may be withdrawn as a result of such failure; and

"(II) offer the State apprenticeship agency an opportunity to request a hearing not later than 30 days after the date of such notice.

"(ii) REFERRAL TO OFFICE OF ADMINISTRATIVE LAW JUDGES.—In a case in which the State apprenticeship agency requests a hearing under clause (i)(II), the Secretary shall refer the matter to the Department's Office of Administrative Law Judges, which shall adjudicate the matter pursuant to its regulations, with an opportunity to appeal the Administrative Law Judge's decision to the Department's Administrative Review Board.

"(4) REQUIREMENTS AFTER WITHDRAWAL OF RECOGNITION.—

"(A) OFFICE OF APPRENTICESHIP.—

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

"(I) establish a State Office of Apprenticeship using the process described in section 111(b)(3); and

"(II) provide to the State apprenticeship agency an order withdrawing recognition of such agency under this section.

"(ii) AFTER ORDER.—Not later than 30 days after the date of such order, notify the sponsors of the programs under the national apprenticeship system in such State that were registered with the State apprenticeship agency to enable each such sponsor to be registered with the Secretary (acting through the State Office of Apprenticeship established under clause (i)(II)).

"(B) STATE APPRENTICESHIP AGENCY REQUIREMENTS.—A State agency whose recognition as a State apprenticeship agency under this section has been withdrawn under paragraph (3) shall—

"(i) provide to the Secretary program standards, apprenticeship agreements, completion records, cancellation and suspension records, performance metrics, and any other documents relating to the State's programs under the national apprenticeship system in the State;

"(ii) cooperate fully during the transition period beginning on the date of the order withdrawing such recognition and ending on the date on which the Secretary establishes a State Office of Apprenticeship in the State; and

"(iii) return any unused funds received under this Act.

"(5) REINSTATEMENT OF RECOGNITION.—A State apprenticeship agency that has had its recognition withdrawn under this

section may have such recognition reinstated upon presentation of adequate evidence that the State apprenticeship agency has—

"(A) has submitted an application under subsection (a)(2), and

"(B) has demonstrated the ability to operate in compliance with the requirements of this Act.

"(f) RESERVATION AND STATE ALLOTMENTS.—

"(1) STATE ALLOTMENTS.—

"(A) IN GENERAL.—Of the amount appropriated under subsection (g) for a fiscal year—

"(i) 1/3 shall be equally distributed among each State Office of Apprenticeship, outlying area, and eligible State; and

"(ii) 2/3 shall be allotted to eligible States on the basis described in subparagraph (B).

"(B) FORMULA.—

"(i) IN GENERAL.—Of the amount available under subparagraph (A)(ii)—

"(I) 50 percent shall be allotted on the basis of the relative share of apprentices in each eligible State, as determined on the basis of the most recent satisfactory data available from the Secretary, compared to the total number of apprentices in all eligible States; and

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

"(ii) ALLOTMENTS.—Of the amount available under clause (i)(II)—

"(I) 33⅓ percent shall be allotted on the basis of the relative share of jobs that are available in each eligible State on the last business day of the month, as determined on the basis of the most recent satisfactory data available from the Secretary, compared to the total number of jobs available in all eligible States, as so determined; and

"(II) 33⅓ percent shall be allotted the basis of the relative number of unemployed individuals in areas of substantial unemployment in each State, compared to the total number of unemployed individuals in areas of substantial unemployment in all eligible States; and

"(III) 33⅓ percent shall be allotted on the basis of the relative share of individuals in the civilian labor force in each eligible State, compared to the total number of individuals in the civilian labor force in all eligible States.

"(2) DEFINITIONS.—In this subsection:

"(A) AREA OF SUBSTANTIAL UNEMPLOYMENT.—The term 'area of substantial unemployment' has the meaning given the term in section 132(b)(1)(B)(v) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3172(b)(1)(B)(v)).

"(B) ELIGIBLE STATE.—The term 'eligible State' means a State that has a State apprenticeship agency.

"(C) OUTLYING AREA.—The term 'outlying area' means American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands.

"(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

"(1) $75,000,000 for fiscal year 2021;
"(2) $76,000,000 for fiscal year 2022;
"(3) $77,000,000 for fiscal year 2023;
"(4) $78,000,000 for fiscal year 2024; and
"(5) $79,000,000 for fiscal year 2025.

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

"SEC. 121. PROCESS AND STANDARDS.

"(a) APPRENTICESHIP.—

"(1) APPROVAL.—For an occupation to be an apprenticeable occupation under this Act, an entity seeking approval for such occupation to be an apprenticeable occupation shall submit an application to the Secretary that demonstrates that apprenticeships under such apprenticeable occupation will prepare individuals for the full range of skills and competencies needed for such occupation through a time-based, competency-based, or a hybrid model as described in section 121(b)(1)(D).

"(2) ADDITIONAL APPRENTICEABLE OCCUPATIONS.—The Secretary, in consultation with employers and other stakeholders in related industries, may establish standards for additional apprenticeable occupations as necessary.

"(b) APPRENTICESHIP PROGRAM STANDARDS.—In addition to the standards described in subsection (e), an apprenticeship program shall meet the following standards:

"(1) The program has an organized and clearly written plan, developed by the sponsor, that includes, at a minimum, the following information:

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

"(i) an outline of the work processes or the plan in which the apprentice will receive supervised work experience and on-the-job learning;

"(ii) the allocation of the approximate amount of time to be spent in each major work process; and

"(iii) a description or timeline explaining the periodic reviews and evaluations of the apprentice's performance on the job and in related instruction.

"(B) A description of the organized, related instruction the apprentice will receive in technical subjects related to the occupation, which—

"(i) for time-based or hybrid apprenticeship programs as described in subparagraph (D), shall include not less than 144 hours for each year of apprenticeship, unless an alternative requirement is put forth by the employer and sponsor that reflects industry standards and is accepted by the registration agency;

"(ii) may be accomplished through classroom instruction, occupational or industry courses, instruction provided through electronic media, or other instruction approved by the registration agency; and

"(iii) shall be provided by one or more qualified instructors that—

"(I) meet the requirements for a vocational-technical instructor in the State of registration; or

"(II) are subject matter experts, defined for purposes of this subparagraph as individuals recognized within an industry as having expertise in a specific occupation.

"(C) A progressively increasing, clearly defined schedule of wages to be paid to the apprentice that is—

"(i) consistent with skill gains or attainment of a recognized postsecondary credential; and

"(ii) ensures the entry wage is not less than the greater of—

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

"(II) the applicable wage required by other applicable Federal or State laws (including regulations) or collective bargaining agreements.

"(D) The term of the apprenticeship program, which may be measured using—

"(i) a time-based model, which requires the completion of the industry standard for on-the-job learning hours (which in no case shall be less than 2,000 hours, unless an alternative requirement is put forth by the employer and sponsor that reflects industry standards and is accepted by the registration agency);

"(ii) a competency-based model, which requires the attainment of competency in the occupation; or

"(iii) a hybrid model, which blends the time-based and competency-based approaches.

"(E) The methods used to measure an apprentice's skills and competencies, which shall include—

"(i) in the case of a competency-based model, the individual apprentice's successful demonstration of acquired skills and knowledge through appropriate means of testing and evaluation for such competencies, and by requiring apprentices to complete a paid on-the-job learning component of the apprenticeship;

"(ii) in the case of a time-based apprenticeship described in subparagraph (D)(i), the individual apprentice's completion of the required hours of on-the-job learning as described in a work process schedule; or

"(iii) in the case of a hybrid apprenticeship described in subparagraph (D)(iii), a combination of specified minimum number of hours of on-the-job learning and the successful demonstration of competency, as described in a work process schedule.

"(2) The program equally grants advanced standing or credit to all individuals applying for the apprenticeship with demonstrated competency or acquired experience or skills, and provides commensurate wages for any progression in standing or credit so granted, including for veterans' service-acquired skills and experiences.

"(3) The program has minimum qualifications for individuals desiring to enter the apprenticeship program, with an eligible starting age for an apprentice of not less than 16 years.

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

"(A) clearly identifies each interim credential;

"(B) only issues an interim credential for recognized components of an apprenticeable occupation and demonstrates how each interim credential specifically links to the knowledge, skills, and abilities associated with such components; and

"(C) establishes the process for assessing an individual apprentice's demonstration of competency and measurable skill gains associated with the particular interim credential.

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

"(1) The program is designed to assist individuals who do not meet minimum qualifications for an apprenticeship program as described in subsection (b), and prepare them to enter and succeed in apprenticeship programs, including by providing the skills and competency attainment needed to enter the apprenticeship program.

"(2) The program includes a written plan developed by the sponsor that—

"(A) provides for work-based learning in which an industry or sector partnership and a related instruction provider collaborate to provide training that will introduce participants to the skills, competencies, and materials used in one or more apprenticeable occupations;

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

"(C) to the extent appropriate and practicable, meets the related instruction requirements as described in clauses (ii) through (iv) of subsection (b)(1)(C); and

"(D) includes mentoring, career exposure, career planning, and career awareness activities.

"(d) YOUTH APPRENTICESHIP PROGRAM STANDARDS.—In addition to the standards described in subsection (e), a youth apprenticeship program shall meet the following standards:

"(1) The program is designed for youth apprentices who at the start of the program are enrolled in high school.

"(2) The program includes each of the following core elements:

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

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

"(ii) the allocation of the approximate amount of time to be spent in each major work process; and

"(iii) a description or timeline explaining the periodic reviews and evaluations of the youth apprentice's performance on the job and in related instruction.

"(B) Related classroom-based instruction, which may be fulfilled through dual or concurrent enrollment.

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

"(D) For a competency-based or hybrid youth apprenticeship program, the methods used to measure skill acquisition for a youth apprentice, including ongoing assessment against established skill and competency standards as described in subsection (a)(1)(F).

"(E) Prepares the youth apprentice for placement in further education, employment, or an apprenticeship program.

"(3) In the case of a youth apprenticeship program that chooses to issue an interim credential, the program meets the requirements of subsection (b)(4).

"(e) GENERAL REQUIREMENTS.—Each program under the national apprenticeship system shall meet the following standards:

"(1) The program has safe equipment, environments, and facilities for on-the-job learning and supervision.

"(2) The program records and maintains all records concerning the program as may be required by the Secretary, the registration agency of the program, or any other applicable law, including records required under title 38, United States Code, in order for veterans and other individuals eligible for educational assistance under such title to use such assistance for enrollment in the program.

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

"(4) The program awards a certificate of completion in recognition of successful completion of the program, evidenced by an appropriate certificate issued by the registration agency.

"(5) The program provides that an individual who is to become a program participant under the program enters into a written apprenticeship agreement described in subsection (g) with the sponsor of the program.

"(f) WAIVER OR MODIFICATION AUTHORITY.—The Secretary shall have authority to—

"(1) waive any requirements of subsections (b) through (e) for small businesses or first-time sponsors who demonstrate a need for such waiver; and

"(2) modify the requirements of subsections (b) through (e), as applicable, upon request from employers or other industry stakeholders.

"(g) APPRENTICESHIP AGREEMENTS.—To ensure the standards described in subsections (a) through (e) are applied to programs under the national apprenticeship system, the registration agency

shall require a sponsor to develop an apprenticeship agreement that shall—

"(1) be the same for each program participant;

"(2) contain the names and signatures of the program participant and the sponsor;

"(3) meet the requirements of subsection (h), and any other requirements determined solely by the sponsor; and

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

"(h) APPRENTICESHIP AGREEMENT STANDARDS.—Each agreement under subsection (g) shall contain, explicitly or by reference—

"(1) in the case of an apprenticeship program—

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

"(B) that is competency-based, a description of the skill sets to be attained by completion of the program, including the on-the-job learning and work components; or

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

"(2) the number of hours and form of related instruction;

"(3) a schedule of the work processes in the occupation or industry divisions in which the program participant is to be educated and the approximate time to be spent at each process;

"(4) for apprenticeships, the graduated wage scale to be paid to the apprentices in the apprentices' locality, benefits offered to the apprentices in the apprentices' locality, and how the wages and benefits compare to State, local, or regional wages in the related occupation;

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

"(6) the ratio of program participants to mentors, journeyworkers, or on-the-job training instructors, as applicable, for the apprenticeable occupation, that are based on evidence-based and evidence-informed best practices for safety throughout the work processes of the program, job site, department, or plant.

"(i) APPRENTICESHIP REGISTRATION APPLICATION.—The Secretary shall provide for the registration of programs in which a sponsor applying to register a program under the national apprenticeship system shall request registration of such program from a registration agency by submitting the information required by the registration agency, including—

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

"(2) a copy of the apprenticeship agreement described in subsection (g) used by the sponsor;

"(3) a written assurance that, if the program is registered under this title, the sponsor will administer the program in accordance with the requirements of this title and comply with

the requirements of the apprenticeship agreement for each apprentice; and

"(4) methods for reporting annually data describing the outcomes associated with the program as required by the registration agency.

"(j) RECOGNITION AND REGISTRATION PROCESS.—

"(1) REVIEW AND APPROVAL PROCESS.—

"(A) PROVISIONAL APPROVAL REVIEW.—An application submitted under subsection (i) that the registration agency determines meets the requirements described in such subsection shall be registered for a provisional 1-year period beginning not later than 30 days after such application is submitted. During such period, the registration agency shall accept and record the apprenticeship agreement as evidence of the program's compliance and registration to operate such program.

"(B) FULL APPROVAL OR EXTENDED PROVISIONAL APPROVAL.—By the end of a provisional registration period for a program, the registration agency providing provisional approval under subparagraph (A) shall review the program for quality and for compliance with the applicable standards under this subtitle and all other applicable program requirements under this Act, and—

"(i) if a registration agency conducting a provisional review determines that the program complies with the standards and requirements under this Act, the registration agency shall fully approve the registration of the program; or

"(ii) if a registration agency conducting a provisional review determines that the program is not conforming to the requirements or standards under this Act, the registration agency may continue the provisional registration of the program through the first full training cycle for program participants, and conduct an additional provisional review at the conclusion of the training cycle.

"(C) FAILURE TO MEET REQUIREMENTS.—If a registration agency conducting a provisional review under subparagraph (A) determines that the program is not in operation or does not conform to the requirements under this Act, the registration agency shall recommend technical assistance and corrective action for the program, or deregistration, in accordance with procedures established under section 131(b).

"(2) CERTIFICATE OF REGISTRATION.—

"(A) IN GENERAL.—A registration agency that registers a program under paragraph (1) shall—

"(i) provide the sponsor of the program with a certificate of registration or other written evidence of registration;

"(ii) provide a copy of the certificate of registration; and

"(iii) provide a copy of the certificate of registration to the Secretary of Veterans Affairs or the applicable State veterans agency for the purpose of aligning the

registration process with the process for approving such program for eligible veterans' use of supplemental educational assistance benefits.

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

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

"(A) enter into a written individual apprenticeship agreement described in subsection (g) with each such individual before the commencement of the program; and

"(B) individually register each program participant with the registration agency by filing a copy of the individual apprenticeship agreement with the registration agency or as otherwise required by the registration agency, and sharing a copy with the Secretary as appropriate, as described under subsection (i).

"(4) TRANSITION PROCESS FOR PREVIOUSLY APPROVED PROGRAMS.—With respect to the sponsor of a program that is approved for apprenticeship purposes as of the day before the date of enactment of the National Apprenticeship Act of 2020, a registration agency shall do the following:

"(A) If such program meets the requirements of this Act, take such steps as necessary to ensure such program maintains status as a program under this Act.

"(B) If such program does not comply with the requirements of this Act, provide technical assistance to ensure such sponsor is in compliance with this Act not later than 3 years after the date of the date of enactment of this Act.

"(k) MODIFICATIONS OR CHANGES TO YOUTH APPRENTICESHIP, PRE-APPRENTICESHIP, OR APPRENTICESHIP PROGRAMS.—

"(1) SPONSOR PROPOSAL.—Any sponsor that wishes to modify a program shall submit the proposal for such modification to the registration agency for the program.

"(2) REGISTRATION AGENCY REQUIREMENTS.—

"(A) IN GENERAL.—The registration agency shall determine whether to approve the proposal and notify the sponsor of the determination by not later than 60 days after receipt of the proposal.

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

"(C) DISAPPROVAL OF PROPOSAL.—If the proposal is not approved, the registration agency shall—

"(i) notify the sponsor of the reasons for the disapproval and provide the sponsor with technical assistance to maintain the program as originally registered;

"(ii) provide the sponsor with the opportunity to submit a revised modification proposal, including providing appropriate technical assistance to modify the proposal in order to meet the requirements of this Act; and

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

"(I) approve the proposal; or

"(II) disapprove the program and provide the sponsor with technical assistance to maintain the program as originally registered.

"Subtitle C—Evaluations and Research

"SEC. 131. PROGRAM EVALUATIONS AND RESEARCH.

"(a) PURPOSE.—The purpose of this section is to establish performance accountability measures related to program completion and key indicators of performance under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.).

"(b) REVIEWS BY REGISTRATION AGENCIES.—

"(1) PERFORMANCE REVIEWS.—

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

"(i) the performance of the program with respect to the indicators of performance under section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(b)(2)(A)(i) or in the case of a youth apprenticeship program, section 116(b)(2)(A)(ii)) of such Act (29 U.S.C. 3141(b)(2)(A)(ii)), to the extent practicable and as applicable to programs under the national apprenticeship system; and

"(ii) the completion rates of the program.

"(B) REPORTS.—The registration agency for a State shall annually prepare and submit to the Secretary a State performance report that includes, with respect to each program registered under section 121 by such agency—

"(i) information specifying the levels of performance described in subparagraph (A);

"(ii) the percentage of program participants in under-represented apprenticeship populations;

"(iv) the average time to completion for the program as compared to the description in the agreement under section 123(b)(1);

"(v) the average cost per participant during the most recent program year and the 3 preceding program years;

"(vii) information on the State's uses of funds;

"(viii) how resources, whether financial, time, or other were spent on the delivery, improvement, and expansion of program services, activities and evaluations; and

"(ix) the disaggregation of the performance data described in clauses (i) through (v) by—

"(I) the program type (apprenticeship, youth apprenticeship, or pre-apprenticeship program) involved; and

"(II) race, ethnicity, sex, age, and membership in a population specified in section 3(24) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(24)).

"(2) REPORTS.—Not later than 60 days after receiving a report under paragraph (1)(B), the Secretary shall make such report publicly available.

"(3) COMPREHENSIVE PROGRAM REVIEWS.—

"(A) IN GENERAL.—A registration agency shall periodically review each program registered under section 121 by such agency for quality assurance and compliance with the requirements of title I.

"(B) TIMING OF REVIEWS.—A review described in subparagraph (A) shall occur not less frequently than once every 5 years.

"(C) REVIEW.—The review shall be a comprehensive review regarding all aspects of the program performance determining whether the sponsor of the program is complying with the requirements of title I.

"(D) REPORTS.—

"(i) IN GENERAL.—On completion of a review under this paragraph, the registration agency shall prepare and submit to the Secretary a report containing the results of the review.

"(ii) PUBLIC AVAILABILITY.—The Secretary shall develop and make publicly available a statewide summary of reports submitted by each registration agency.

"(4) REGISTRATION AGENCY DISCRETION.—The registration agency may modify the requirements of this subsection for small businesses or first-time sponsors who demonstrate a need for such modification.

"(c) SUBSEQUENT ACTION.—

"(1) TECHNICAL ASSISTANCE.—The registration agency shall provide technical assistance to the sponsor and identify areas that require technical assistance, including assistance in the development of a performance improvement plan if the registration agency determines, pursuant to any review under subsection (a), that the youth apprenticeship, pre-apprenticeship, or apprenticeship program—

"(A) is not in operation;

"(B) is not in compliance with the requirements of title I; or

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

"(2) CORRECTIVE ACTION AND DEREGISTRATION OF AN APPRENTICESHIP PROGRAM.—The registration agency may take corrective action, and if warranted, deregister a youth apprenticeship, pre-apprenticeship, or apprenticeship program, after making a determination that the program demonstrates per-

sistent and significant failure to perform successfully, which occurs when—

"(A) the sponsor of the program consistently fails to register at least 1 program participant;

"(B) the program shows a pattern of poor results as determined solely by the registration agency on the indicators described in subsection (a)(1)(A) over a period of 3 years, given the characteristics of program participants and economic conditions in the area served, or are lower than the national or State average;

"(C) the program shows no indication of improvement in the areas identified by the registration agency and in the performance improvement plan under paragraph (1); or

"(D) the sponsor has not administered the program in accordance with the program's registration, as applicable, or with the requirements of this Act.

"(3) NOTIFICATION AND HEARING.—If the registration agency makes a determination described in paragraph (2), the registration agency shall notify the Secretary and the sponsor of the determination in writing, and permit the sponsor to request a hearing by the Office of Administrative Law Judges. The registration agency shall transmit to the Secretary a report containing all pertinent facts and circumstances concerning the determination, including findings and a recommendation for deregistration, and copies of all relevant documents and records. If the sponsor requests a hearing it shall be conducted in accordance with the Office of Administrative Law Judges regulations. A party to the proceeding may petition for review of the final decision of the Administrative Law Judge. If the sponsor does not request the hearing, the registration agency shall deregister the program after the period for requesting such a hearing has expired.

"(4) NOTIFICATION AND TREATMENT OF APPRENTICES.—Not later than 15 days after the registration agency deregisters a program, or not later than 15 days after the period for requesting such a hearing has expired, the sponsor or program administrator shall notify each program participant—

"(A) of such deregistration and the effective date;

"(B) that such deregistration automatically deprives the program participant of individual registration as part of such program, including the ability to receive a certificate of completion from the registration agency;

"(C) that the deregistration of the program removes the program participant from eligibility for any Federal financial or other assistance, or right, privilege, or exemption under Federal law, that—

"(i) relates to an apprentice; and

"(ii) requires the registration agency's approval; and

"(D) that all youth apprentices, pre-apprentices, or apprentices are referred to the registration agency for information about potential transfers to other programs under the national apprenticeship system.

"(d) EVALUATION AND RESEARCH.—For the purpose of improving the management and effectiveness of the programs and activities carried out under this Act, the Secretary shall conduct, through an

independent entity, evaluation and research on the programs and activities carried out under this title.

"(e) TECHNIQUES.—The research conducted under this section shall utilize appropriate methodology and research designs.

"(f) CONTENTS.—Such research shall address—

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

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

"(B) to the extent feasible, increase the levels of total employment, of attainment of recognized postsecondary credentials, and of measurable skills, above the levels that would have existed in the absence of such programs and activities;

"(C) respond to the needs reflected in labor market data in the local area and align with high-skill, high-wage, or in-demand industries or occupations; and

"(D) demonstrate a return on investment of Federal, State, local, sponsor, employer, and other funding for programs under the national apprenticeship system, capturing the full level of investment in, and impact of, such programs under the national apprenticeship system;

"(2) best practices in increasing underrepresented apprenticeship populations' participation in programs under the national apprenticeship system; and

"(3) opportunities to scale up effective models under the national apprenticeship system.

"(g) REPORTS.—

"(1) INDEPENDENT ENTITY.—The independent entity carrying out the research under subsection (d) shall prepare and submit to the Secretary a final report containing the results of the research.

"(2) REPORTS TO CONGRESS.—Not later than 60 days after the receipt of the final report described in paragraph (1), the Secretary shall submit the final report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

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

"Subtitle D—General Provisions

"SEC. 141. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out sections 111 and 112—

"(1) $40,000,000 for fiscal year 2021;

"(2) $41,000,000 for fiscal year 2022;

"(3) $42,000,000 for fiscal year 2023;

"(4) $43,000,000 for fiscal year 2024; and

"(5) $44,000,000 for fiscal year 2025.

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

"SEC. 201. GRANT REQUIREMENTS.

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

"(b) AUTHORIZATION OF APPRENTICESHIP GRANT PROGRAM.—

"(1) IN GENERAL.—From the amounts authorized under section 202, the Secretary shall award grants, on a competitive basis, to eligible partnerships for the purpose described in subsection (a).

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

"(A) not less than 1 year; and

"(B) not more than 4 years.

"(3) LIMITATIONS.—

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

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

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

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

"(d) APPLICATIONS.—

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

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

"(B) identifies the businesses and institutions of higher education that comprise the eligible partnership;

"(C) identifies the source and amount of the matching funds required under subsection (c);

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

"(E) identifies the amount of time, not to exceed 2 years, required for program participants to complete the program;

"(F) identifies the anticipated earnings of program participants—

"(i) 1 year after program completion; and

"(ii) 3 years after program completion;

"(G) describes the specific project for which the application is submitted, including a summary of the relevant classroom and paid structured on-the-job learning students will receive;

"(H) describes how the eligible partnership will finance the program after the end of the grant period;

"(I) describes how the eligible partnership will support the collection of information and data for purposes of the program evaluation required under subsection (i); and

"(J) describes the alignment of the program with State identified in-demand industry sectors and occupations.

"(2) APPLICATION REVIEW PROCESS.—

"(A) REVIEW PANEL.—Applications submitted under paragraph (1) shall be read by a panel of readers composed of individuals selected by the Secretary. The Secretary shall assure that an individual assigned under this paragraph does not have a conflict of interest with respect to the applications reviewed by such individual.

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

"(i) A majority of the panel shall be individuals who are representative of businesses, which may include owners, executives with optimum hiring authority, or individuals representing business organizations or business trade associations.

"(ii) The remainder of the panel shall be equally divided between individuals who are—

"(I) representatives of institutions of higher education that offer programs of two years or less; and

"(II) representatives of State workforce development boards established under section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111).

"(C) REVIEW OF APPLICATIONS.—The Secretary shall instruct the review panel selected by the Secretary under subparagraph (A) to evaluate applications using only the criteria specified in paragraph (1) and make recommendations with respect to—

"(i) the quality of the applications;

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

"(iii) the amount and duration of such grant.

"(D) PRIORITY AND DISTRIBUTION.—

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

"(I) proposing to serve a high number or high percentage of participants who are from underrepresented apprenticeship populations; or

"(II) providing opportunities in high-wage, high-skill, or in-demand sectors and occupations.

"(ii) GEOGRAPHIC DISTRIBUTION.—In awarding grants under this section, the Secretary shall, to the extent practicable, ensure a geographically diverse distribution of grants, including a geographically diverse distribution among regions of the country and among urban, suburban, and rural areas.

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

"(i) the scores given the applicant by the panel pursuant to this section;

"(ii) the recommendations of the panel with respect to such application;

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

"(iv) modifications, if any, in the recommendations of the panel made to the Secretary.

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

"(1) the number of participants to be served by the grant;

"(2) the anticipated income of program participants in relation to the regional median income;

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

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

"(f) PURPOSES OF AWARDS.—The Secretary may award grants, contracts, or cooperative agreements to eligible entities on a competitive basis for any of the following purposes:

"(1) The creation of new earn-and-learn programs, including apprenticeship, pre-apprenticeship, and youth apprenticeship programs, or expansion of existing programs.

"(2) Encouraging employer participation in programs under the national apprenticeship system—

"(A) that target individuals with barriers to employment in youth apprenticeship, pre-apprenticeship, or apprenticeship programs, prioritizing underrepresented apprenticeship populations, such as women, minorities, long-term unemployed individuals with a disability, individuals with substance abuse issues, and veterans;

"(B) that are in high-need social service-related industries, sectors, or occupations, such as direct care workers and early childhood educators;

"(C) that target individuals currently or formerly incarcerated; or

"(D) among small- and medium-sized employers.

"(3) If the eligible entity is a qualified intermediary—

"(A) supporting national industry and equity intermediaries in establishing or expanding sector-based partnerships to support the delivery or expansion of programs under the national apprenticeship system to significant scale in the United States—

"(i) in key sectors, including manufacturing, information technology, cyber security, health care, insurance and finance, energy, hospitality, retail, construction, and other sectors identified by the Secretary; and

"(ii) for underrepresented apprenticeship populations, women, minorities, individuals with disabilities, and individuals impacted by the criminal justice system; or

"(B) serving programs under the national apprenticeship system in a local or regional setting.

"(4) Strengthen alignment between programs under the national apprenticeship system and education and training providers with secondary and postsecondary education systems, including degree and credential requirements.

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

"(1) supports including marketing, national e-tools, and other expanded capacity and technical assistance supports;

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

"(3) student books, supplies, and equipment required for enrollment;

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

"(5) the development of industry-specific programming;

"(6) supporting the transition of industry-based professionals from an industry setting to an academic setting;

"(7) industry-recognized certification exams or other assessments leading to a recognized postsecondary credential associated with the earn-and-learn program;

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

"(9) establishing or expanding partnerships with organizations that provide program participants access to financial planning mentoring, and supportive services that are necessary to enable an individual to participate in and complete a program under the national apprenticeship system;

"(10) conducting outreach and recruitment activities, including assessments of potential participants for, and enrollment of participants in a program under the national apprenticeship system;

"(11) conducting outreach, engagement, and recruitment with employers, industry associations, labor and labor-management organizations, qualified intermediaries, education and training providers, State or local workforce agencies, potential sponsors, communities with high numbers or percentages of underrepresented apprenticeship populations, small- and medium-sized businesses, or rural communities to establish or expand industry or sector partnerships and opportunities under the national apprenticeship system; and

"(12) conducting any activities as described in the application that would advance the purposes of the grant.

"(h) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to eligible partnerships awarded under a grant under this section throughout the grant period for purposes of grant management.

"(i) EVALUATION.—

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

"(A) An assessment of the effectiveness of the grant program in expanding earn-and-learn program opportunities offered by employers in conjunction with institutions of higher education.

"(B) The number of students who participated in programs assisted under this section.

"(C) The percentage of students participating in programs assisted under this section who successfully completed the program in the time described in subsection (d)(1)(E).

"(D) The median earnings of program participants—

"(i) 1 year after exiting the program; and

"(ii) 3 years after exiting the program.

"(E) The percentage of program participants assisted under this section who successfully receive a recognized postsecondary credential.

"(F) The number of program participants served by programs receiving funding under this section—

"(i) 2 years after the end of the grant period; and

"(ii) 4 years after the end of the grant period.

"(2) PUBLICATION.—The evaluation required by this subsection shall be made publicly available on the website of the Department within 90 days after such evaluation is completed.

"(j) DEFINITIONS.—In this section:

"(1) EARN-AND-LEARN PROGRAM.—The term 'earn-and-learn program' means an education program, including an apprenticeship program, that provides students with structured, sustained, and paid on-the-job training and accompanying, for credit, classroom instruction that—

"(A) is for a period of between 3 months and 2 years; and

"(B) leads to, on completion of the program, a recognized postsecondary credential.

"(2) ELIGIBLE PARTNERSHIP.—The term 'eligible partnership' shall mean a consortium that includes—

"(A) 1 or more businesses; and

"(B) 1 or more institutions of higher education.

"SEC. 202. GRANT APPROPRIATIONS.

"(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out only registered apprenticeship activities under this title—

"(1) $200,000,000 for fiscal year 2021;

"(2) $210,000,000 for fiscal year 2022;

"(3) $220,000,000 for fiscal year 2023;

"(4) $230,000,000 for fiscal year 2024; and

"(5) $240,000,000 for fiscal year 2025.

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

SEC. 5. CONFORMING AMENDMENTS.

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

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

(1) in the heading, by striking "FOR JOB TRAINING" and inserting "FOR PROGRAMS UNDER THE NATIONAL APPRENTICESHIP SYSTEM"; and

(2) by striking "for demonstration programs and projects described in section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998" and inserting "to carry out title II of the National Apprenticeship Act".

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16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE STEFANIK OF NEW YORK OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 86, beginning line 12, strike "Secretary and".

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17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TITUS OF NEVADA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 117, line 19, insert "hospitality and tourism," after "health care,".

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