[DISCUSSION DRAFT]

116TH CONGRESS
2D SESSION

H. R. ______

To amend the National Apprenticeship Act and expand the national apprenticeship system to include apprenticeships, youth apprenticeships and pre-apprenticeship registered under this Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. Davis of California introduced the following bill; which was referred to the Committee on _______________________

A BILL

To amend the National Apprenticeship Act and expand the national apprenticeship system to include apprenticeships, youth apprenticeships and pre-apprenticeship registered under this Act, and for other purposes.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

2 SECTION 1. SHORT TITLE.

3 This Act may be cited as the “National Apprenticeship Act of 2020”.


SEC. 2. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect beginning on July 1, 2021.

SEC. 3. 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. Definitions.
Sec. 3. Transition provisions.
Sec. 4. Disaggregation of data.

TITLE I—PROMOTING APPRENTICESHIPS

Subtitle A—The Office of Apprenticeship, State Registration Agency Approval Process, Interagency Agreement, and Nondiscrimination

Sec. 111. The Office of Apprenticeship.
Sec. 112. National Advisory Committee on Apprenticeships.
Sec. 113. State apprenticeship agencies and State Offices of Apprenticeship.
Sec. 114. Interagency agreement with Department of Education.

Subtitle B—Process and Standards for the National Apprenticeship System

Sec. 121. Apprenticeable occupations standards.
Sec. 122. Quality standards of programs under the national apprenticeship system.
Sec. 123. Apprenticeship agreements.
Sec. 124. Registration of programs as youth apprenticeship, pre-apprenticeship, and apprenticeship programs.

Subtitle C—Evaluations and Research

Sec. 131. Program evaluations.
Sec. 132. National apprenticeship system evaluation 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. Uses of Funds.
Sec. 203. Grant evaluations.
Sec. 204. Grant appropriations.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Office of Apprenticeship established under section 111(a), or any person specifically designated by the Administrator to carry out the provisions of this Act.

(2) APPRENTICE.—The term ‘apprentice’ means a program participant in an apprenticeship program.

(3) APPRENTICESHIP AGREEMENT.—The term ‘apprenticeship agreement’ means a written agreement under section 123 between—

(A) an apprentice, a youth apprentice, or a pre-apprentice; and

(B) a sponsor.

(4) 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.

“(5) APPRENTICEABLE OCCUPATION.—The term ‘apprenticeable occupation’ means an occupation that the Administrator has determined meets the requirements of section 121.

“(6) APPRENTICESHIP PROGRAM.—The term ‘apprenticeship program’ means a program that meets the standards described in section 122(b) and is registered under this Act.

“(7) COMPETENCY.—The term ‘competency’ means the attainment of knowledge, skills, and abilities in a subject area, as specified by an occupational skill standard and demonstrated by an appropriate written and hands-on proficiency measurement.

“(8) DEPARTMENT.—The term ‘Department’ means the Department of Labor.

“(9) 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) a postsecondary educational institution;
“(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).
“(10) ELIGIBLE ENTITY.—
“(A) IN GENERAL.—The term ‘eligible entity’ means—
“(i) a program sponsor;

“(ii) a State workforce development board or State workforce agency, or a local workforce development board or local workforce development agency;

“(iii) a postsecondary educational institution, or a consortium thereof;

“(iv) if the applicant is in a State with a State apprenticeship agency, such State apprenticeship agency;

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

“(vi) an industry or sector partnership, a group of employers, a trade association, or a professional association that sponsors or participates in a program under the national apprenticeship system;

“(vii) a Governor;

“(viii) a labor organization associated with the apprenticeable occupation of the program under the national apprenticeship system involved; or

“(ix) a qualified intermediary.

“(B) Sponsor Requirement.—Not fewer than one entity under subparagraph (A) shall
be the sponsor of a program under the national
apprenticeship system.

“(11) 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-Deter-
mination and Education Assistance Act (25 U.S.C.
450b).

“(12) INTERIM CREDENTIAL.—The term ‘in-
terim credential’ means a credential issued by a reg-
istration agency, upon request of the appropriate
sponsor, as certification of competency attainment
by an apprentice.

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

“(14) NATIONAL APPRENTICESHIP SYSTEM.—
The term ‘national apprenticeship system’ means the
apprenticeship programs, youth apprenticeship pro-
grams, and pre-apprenticeship programs that meet
the requirements of this Act.

“(15) NONTRADITIONAL APPRENTICESHIP POP-
ULATION.—The term ‘nontraditional 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 per-

cent of the individuals participating in a program

under the national apprenticeship system.

“(16) NONTRADITIONAL APPRENTICESHIP IN-

DUSTRY OR OCCUPATION.—The term ‘nontraditional

apprenticeship industry or occupation’ refers to an

industry sector or occupation that represents fewer

than 10 percent of apprenticeable occupations or the

programs under the national apprenticeship system.

“(17) PRE-APPRENTICE.—The term ‘pre-ap-

prentice’ means a program participant in a pre-ap-

prenticeship program.

“(18) PRE-APPRENTICESHIP PROGRAM.—The

term ‘pre-apprenticeship program’ means a training

model or program that—

“(A) prepares individuals for acceptance

into an apprenticeship program;

“(B) meets the standards described in sec-

tion 122(c); and

“(C) is registered under this Act.

“(19) PROGRAM PARTICIPANT.—The term ‘pro-

gram participant’ means an apprentice, a pre-ap-

prentice, or a youth apprentice.
“(20) 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 such as training to mentors;

“(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 organizations, 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).

“(21) Recognized postsecondary credential.—The term ‘recognized postsecondary credential’ has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act, except that such term does not include a certificate of completion of an apprenticeship.

“(22) Registration agency.—The term ‘registration agency’ means the State Office of Apprenticeship or State apprenticeship agency in a State 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 accord-
ance with paragraphs (1) and (2) of section 124(c).

“(23) RELATED INSTRUCTION.—The term ‘related instruction’ means an organized and systematic form of instruction that meets the requirements of section 122(b)(1)(C).

“(24) 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), including adult education and literacy activities under such Act.


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


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


“(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)).

“(25) SECRETARY.—The term ‘Secretary’ means the Secretary of Labor.

“(26) 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.

“(27) STATE APPRENTICESHIP AGENCY.—The term ‘State apprenticeship agency’ means a State agency recognized as a State apprenticeship agency under section 113.

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

“(29) STATE OFFICE OF APPRENTICESHIP.—The term ‘State office of apprenticeship’ means the office designated by the Administrator to administer programs under the national apprenticeship system in such State and meets the requirements of section 111(b)(4).
“(30) 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).

“(31) 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.).


“(33) 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


“(35) YOUTH APPRENTICE.—The term ‘youth apprentice’ means a participant in a youth apprenticeship program.

“(36) YOUTH APPRENTICESHIP PROGRAM.—The term ‘youth apprenticeship program’ means a model or program that meets the standards described in section 122(d) and is registered under this Act.

SEC. 3. TRANSITION PROVISIONS.

“The Secretary shall take such steps as are necessary 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 Apprentice-
ship 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.

“SEC. 4. 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, Inter-agency Agreement, and Non-discrimination

“SEC. 111. THE OFFICE OF APPRENTICESHIP.

“(a) Establishment of the Office of Apprenticeship.—There is established, in the Employment and Training Administration of the Department of Labor an Office of Apprenticeship (referred to in this section as the ‘Office’), which shall be directed by an Administrator who
has demonstrated knowledge of the national apprenticeship system necessary to head the Office.

“(b) RESPONSIBILITIES.—The Administrator shall be responsible for the administration of this Act, including:

“(1) PROMOTION AND AWARENESS ACTIVITIES.—The Administrator shall 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 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 including by—

“(i)(I) promoting outreach to non-traditional 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; and

“(ii) supporting the participation and retention of apprentices and employers described in clause (i) in the national apprenticeship system.

“(2) TECHNICAL ASSISTANCE ACTIVITIES.—The Administrator shall carry out technical assistance activities, including the following:

“(A) Providing technical assistance to—

“(i) assist State apprenticeship agencies and sponsors in complying with the requirements of this Act, including the standards described in subtitle B and the evaluation requirements described in subtitle C;

“(ii) address comments or complaints from youth apprentices, pre-apprentices, or apprentices, sponsors, employers, State ap-
prenticeship agencies, State or local workforce agencies, State educational agencies or local educational agencies, qualified intermediaries, labor organizations, joint labor-management organizations, or other stakeholders;

“(iii) assist sponsors, employers, qualified intermediaries, and education and training or related instruction providers, or other entities seeking support for developing programs under the national apprenticeship system, becoming sponsors, or effectively carrying out such programs;

“(iv) assist those applying for or carrying out grants under title II; and

“(v) share, through a national apprenticeship system clearinghouse, high-quality materials for programs under the national apprenticeship system, such as related instruction or training materials.

“(B) Cooperating with the—

“(i) Secretary of Education on—

“(I) technical assistance for the development and implementation of related instruction under the national
(II) supporting the stackability and portability of academic credit and credentials earned as part of such programs; and

(ii) Employment and Training Administration of the Department of Labor and with 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 Administrator shall establish and operate a State Office of Apprenticeship in a State described in clause (ii) to serve as the registration agency for such State.

(ii) APPLICABLE STATES.—A State described in this clause is a State—

(I) in which, as of the day before the date of enactment of the National Apprenticeship Act of 2020, the
Administrator has not established a
State Office of Apprenticeship; and

“(II) that has not applied for
recognition as a State apprenticeship
agency under section 113, or for
which such recognition has not pro-
vided or has been withdrawn by the
Administrator under such section.

“(B) STATE PLAN REQUIREMENT.—Each
State Office of Apprenticeship shall be adminis-
tered by a State Director who shall prepare and
submit a State plan that meets the require-
ments of section 113(c).

“(C) VACANCIES.—Subject to the avail-
ability of appropriations, in the case of a State
Office of Apprenticeship with a vacant position,
the Administrator shall—

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

“(ii) report to the Committee on Edu-
cation and Labor of the House of Rep-
resentatives 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.

“(D) 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, so long as such agency or entity does not act as the registration agency in such State.

“(4) Quality standards, apprenticeship agreement, and registration review.—In order for the Secretary, acting through the Administrator, to support the formulation and furtherance of labor standards necessary to safeguard the welfare of program participants, 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 3 years thereafter, the Administrator 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 effi-
cient to bring together employers and labor as spon-
sors or potential sponsors of programs under the na-
tional apprenticeship system.

“(5) APPRENTICEABLE OCCUPATIONS.—

“(A) EXISTING APPRENTICEABLE OCCU-
PATIONS.—The Administrator shall regularly re-
view and update the requirements for each
apprenticeable occupation to ensure that such
requirements are in compliance with require-
ments under this Act.

“(B) NEW APPRENTICEABLE OCCU-
PATION.—

“(i) IN GENERAL.—The Administrator
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 seeking such approval from the
Administrator.

“(ii) ESTIMATED TIMELINE.—If such
determination is not made within 45 days,
the Administrator shall provide the appli-
cant with a written explanation for the
delay and offer an estimated timeline for a
determination.
“(C) INDUSTRY RECOGNIZED OCCUPATIONAL STANDARDS.—

“(i) IN GENERAL.—From the funds appropriated under section 141(a), the Administrator shall convene, on an ongoing basis and taking into consideration recommendations of the Committee under section 112(d)(4), the industry sector leaders and experts described in clause (ii) for the purposes of establishing or updating specific frameworks of industry recognized 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 leader 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 Administrator.

“(iii) Priority Industry Recognized Apprenticable Occupations.—In establishing frameworks under clause (i) for the first time after the effective date of the National Apprenticeship Act of 2020, the Administrator 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 Administrator shall—

“(A) monitor State apprenticeship agencies, State Offices of Apprenticeship, grantees, and sponsors of programs under the national apprenticeship system to ensure compliance with the requirements of this Act;

“(B) providing technical assistance to assist such entities with such compliance; and
“(C) conducting research and evaluation in accordance with subtitle C.

“(7) PROMOTING DIVERSITY IN THE NATIONAL APPRENTICESHIP SYSTEM.—The Administrator 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 in such programs, ensuring such programs do not engage in discrimination as prohibited under section 30.3(a) of title 29, Code of Federal Regulations (as in effect on January 31, 2020) or engage in intimidation or retaliation as prohibited under section 30.17 of title 29, Code of Federal Regulations (as in effect on January 31, 2020), with any such activity subject to enforcement action under section 30.15 of title 29,
Code of Federal Regulations (as in effect January 31, 2020) and any requirements of this Act.

“(8) GRANT AWARDS.—The Administrator shall award grants under title II.

“(9) NATIONAL ADVISORY COMMITTEE.—The Administrator shall—

“(A) regularly consult with the National Advisory Committee on Apprenticeships under section 112; and

“(B) ensure that the required recommendations and other reports of the Advisory Committee are submitted to the Secretary and transmitted to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

“(10) COORDINATION.—The Administrator shall coordinate and align programs under the national apprenticeship system with related Federal programs.

“(c) INFORMATION COLLECTION AND DISSEMINATION.—The Administrator 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 Administrator, with input from national data and privacy experts, and is informed by best practices on public provision of credential information;

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

“(C) is aligned with data from the performance reviews under section 131(a)(1)(A);

“(2) providing for data sharing that includes 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. NATIONAL ADVISORY COMMITTEE ON APPRENTICESHIPS.

“(a) Establishment.—

“(1) In general.—There is established, in the Department of Labor, a National Advisory Committee on Apprenticeships (referred to in this section as the ‘Advisory Committee’).

“(2) Composition.—
“(A) APPOINTMENTS.—The Advisory Committee shall consist of 27 voting members described in subparagraph (B) and shall be appointed as follows:

“(i) 7 shall be appointed by the Secretary of Labor.

“(ii) 5 shall be appointed by the Speaker of the House of Representatives.

“(iii) 5 shall be appointed by the Minority Leader of the House of Representatives.

“(iv) 5 shall be appointed by the Majority Leader of the Senate.

“(v) 5 shall be appointed by the Minority Leader of the Senate.

“(B) LIST OF INDIVIDUALS.—The individuals described in this subparagraph are as follows:

“(i) 9 representatives of employers or industry associations who participate in an apprenticeship program, including representatives of employers representing non-traditional apprenticeship industries or occupations, and other high-skill, high-wage,
or in-demand industry sectors or occupations, as applicable;

“(ii) 9 representatives of labor organizations who have responsibility for the administration of an apprenticeship program, including those sponsored by a joint labor-management organization and from non-traditional apprenticeship industries or occupations;

“(iii) 1 representative of—

“(I) State apprenticeship agencies;

“(II) State or local workforce development boards with significant expertise in supporting a program under the national apprenticeship system;

“(III) community organizations with significant expertise supporting such a program;

“(IV) area career and technical education schools or local educational agencies;

“(V) State apprenticeship councils;
“(VI) State or local postsecondary education and training providers with not less than 1 articulation agreement with an entity administering a program under the national apprenticeship system;

“(VII) providers of industry-recognized credentials;

“(VII) national qualified intermediaries; and

“(IX) apprentices; and

“(C) ex officio nonvoting members, selected by the applicable Secretary, from each of the following departments—

“(i) the Department of Labor;

“(ii) the Department of Commerce;

“(iii) the Department of Education;

“(iv) the Department of Energy;

“(v) the Department of Housing and Urban Development;

“(vi) the Department of Transportation;

“(vii) the Department of Veterans Affairs;
“(viii) the Department of Health and Human Services;
“(ix) the Department of Justice; and
“(x) the Department of Defense.
“(3) QUALIFICATIONS.—An individual shall be selected under paragraph (1) on the basis of the experience and competence of such individual with respect to programs under the national apprenticeship system.
“(4) TERMS.—
“(A) IN GENERAL.—Each voting member of the Advisory Committee shall be appointed for a term of 4 years, except as provided in subparagraphs (B) through (D).
“(B) TERMS OF INITIAL APPOINTEES.—
“(i) IN GENERAL.—The appointments of the initial members of the Advisory Committee shall be made not later than 90 days after the effective date of the National Apprenticeship Act of 2020.
“(ii) STAGGERING OF TERMS.—As designated by the Secretary, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the Senate,
and the Minority Leader of the Senate at
the time of the appointment, of the mem-
bers first appointed, half of such members
shall serve a 2-year term.

“(C) Vacancies.—Any member appointed
to fill a vacancy occurring before the expiration
of the term for which the member’s predecessor
was appointed shall be appointed only for the
remainder of that term. A member may serve
after the expiration of that member’s term until
a successor has taken office. A vacancy in the
Advisory Committee shall be filled in the man-
er in which the original appointment was
made, except that such appointment shall be
made not later than 90 days after the date of
the vacancy.

“(D) Multiple Terms.—A voting mem-
ber of the Advisory Committee may serve not
more than 2 full terms on the Advisory Com-
mittee.

“(b) Chairperson.—The Advisory Committee mem-
bers shall designate by vote one of the voting members
described in subsection (a)(2)(A) of the Advisory Com-
mmittee to serve as Chairperson of the Advisory Committee.

“(c) Meetings.—
“(1) IN GENERAL.—The Advisory Committee shall meet at the call of the Chairperson and hold not fewer than 4 meetings during each calendar year.

“(2) OPEN ACCESS.—All meetings of the Advisory Committee shall be open to the public. A transcript shall be kept of each meeting and made available for public inspection within 30 days of the meeting.

“(d) DUTIES.—The Advisory Committee shall, at a minimum—

“(1) advise, consult with, and make recommendations to the Administrator on matters relating to the administration of this Act, including recommendations on regulations and policies related to administration of this Act;

“(2) annually prepare a set of recommendations to the Administrator to improve the registration process under subtitle B to make the process easily accessible and efficient for use by sponsors while maintaining the requirements under subtitle B;

“(3) make recommendations on expanding participation of nontraditional apprenticeship populations in programs under the national apprenticeship system; and
“(4) review apprenticeable occupations and, based on reviews of labor market trends and changes, make recommendations to the Administrator on whether to—

“(A) make updates to apprenticeable occupations under section 111(b)(5)(A); or

“(B) convene sector leaders and experts under section 111(b)(5)(C) for the establishing specific frameworks of industry recognized occupational standards.

“(e) PERSONNEL.—

“(1) COMPENSATION OF MEMBERS.—

“(A) IN GENERAL.—A member of the Committee who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Committee.

“(B) OFFICERS OR EMPLOYEES OF THE UNITED STATES.—Members of the Advisory Committee who are officers or employees of the
United States may not receive additional pay, allowances, or benefits by reason of their service on the Advisory Committee.

“(2) STAFF.—The Secretary shall supply the Committee with an executive Secretary and provide such secretarial, clerical, and other services as the Secretary determines to be necessary to enable the Advisory Committee to carry out the duties described in subsection (d).

“(3) DATA REQUESTS.—The Advisory Committee through its Chairperson may request data from the Secretary as determined necessary by the Committee to carry out its functions as described in this section.

“(f) PERMANENT COMMITTEE.—The Federal Advisory Committee Act (5 U.S.C. App.) (other than section 14 of such Act) shall apply to the Advisory Committee.

“SEC. 113. STATE APPRENTICESHIP AGENCIES AND STATE OFFICES OF APPRENTICESHIP.

“(a) RECOGNITION OF STATE APPRENTICESHIP AGENCIES.—

“(1) IN GENERAL.—The Administrator 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.—A State desiring to have a State agency recognized as a State apprenticeship agency under this section shall submit an application at such time, in such manner, and containing such information as the Administrator may require, including—

“(A) the initial State plan described in subsection (c)(2)(A)(i);

“(B) a description of how the State apprenticeship agency will meet the State plan requirements of subsection (c); and

“(C) a description of the linkages and coordination of the State’s proposed standards, criteria, and requirements with the State’s economic development strategies and workforce development system and the State’s secondary, postsecondary, and adult education systems.

“(3) REVIEW AND RECOGNITION.—

“(A) IN GENERAL.—Not later than 90 days after the date on which a State submits an application 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 regarding 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 Administrator 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) IN GENERAL.—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 such Act, was recognized by the Secretary for purposes of registering apprenticeship programs in accordance with this Act shall submit an application under paragraph (2).

“(ii) Transition period.—A State agency described in clause (i) 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 122;

“(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 shall establish and use or continue the establishment and 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.

“(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 non-traditional apprenticeship industries or occupations);

“(II) representatives of labor organizations or joint labor-management organizations (including from non-traditional 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.—For a State apprenticeship agency to be eligible to receive allotments under subsection (f) and to be recognized under this section, the State apprenticeship agency shall submit to the Secretary a State plan that meets the requirements of this subsection.

“(2) APPROVAL OF STATE PLAN.—
“(A) Submission.—

“(i) Initial Plan.—The first State plan of a State apprenticeship agency shall be submitted to the Administrator not later than 120 days prior to the commencement of the first full program year of the State apprenticeship agency, which shall include—

“(I) 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

“(II) an assurance that the State will notify the Administrator if there are any changes to the State laws (including regulations), policies, or procedures described in subclause (I) that occur after the date of submission of such plan.

“(ii) Subsequent Plans.—Except as provided in clause (i), a State plan shall be
submitted to the Administrator not later than 120 days prior to the end of the 4-year period covered by the preceding State plan.

“(B) APPROVAL.—A State plan shall be subject to the approval of the Administrator 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 Administrator, 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) MODIFICATIONS.—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).

“(3) TECHNICAL ASSISTANCE.—Each State Plan shall describe 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;

“(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; and

“(C) sponsors of programs registered in that State for purposes of assisting such sponsors in achieving State goals in diversity and equal opportunity in apprenticeships in accordance with paragraph (5).

“(4) RECIPROCITY.—Each State plan shall describe how the State apprenticeship agency, in the case of a program recognized by a registration agen-
cy in another State, 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, as long as such program meets
the requirements of the State granting reciprocity.

“(5) Promoting Diversity in the National
Apprenticeship System.—Each State plan shall
include a plan for how the State apprenticeship
agency will promote diversity and equal employment
opportunity in programs under the national appren-
ticeship 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 appren-
ticeship occupations and sectors; and

“(B) uniformly adopts and implements the
requirements of section 111(b)(7)(B).

“(6) Complaints.—Each State plan shall in-
clude a description of the system for the State ap-
prenticeship agency to receive and resolve complaints
concerning violations of the apprenticeship agree-
ment, submitted by program participants, sponsors, or employers.

“(7) State Apprenticeship Hubs.—Each State plan shall describe how the State apprenticeship agency will support, in a manner that takes into consideration geographic diversity, the creation and implementation of apprenticeship hubs throughout the State 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.—Each State plan shall—

“(A) in coordination with the Administrator, establish annual performance goals for the programs registered by the State apprenticeship agency for the indicators described—

“(i) in subparagraph (A) of section 131(b)(1); 

“(ii) in subparagraph (B)(ii) of section 131(b)(1); and

“(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).

“(9) USES OF FUNDS.—Each State plan shall include a description of the uses described in subsection (d) of the allotment received by the State apprenticeship agency under subsection (f).

“(10) ALIGNMENT OF WORKFORCE ACTIVITIES.—Each State plan shall include a summary of State-supported workforce development activities (including education and training) in the State, including the degree to which the programs under the national apprenticeship system in the State are aligned with and address the skill needs of the employers in the State identified by the State workforce development board.

“(11) STATE STRATEGIC VISION.—Each State plan shall include a summary of the State’s strategic vision and set of goals for preparing an educated and skilled workforce and for meeting the skilled workforce needs of employers, including in existing and emerging in-demand industry sectors and occupations as identified by the State, and how the programs registered by the State apprenticeship agency in the State will help to meet such goals.
“(12) Strategy for any joint planning, alignment, coordination, and leveraging of funds.—Each State plan shall provide a description of the State apprenticeship agency’s strategy for any joint planning, alignment, coordination, and leveraging of funds—

“(A) with the State’s workforce development system, to achieve the strategic vision and goals described in paragraph (11), including the core programs defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102) and the elements related to system alignment under section 102(b)(2)(B) of such Act (29 U.S.C. 3112(b)(2)(B));

“(B) for programs under the national apprenticeship system in the State with other Federal education programs, including programs under—

“(i) the Elementary and Secondary Education Act of 1965;

“(ii) the Individuals with Disabilities Education Act;

“(iii) the Carl D. Perkins Career and Technical Education Act of 2006; and
“(iv) the Higher Education Act of 1965; and

“(C) provide information about access to available State assistance or assistance under related Federal programs, such assistance under—

“(i) section 6(d) of the Food and Nutrition Act of 2008;

“(ii) subsection (c)(1) of section 3672 of title 38, United States Code;

“(iii) section 231 of the Second Chance Act of 2007 (34 U.S.C. 60541); and

“(iv) the State Temporary Assistance for Needy Families programs under part A of title IV of the Social Security Act.

“(13) STATE APPRENTICESHIP COUNCIL.—

Each State plan shall provide for a description of the composition, roles, and responsibility of the State apprenticeship council, 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 ap-
prenticeship 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 pro-
grams under laws administered by the Sec-
retary of Veterans Affairs, to use such assist-
ance for the apprenticeship program, including
the requirement of designating a certifying offi-
cial.
“(2) EDUCATIONAL ALIGNMENT.—The State
apprenticeship agency shall use not less than 10 per-
cent of such funds to engage with the State edu-
cation system to provide technical assistance and
best practices regarding—
“(A) alignment of youth apprenticeship
programs with the secondary education pro-
grams in the State, including support for career
exploration, career pathways, education and ca-
reer planning, and engagement with youth ap-
prenticeship programs for teachers, career guid-
ance and academic counselors, school leaders, administrators, and specialized instructional support personnel and paraprofessionals;

“(B) alignment of related instruction provided under the national apprenticeship system in the State with academic credit granting post-secondary programs (including developing career pathways, articulation agreements, and prior learning assessments); and

“(C) the joint planning, alignment, coordination, and leveraging of funds described in subsection (c)(12)(B).

“(3) WORKFORCE ALIGNMENT.—The State apprenticeship agency shall engage with the State workforce development system by using not less than 10 percent of such funds in support of—

“(A) alignment with the State’s workforce activities and strategic vision in accordance with paragraphs (10), (11), and (12)(A);

“(B) guidance for training staff of the workforce development system, including the vocational rehabilitation agencies, within the State on the value of programs under the national apprenticeship system as a work-based learning option for participants;
“(C) providing a list of programs under
the national apprenticeship system that are of-
fered in the State, including in the State’s high-
skill, high-wage, or in-demand industry sectors
or occupations;
“(D) alignment of funding received and re-
porting required under this Act, including rel-
evant placement, retention, and earnings infor-
mation, with the Workforce Innovation and Op-
portunity Act, and technical assistance in how
individual training accounts under section
134(c)(3) of such Act could be used to pay for
the costs of enrolling and participating in pro-
grams under the national apprenticeship sys-
tem; and
“(E) partnerships with State and local
workforce boards, workforce agencies, and one-
stop centers and one-stop operators that assist
the program participants in accessing sup-
portive services to support—
“(i) the recruitment, retention, and
completion of programs under the national
apprenticeship system;
“(ii) transitions from youth apprenticeships and pre-apprenticeships to apprenticeship programs; and

“(iii) the placement into employment or further education upon program completion.

“(4) LEADERSHIP ACTIVITIES.—

“(A) IN GENERAL.—A State apprenticeship agency may reserve not more than 15 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, such as costs related to program development, staffing for
mentors and supervisors, and related instruction.

“(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 or apprenticeship programs in high-skill, high-wage, or in-demand industry sectors and occupations.

“(5) State match for federal investment.—Except in the case of exceptional circumstances, as determined by the Administrator, 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 25 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 hear-
ing, that the State apprenticeship agency has failed
for one of the reasons described in paragraph (2),
and has not been in compliance with the perform-
ance improvement plan under paragraph (3) to rem-
edy such failure.

“(2) DERECOGNITION CRITERIA.—The recogni-
tion of a State apprenticeship agency under this sec-
tion 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 compli-
ance with the requirements of this Act.

“(3) DERECOGNITION PROCESS.—

“(A) IN GENERAL.—If a State apprentice-
ship agency fails for any of the reasons de-
scribed 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.—

“(i) IN GENERAL.—Except in the case of exceptional circumstances as determined by the Administrator, 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 Administrator 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 Administrator determines that the State apprenticeship agency’s corrective action under subparagraph (A) has addressed the agency’s failure identified under paragraph (2), the Administrator 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 Administrator shall—

“(I) notify, in writing, the State apprenticeship agency of the failure of the State apprenticeship agency, in-
including a description of such failure
and an explanation the agency’s rec-
ognition under this section may be
withdrawn as a result of such failure;
and
“(II) offer the State apprentice-
ship agency an opportunity to request
a hearing not later than 30 days after
the date of such notice.
“(ii) REFERRAL TO OFFICE OF AD-
MINISTRATIVE LAW JUDGES.—In a case in
which the State apprenticeship agency re-
quests a hearing under clause (i)(II), the
Administrator shall refer the matter to the
Office of Administrative Law Judges for a
recommended decision by the Administra-
tive Review Board for final agency action.
“(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 Administrator shall—
“(I) provide to the State apprenticeship agency an order withdrawing recognition of such agency under this section; and

“(II) establish a State Office of Apprenticeship; and

“(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 Administrator (acting through the State Office of Apprenticeship established under clause (i)(II)); and

“(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 Administrator 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 Administrator 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) 33 1⁄3 percent shall be equally distributed among each State Office of Apprenticeship, outlying area, and eligible State; and

“(ii) 66 2⁄3 percent 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) 25 percent shall be allotted on the basis of the relative share of program participants in each eligible State, as determined on the basis of the most recent satisfactory data available from the Administrator, compared to the total number of program participants in all eligible States, as determined on such basis;

“(II) 25 percent shall be allotted on the basis of the relative share of program participants who have completed a program under the national
apprenticeship system in each eligible State during the most recent 5-year period, as determined on the basis of the most recent satisfactory data available from the Administrator, compared to the total 5-year average of program participants who have completed a program in all eligible States, as determined on such basis; and

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

“(ii) Allotments based on BLS and ACS data.—Of the amount available under clause (i)(II)—

“(I) 33 1⁄3 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;

“(II) 33 1⁄3 percent shall be allotted on the basis of the relative share of individuals living below the poverty
line in each eligible State, compared to the total number of individuals living below the poverty line in all eligible States; and

“(III) 33\(\frac{1}{3}\) percent shall be allotted on the basis of the relative number of unemployed individuals in each eligible State, compared to the total number of unemployed individuals in all eligible States.

“(2) DEFINITIONS.—In this subsection—

“(A) ELIGIBLE STATE.—The term ‘eligible State’ means a State that has a State apprenticeship agency.

“(B) OUTLYING AREA.—The term ‘outlying area’ means American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands.

“(C) POVERTY LINE.—The term ‘poverty line’ has the meaning given such term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

“(D) UNEMPLOYED INDIVIDUAL.—The term ‘unemployed individual’ has the meaning given such term in section 3 of the Workforce

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

“(1) $75,000,000 for fiscal year 2021;
“(2) $85,000,000 for fiscal year 2022;
“(3) $95,000,000 for fiscal year 2023;
“(4) $105,000,000 for fiscal year 2024; and
“(5) $115,000,000 for fiscal year 2025.

“SEC. 114. INTERAGENCY AGREEMENT WITH DEPARTMENT OF EDUCATION.

“(a) IN GENERAL.—Not later than 1 year after the effective date of the National Apprenticeship Act of 2020, in order to cooperate with the Secretary of Education and promote awareness and adoption of apprenticeship programs, the Secretary (acting through the Administrator) shall—

“(1) enter into an interagency agreement with the Secretary of Education to promote and support integration and alignment of programs under the national apprenticeship system with secondary, post-secondary, and adult education, through the activities described in this section; and
“(2) submit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of Senate, such agreement and any modifications to such agreement.

“(b) ALIGNMENT FOR YOUTH APPRENTICESHIPS.—

In order to promote alignment between youth apprenticeship programs and high school graduation requirements, the interagency agreement under subsection (a) shall describe how the Secretaries will work to provide—

“(1) information and resources to—

“(A) parents and students to promote a better understanding of programs under the national apprenticeship system and their value in secondary and postsecondary education and career pathways by not later than middle school; and

“(B) school leaders (working with academic counselors, teachers, and faculty) about the value of such programs and information on how to effectively align youth apprenticeship programs with secondary and career and technical education programs; and

“(2) technical assistance on how to—
“(A) align related instruction and apprenticeable occupation skills and competencies to high school graduation requirements;

“(B) offer related instruction through dual and concurrent enrollment programs and other accelerated learning programs, as described in section 4104(b)(3)(A)(i)(IV) of the Elementary and Secondary Education Act of 1965;

“(C) facilitate transitions for youth apprentices who have completed their youth apprenticeships into further education, including an associate, baccalaureate, or advanced degree, and related apprenticeship opportunities; and


“(c) APPRENTICESHIP COLLEGE CONSORTIUM.—In order to support the establishment of a college consortium
of postsecondary educational institutions, related instruction providers, sponsors, qualified intermediaries, and employers for the purposes of promoting stronger connections between programs under the national apprenticeship system involved and participating 2- and 4-year postsecondary educational institutions, the interagency agreement shall describe how the college consortium shall—

“(1) support data sharing systems that align education records and records of programs under the national apprenticeship system regarding whether program participants who receive financial aid under title IV of the Higher Education Act of 1965 enroll in, or complete, postsecondary coursework while participating in a program under such system;


“(3) require all participants of the apprenticeship college consortium to enter into agreements to—
“(A) have a formal articulation agreement with a participating sponsor of an apprenticeship program, including with a 2- or 4-year postsecondary educational institution;

“(B) create or expand the awarding and articulation of academic credit for related instruction completed and credentials awarded to program participants as part of program under the national apprenticeship system;

“(C) support the creation or expansion of electronic transcripts for apprenticeship programs and all academic content, including related instruction and on-the-job training; and

“(D) inform all apprentices whose information will be shared as part of the consortium, and provide such apprentices with an opportunity to opt out;

“(4) provide technical assistance on eligible uses of financial aid, including the Federal work study program under part C of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087–51 et seq.), with related instruction for programs under the national apprenticeship system;

“(5) provide to consortium participants or potential participants information regarding—
“(A) a list of apprenticeship programs in related occupations offered in the State or available under the Office of Apprenticeship that may become part of the consortium;

“(B) information on how to develop an apprenticeship program;

“(C) information on Federal, State, and local financial resources available to assist with the establishment and implementation of apprenticeship programs; and

“(D) information on related qualified intermediaries or industry or sector partnerships supporting apprenticeship programs, as applicable; and

“(6) support information regarding the apprenticeship consortium being made available on a publicly accessible website, including—

“(A) a list of participating members of the consortium, apprenticeship programs provided, and credentials awarded with each program, and available apprenticeable occupations; and

“(B) models of articulation agreements, prior learning assessments, and competency-based curriculum for related instruction for illustrative purposes.
“(d) **Best Practice Development and Sharing.**

“(1) **Dissemination.**—Such interagency agreement shall require that the Secretaries disseminate information on the value of programs under the national apprenticeship system, including relevant placement, retention, and earnings information, labor market data from the local area, and sector forecasts to determine high-skill, high-wage, or in-demand industry sectors or occupations of such programs, to local education and training providers, and labor organizations (including those representing teachers).

“(2) **Clearinghouse.**—Such agreement shall require the Secretaries to create a clearinghouse of best practices—

“(A) for alignment of education and programs under the national apprenticeship system, including career pathways; and

“(B) publicly disseminate information and resources on—

“(i) replicable related instruction and on-the-job learning; and
“(ii) how to build an understanding of apprenticeship opportunities available to students.

“(e) Data Sharing Agreement.—The Secretaries shall disseminate best practices for the alignment of education records and records of programs under the national apprenticeship system, including information on program participants who enroll in, complete, and receive academic credit for postsecondary coursework while participating in such a program.

“ (f) Secretaries Defined.—The term ‘Secretaries’ means the Secretary of Labor and the Secretary of Education.

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

“Sec. 121. Apprenticeable Occupations Standards.

“For an occupation to be an apprenticeable occupation under this Act, a person seeking approval for such occupation to be an apprenticeable occupation shall submit an application to the Administrator that demonstrates that such apprenticeable occupation will prepare individuals for the full range of skills and competencies needed for such occupation by describing how such apprenticeable occupation shall—
“(1) meet the industry-recognized occupational standards under section 111(b)(5)(C); or

“(2) involve the progressive attainment of skills, competencies, and knowledge that are—

“(A) clearly identified and commonly recognized throughout an industry;

“(B) customarily learned or enhanced in a practical way through a structured, systematic program of on-the-job supervised learning and related instruction to supplement such learning;

and

“(C) offered through a time-based, competency-based, or a hybrid model as described in section 122(b)(1)(E).

“SEC. 122. QUALITY STANDARDS OF PROGRAMS UNDER THE NATIONAL APPRENTICESHIP SYSTEM.

“(a) In general.—The Secretary, acting through the Administrator, shall formulate and promote the furtherance of quality standards necessary to safeguard the welfare of apprentices, pre-apprentices, and youth apprentices.

“(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;

“(iii) a description of the mentoring that will be provided to the apprentice; and

“(iv) a description or timeline explaining the periodic reviews and evaluations of the apprentice’s performance on the job and in related instruction.

“(B) A process for maintaining appropriate progress records, including the reviews and evaluations described in subparagraph (A)(iv).

“(C) 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 paragraph (E), 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 Administrator;

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

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

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

“(bb) are subject matter experts, defined for purposes of this subparagraph as individuals recognized within an industry as having expertise in a specific occupation; and
“(II) have training in teaching
techniques and learning styles, or will
obtain such training before providing
the related technical instruction; and
“(iv) where appropriate and to the ex-
tent practicable, shall be aligned to a ca-
reer pathway.
“(D) A progressively increasing, clearly de-
defined schedule of wages to be paid to the ap-
prentice that is—
“(i) consistent with skill gains or at-
tainment 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 re-
quired by other applicable Federal or
State laws (including regulations) or
collective bargaining agreements.
“(E) The term of the apprenticeship pro-
gram, 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 Secretary);

“(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.

“(F) 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 (E)(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 (E)(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, training, 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 such an apprenticeship programs, including by providing the skills and competency attainment needed to enter the apprenticeship program.

“(2) The program—
“(A) is carried out in partnership with at least one sponsor of an apprenticeship program;

“(B) demonstrates the existence of an active, advisory partnership with an industry or sector partnership to inform the training and education services necessary for a pre-apprenticeship program; and

“(C) demonstrates evidence of sufficient openings in an apprenticeship program at the completion of a pre-apprenticeship program to support a transition from a pre-apprenticeship to an apprenticeship.

“(3) 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 industry or sector partnerships and the requirements of the related apprenticeship program;
“(C) to the extent appropriate and practicable, meets the related instruction requirements as described in clauses (ii) through (iv) of subsection (b)(1)(C) that includes enabling an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential; and “(D) includes 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 and training on the job;
“(ii) the allocation of the approximate amount of time to be spent in each major work process;

“(iii) a description of the mentoring that will be provided to the youth apprentice; and

“(iv) a description or timeline explaining the periodic reviews and evaluations of the youth apprentice’s performance on the job and in related instruction.

“(B) A process for maintaining appropriate progress records, including the reviews and evaluations described in subparagraph (A)(iv).

“(C) Related classroom-based instruction, which may be fulfilled through dual or concurrent enrollment, and —

“(i) is, to the extent practicable, aligned with high school diploma requirements and career clusters; and

“(ii) meets the additional requirements as described in subsection (a)(1)(C).

“(D) A progressively increasing, clearly defined schedule of wages to be paid to the youth apprentice.
“(E) The term of the youth apprenticeship program, as described in subsection (b)(1)(E).

“(F) 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).

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

“(3) The program equally grants advanced standing or credit to all individuals applying for the youth apprenticeship with demonstrated competency or acquired experience, training, or skills.

“(4) 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—
“(A) has adequate and safe equipment, environments, and facilities for training and supervision;

“(B) provides safety training on-the-job and in related instruction as applicable by apprenticeable occupation; and

“(C) provides adequate training for mentors and qualified instructors on providing a safe work and training environment.

“(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, including through the method for the selection of apprentices, 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, and culminates in
a recognized postsecondary credential.

“(5) The program provides that an individual
who is to become a program participant under the
program enters into a written apprenticeship agree-
ment described in section 123 with the sponsor of
the program.

**SEC. 123. APPRENTICESHIP AGREEMENTS.**

“(a) IN GENERAL.—To ensure the standards de-
scribed in section 122 are applied to programs under the
national apprenticeship system, the Administrator 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 (b);

and

“(4) be submitted to the registration agency in
accordance with section 124.

“(b) STANDARDS.—Each agreement under sub-
section (a) shall contain, explicitly or by reference—

“(1) in the case of an apprenticeship pro-
gram—
“(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, including how related instruction will be compensated, whether through academic credit, wages, or both, and whether related instruction will come at a cost to the apprentice, and if so, the costs of related instruction;

“(3) a schedule of the work processes in the occupation or industry divisions in which the program participant is to be trained and the approximate time to be spent at each process;
“(4) for apprenticeships or youth apprenticeships, the graduated wage scale to be paid to the apprentices, benefits offered to the apprentices, and how the wages and benefits compare to State, local, or regional wages in the related occupation;

“(5) assurances of commitment to and compliance with section 111(b)(7)(B) stating that the program participant will be accorded equal opportunity in recruitment, training and employment; 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 and continuity of employment best practices for supervision, training, safety, and continuity of employment, throughout the work processes of the program, job site, department, or plant, and provisions in collective bargaining agreements, as applicable, except if such ratios are expressly prohibited by the collective bargaining agreements.
“SEC. 124. REGISTRATION OF PROGRAMS AS YOUTH APPRENTICESHIP, PRE-APPRENTICESHIP, AND APPRENTICESHIP PROGRAMS.

“(a) Apprenticeship Registration Application.—In order to bring together employers and labor for the formulation of programs under the national apprenticeship system, the Administrator 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 section 122 will be met for the program;

“(2) a copy of the apprenticeship agreement described in section 123 used by the sponsor;

“(3) a written assurance that, if the program is registered under this Act, the sponsor will administer the program in accordance with the requirements of this Act and comply with the requirements of the apprenticeship agreement for each apprentice; and

“(4) methods for reporting quarterly data describing the outcomes associated with the program as required by the registration agency.
“(b) RECOGNITION AND REGISTRATION PROCESS.—

“(1) REVIEW AND APPROVAL PROCESS.—

“(A) PROVISIONAL APPROVAL REVIEW.—

An application submitted under subsection (a) 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 stand-
ards 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 section 123 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 Administrator as appropriate, as described under section 123(a)(4).

“(4) TRANSITION PROCESS FOR PREVIOUSLY APPROVED PROGRAMS.—A registration agency shall take such steps as necessary to ensure that the sponsor of a program that, as of the day before the date of enactment of the National Apprenticeship Act of 2020, was approved to be as sponsor of a program under the national apprenticeship system shall—

“(A) in a case in which the program meets the requirements of this Act, maintain the
sponsor’s status as a sponsor of a program under this Act; and

“(B) in a case in which the program does not meet the requirements of this Act, provide technical assistance to the sponsor to ensure that the sponsor is in compliance with this Act not later than 3 years of the date of enactment of the National Apprenticeship Act of 2020.

“(c) Modifications or Changes to Youth Apprenticeship, Pre-apprenticeship, or Apprenticeship Programs.—

“(1) Sponsor proposal.—Any sponsor that wishes to modify a program, including the program’s method of meeting the standards required under this Act, shall submit the proposal for such change or 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 or change, and provide the
sponsor or program administrator with an ac-
knowledgment of the amended program, by not
later than 30 days after the date of approval.

“(C) DISAPPROVAL OF PROPOSAL.—If the
proposal is not approved, the registration agen-
cy 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 op-
portunity 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 of receipt of such
proposal—

“(I) approve the proposal; or

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

“Subtitle C—Evaluations and
Research

“SEC. 131. PROGRAM EVALUATIONS.

“(a) PURPOSE.—The purpose of this section is to
provide program performance transparency across the
programs under the national apprenticeship system, assess
the effectiveness of States in achieving positive outcomes
for program participants served by those programs, and
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 124 by such
agency, to determine—

“(i) the performance of the program
with respect to the indicators of perform-
ance 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)), as applied 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 Administrator a State performance report that includes, with respect to each program registered under section 124 by such agency—

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

“(ii) the percentage of program participants by race, sex and ethnicity (as defined in section 30.2 of title 29, Code of Federal Regulations as such section is in effect on January 31, 2020), as compared to such percentages within the working age population in the occupation for which the program provides preparation in the labor market area of the program;
“(iii) the percentage of program participants served by each of the programs that obtained unsubsidized employment in a field related to the apprenticeable occupation;

“(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;

“(vi) the percentage of program participants who received supportive services;

“(vii) information on the State’s activities required under section 113(c), including 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)—
“(I) by the program type (apprenticeship, youth apprenticeship, or pre-apprenticeship program) involved; and

“(II) by 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)).

“(C) REPORTS TO CONGRESS.—Not later than 60 days after receiving a report under subparagraph (B), the Secretary shall transmit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate the report.

“(2) COMPREHENSIVE PROGRAM REVIEWS.—

“(A) IN GENERAL.—A registration agency shall periodically review each program registered under section 124 by such agency for quality assurance and compliance with the requirements of this Act.

“(B) TIMING OF REVIEWS.—A review described in subparagraph (A) shall occur—
“(i) at the end of the first full training cycle of program participants under the program; and

“(ii) beginning after the review described in clause (i), not less frequently than once every 5 years.

“(C) REVIEW.—The review shall be a comprehensive review regarding all aspects of the program performance, including—

“(i) determining whether the registration agency is receiving notification from the sponsor of a program regarding individuals who are registered as new youth apprentices, pre-apprentices, or apprentices under the program, or who successfully complete the program, as required under this Act;

“(ii) determining whether the sponsor of the program is complying with the requirements of this Act;

“(iii) evaluating the performance of the sponsor with respect to, at a minimum, the indicators described in paragraph (1)(A), with the performance data
disaggregated as described in paragraph (1)(B)(ix); and

“(iv) ensuring the sponsor’s compliance with the requirement to provide equal opportunity in recruitment, training and employment as described in section 111(b)(7)(B).

“(D) REPORTS.—On completion of a review under this paragraph, the registration agency shall prepare and submit to the Administrator a report containing the results of the review.

“(c) SUBSEQUENT ACTION.—

“(1) TECHNICAL ASSISTANCE.—The registration agency shall provide technical assistance to the sponsor and identify areas that require technical assistance, including—

“(A) to support the sponsor in creating a plan to meet the State goals described in section 113(c)(8)(A)(ii), as applicable; and

“(B) assistance in the development of a performance improvement plan if the registration agency determines, pursuant to any review under subsection (a), that the youth apprentice-
ship, pre-apprenticeship, or apprenticeship program—

“(i) is not in operation;

“(ii) is not in compliance with the requirements of this Act; or

“(iii) 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 persistent 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 on the indicators described in subsection (a)(1)(A) over a period of 3 years, given the characteristics of program participants and eco-
nominal 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 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 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 youth apprenticeship, pre-apprenticeship, or apprenticeship 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 po-
potential transfers to other programs under the national apprenticeship system.

“SEC. 132. NATIONAL APPRENTICESHIP SYSTEM EVALUATION AND RESEARCH.

“(a) 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 and issues relating to such programs and activities.

“(b) Techniques.—The research conducted under this section shall utilize appropriate methodology and research designs.

“(c) 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; and

“(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;

“(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) the impact of policies on the general effectiveness of policies such as dual or concurrent enrollment programs, advanced standing, or industry recognized apprenticeable occupations on the general effectiveness of programs under the national apprenticeship system;

“(3) best practices in increasing nontraditional apprenticeship populations’ participation in programs under the national apprenticeship system; and

“(4) opportunities to scale up effective models under the national apprenticeship system.

“(d) REPORTS.—
“(1) INDEPENDENT ENTITY.—The independent entity carrying out the research shall prepare and submit to the Secretary—

“(A) an interim report containing findings from the research; and

“(B) a final report containing the results of the research, including policy recommendations.

“(2) REPORTS TO CONGRESS.—Not later than 60 days after the receipt of the final report described in paragraph (1)(B), the Secretary shall submit the interim and 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.

“(e) PUBLIC ACCESS.—The Secretary shall make the interim and final reports publicly available no later than 60 days after the receipt of the interim and final report.

“Subtitle D—General Provisions

“SEC. 141. AUTHORIZATION OF APPROPRIATIONS.

“(a) OFFICE OF APPRENTICESHIP.—There are authorized to be appropriated to carry out sections 111 and 112—

“(1) $50,000,000 for fiscal year 2021;

“(2) $60,000,000 for fiscal year 2022;
“(3) $70,000,000 for fiscal year 2023;
“(4) $80,000,000 for fiscal year 2024; and
“(5) $90,000,000 for fiscal year 2025.

“(b) Interagency Agreement.—There are authorized to be appropriated to carry out section 114—
“(1) $10,000,000 for fiscal year 2021;
“(2) $12,000,000 for fiscal year 2022;
“(3) $14,000,000 for fiscal year 2023;
“(4) $16,000,000 for fiscal year 2024; and
“(5) $18,000,000 for fiscal year 2025.

“Title II—Modernizing the National Apprenticeship System for the 21st Century Grants

“Sec. 201. Grant Requirements.

“(a) Authority.—
“(1) In general.—The Administrator shall award grants, contracts, or cooperative agreements to eligible entities on a competitive basis for one or more of the following purposes:

“(A) Creation and Expansion Activities.—To expand the offerings of programs under the national apprenticeship system—
“(i) to create new apprenticeship programs in a nontraditional apprenticeship
industry or occupation, such as for programs demonstrating demand in information technology, energy, advanced manufacturing, or cybersecurity;

“(ii) to create new or to expand existing apprenticeship programs, such as for programs demonstrating demand in energy or advanced manufacturing;

“(iii) to create new or expand an existing pre-apprenticeship programs; or

“(iv) to create new or expand an existing youth apprenticeship programs.

“(B) ENCOURAGING EMPLOYER PARTICIPATION.—To encourage employer participation in programs under the national apprenticeship system—

“(i) that target individuals with barriers to employment in youth apprenticeship, pre-apprenticeship, or apprenticeship programs, prioritizing nontraditional apprenticeship populations, such as women, minorities, long-term unemployed, individuals with a disability, individuals with substance abuse issues, and veterans;
“(ii) that are in high-need social service-related industries, sectors, or occupations, such as direct care workers and early childhood educators;

“(iii) that target individuals currently or formerly incarcerated; or

“(iv) among small- and medium-sized employers.

“(C) INTERMEDIARY GRANTS.—If the eligible entity is a qualified intermediary—

“(i) to support 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 Administrator and National Advisory Committee on Apprenticeships as targeted for expansion—
sion under the national apprenticeship system; or

“(II) for nontraditional apprenticeship populations, women, minorities, individuals with disabilities, and individuals impacted by the criminal justice system; or

“(ii) to serve programs under the national apprenticeship system in a local or regional setting.

“(D) Educational Alignment.—To 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.

“(2) Duration.—

“(A) In General.—The Administrator shall award grants under this subsection for a period of not more than 3 years.

“(B) Extension.—The eligible entity may apply for, and the Administrator may grant, an extension of the grant period for not more than 1 additional 2-year period, if the grant recipient
demonstrates to the Administrator that the recipient—

“(i) has effectively implemented a project to achieve its stated purpose as described in subsections (e) and (f);

“(ii) has complied with the assurances as described in subsection (e)(9); and

“(iii) has improved applicable outcomes, as demonstrated through indicators referred to in section 203(a)(2).

“(b) FUNDING REQUIREMENTS.—

“(1) MATCHING FUNDS REQUIRED.—The Administrator shall require, as a condition of receipt of funds under this section, an eligible entity to match funds awarded under this section in an amount not less than 25 percent of the funds awarded to such recipient under this section. Such eligible entity may make the matching funds available directly or through donations from non-Federal, public or private organizations, in cash or in kind, fairly evaluated.

“(2) WAIVER.—The Administrator may waive the requirement under paragraph (1) if the entity demonstrates that exceptional circumstances prevent the entity from meeting the requirement, such as
demonstrating that the entity serves a high proportion of individuals with barriers to employment.

“(c) PRIORITY AND DISTRIBUTION.—

“(1) PRIORITY.—In awarding grants under this section, the Administrator shall give priority to an eligible entity—

“(A) proposing to serve a high number or high percentage of participants who are from nontraditional apprenticeship populations; or

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

“(2) GEOGRAPHIC DISTRIBUTION.—In awarding grants under this subsection, the Administrator 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.

“(d) ELIGIBLE ENTITY.—To be eligible to apply for grants under this title, an eligible entity shall—

“(1) demonstrate a partnership with two or more of the following:

“(A) a State workforce development board or State workforce agency, or a local workforce
development board or local workforce develop-
ment agency;

“(B) an education and training provider,
or a consortium thereof;

“(C) a State apprenticeship agency;

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

“(E) an industry or sector partnership, a
group of employers, a trade association, or a
professional association that sponsors or par-
ticipates in a program under the national ap-
prenticeship system;

“(F) a Governor;

“(G) a labor organization associated with
the apprenticeable occupation of the program
under the national apprenticeship system in-
volved; or

“(H) a qualified intermediary; and

“(2) to the extent practicable, be part of an in-
dustry or sector partnership.

“(e) GENERAL APPLICATION REQUIREMENTS.—The
Administrator shall require an eligible entity applying for
a grant under this section to submit to the Administrator
a description of each of the following:
“(1) Which purposes under subsection (a) for which the applicant intends to use such grant.

“(2) Each entity with which the eligible entity is partnered or engaged under subsection (d) and the role of each such entity in carrying out activities funded under this subsection.

“(3) The ability of the applicant, directly or through partners—

“(A) to enroll, instruct, advance, and graduate program participants served by the grant activities, and enable the participants to gain employment after program completion;

“(B) to support (including by providing technical assistance) program sponsors and employers (especially small- and medium-sized businesses) in the creation of, recruitment for, and execution of programs under the national apprenticeship system; and

“(C) to provide opportunities to rural communities, as applicable.

“(4) A labor market analysis with respect to the geographic area of service that demonstrates—

“(A) the need to expand the program; and

“(B) a plan to align the activities supported by the grant with the labor market
needs of high-skill, high-wage, or in-demand industry sectors or occupations.

“(5) A plan—

“(A) to comply with requirements for an evaluation and report under section 203;

“(B) as appropriate, to coordinate activities assisted under the grant with activities carried out under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), and any related Federal programs and if appropriate, how funds provided under these programs will be leveraged in support of the programs supported by this grant;

“(C) to use funds awarded under this section in support of the programs supported by this grant, as described in section 202;

“(D) to continue the program after the grant period ends; and

“(E) to recruit and retain program participants for pre-apprenticeship, youth apprentice-
ship, and apprenticeship programs, including from nontraditional apprenticeship populations, such as women, minorities, and individuals with barriers to employment, and how such plan will support the eligible entity in meeting the equal opportunity requirements for diversity described in sections 111(b)(7)(B) and 113(e)(5), as applicable.

“(6) For any grants expanding existing programs under the national apprenticeship system, a description of—

“(A) a plan to coordinate the activities carried out under the grant with the existing program; and

“(B) the effectiveness of the program, including demonstrations of programmatic components such as program costs to employers and to program participants, completion and placement rates, credential attainment, diversity in populations served, or services provided to employers and program participants.

“(7) A description of potential program participants and strategies to support the recruitment, retention and completion such participants, including of nontraditional apprenticeship populations and in-
dividuals with barriers to employment, to the extent practicable.

“(8) A description of strategies to recruit and support employers involved in programs under the national apprenticeship system.

“(9) An assurance that the eligible entity will—

“(A) provide information to the Administrator, as requested, for any such evaluations as the Administrator may carry out;

“(B) make program performance outcome data available (in accordance with applicable data privacy laws, including section 444 of the General Education Provisions Act (20 U.S.C. 1232g) and section 4) to independent evaluators to enable the evaluators to prepare the evaluations and reports described in section 204(a)(1); and

“(C) coordinate grant activities with a State Apprenticeship Agency, if such agency exists in the State where the eligible entity is applying for a grant or carrying out activities.

“(f) ADDITIONAL APPLICATION REQUIREMENTS.—

The Administrator shall require an eligible entity applying for a grant under this title to include as part of their ap-
Application in subsection (e) the following information, as applicable:

“(1) Creation and expansion activities.—

“(A) An eligible entity applying to create new apprenticeship programs and carry out activities in accordance with subsection (a)(1)(A)(i) shall include as part of their application a description of—

“(i) any plans for further expansion upon development of the program; and

“(ii) employers engaged in the program creation and implementation.

“(B) An eligible entity applying to expand existing apprenticeship programs and carry out activities in accordance with subsection (a)(1)(A)(ii) shall include as part of their application a description of employers engaged in the program expansion.

“(C) An eligible entity applying to create or expand pre-apprenticeship programs and carry out activities in accordance with subsection (a)(1)(A)(iii) shall include as part of their application a description of—
“(i) a partnership between the eligible entity and at least one apprenticeship program; and

“(ii) existing partnerships with employers acting in either an advisory capacity or actively participating in the pre-apprenticeship program.

“(D) An eligible entity applying to create or expand youth apprenticeship programs and carry out activities in accordance with subsection (a)(1)(A)(iv) shall include as part of their application a description of—

“(i) an existing partnership with at least one high school offering related instruction for the youth apprenticeship program, with existing integration into the academic content of the high school diploma requirements, or with demonstrated plans for integration of related instruction into the high school curriculum; and

“(ii) existing partnerships with employers acting in either an advisory capacity or actively participating in the youth apprenticeship program.
“(2) ENCOURAGING EMPLOYER PARTICIPATION.—

“(A) An eligible entity applying to target individuals with barriers to employment for apprenticeship, youth apprentices, or pre-apprenticeship programs and carry out activities in accordance with subsection (a)(1)(B)(i) shall include as part of their application a description of—

“(i) specific strategies to target both individuals with barriers to employment and employers for participation in the program; and

“(ii) demonstration of partnerships with organizations that assist program participants in accessing supportive services to support recruitment, retention, and completion of the program.

“(B) An eligible entity applying to offer pre-apprenticeship, youth apprenticeship, or apprenticeship programs in high-need social service-related industries, sectors, or occupations carry out activities in accordance with subsection (a)(1)(B)(ii) shall include as part of
their application a description of wages and
benefits offered to program participants.

“(C) An eligible entity applying to target
individuals currently or formerly incarcerated
and carry out pre-apprenticeship programs and
apprenticeship programs in accordance with
subsection (a)(1)(B)(iii) shall include as part of
their application a description of—

“(i) a plan to assist the program par-
ticipants obtaining the documentation and
work authorization necessary to participate
in such program;

“(ii) demonstration of partnerships
with organizations that assist program
participants in accessing activities to im-
prove financial literacy and supportive
services;

“(iii) how the assessments used to
support the placement of potential pro-
gram participants into a program accu-
rately reflect the participants’ skills and
competencies;

“(iv) a plan to provide information
about resources to program participants to
address mental health or substance abuse issues;

“(v) partnerships with organizations that support—

“(I) the transition from incarceration to re-entry; and

“(II) successful completion of an apprenticeship or pre-apprenticeship program;

“(vi) wages and benefits offered to program participants that are commensurate with wages for similar work in the State or local area, as allowable; and

“(vii) alignment and necessary supports to comply with and receive the benefits of the Federal Bonding Program and the Prison Industry Enhancement Certification Program for employers participating in apprenticeship programs.

“(D) An eligible entity applying to engage small- and medium-sized employers and carry out activities in accordance with subsection (a)(1)(B)(iv) shall include as part of their application a description of demonstrated success in engaging small and medium sized employers
and the ability to recruit new employers to participate in related partnerships or programs, such as small businesses owned or controlled by women, minorities or veterans.

“(3) INTERMEDIARY GRANTS.—

“(A) An eligible entity applying to carry out activities in accordance with subsection (a)(1)(C)(i) shall include as part of their application a description of the ability of such entity to convene a diverse group of industry specific stakeholders for the purposes of developing or expanding programs, including employers, workforce development organizations, industry associations, labor groups, and education and training providers at a national level or with national reach.

“(B) An eligible entity applying to carry out activities in accordance with subsection (a)(1)(C)(ii) shall include as part of their application a description of how such entity will—

“(i) engage employers, especially small- and medium-sized businesses, in the formation or ongoing development of industry or sector partnerships and pro-
grams in the national apprenticeship system;

“(ii) identify the industry or sector partnerships that will be served, and demonstrate alignment to high-skill, high-wage, or in-demand industry sectors or occupations;

“(iii) leverage additional resources, including funding provided by Federal and non-Federal resources; and

“(iv) provide services to program sponsors and program participants.

“(4) EDUCATIONAL ALIGNMENT.—An eligible entity applying to carry out activities in accordance with subsection (a)(1)(D) shall include as part of their application a description of—

“(A) a demonstration of a partnership with—

“(i)(I) no less than three sponsors or employer; or

“(II) an industry or sector partnership; and

“(ii) at least 1 of the following—

“(I) an educational service agency;
“(II) a high school;

“(III) a local educational agency;

“(IV) State educational agency;

“(V) an Indian Tribe, Tribal organization, or Tribal educational agency, as applicable;

“(VI) a postsecondary educational institution; or

“(VII) a State higher education agency; and

“(B) a commitment to establishing or expanding the alignment of the related instruction to—

“(i) the requirements for a high school diploma, which may be fulfilled through a dual or concurrent enrollment program; or

“(ii) the degree requirements for an associates or bachelor’s degree.

“SEC. 202. USES OF FUNDS.

“(a) GENERAL ACTIVITIES.—An eligible entity applying for any grant activity under section 201(a)(1) may use funds for any of the following activities:

“(1) To establish or expand partnerships with organizations that provide program participants ac-
cess 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.

“(2) Use 5 percent of the grant funds to provide direct financial assistance to apprentices, pre-apprentices, or youth apprentices to support their financial needs to enter, remain enrolled in, and complete such program, such as support for the related costs of supplies, courses, transportation, child care, and housing.

“(3) To conduct outreach and recruitment activities, including assessments of potential participants for, and enrollment of participants in a program under the national apprenticeship system.

“(4) To conduct 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 nontraditional apprenticeship populations, small- and medium-sized businesses, or rural communities to establish or expand industry or sector partner-
ships and opportunities under the national apprenticeship system.

“(5) To conduct any activities as described in the application that would advance the purposes of the grant.

“(b) ADDITIONAL USES OF FUNDS.—

“(1) CREATION OF EXPANSION ACTIVITIES.—

“(A) Apprenticeship Program Creation.—An eligible entity who receives funds under section 201(a)(1)(A)(i) shall use such funding to create and implement an apprenticeship program, which may include—

“(i) creating and providing training and related instruction based on employer engagement;

“(ii) applying apprenticeship frameworks as described in section 111(b)(6)(C) to the State or local labor market and employer needs; or

“(iii) aligning the new program with existing apprenticeship programs.

“(B) Apprenticeship Program Expansion.—An eligible entity that receives funds under section 201(a)(1)(A)(ii) shall use such
funds expand an existing apprenticeship programs, which may include—

“(i) expanding and enhancing related instruction;

“(ii) conducting outreach to and engagement with employers for the purposes of program expansion, including creation of new or expansion of existing industry or sector partnerships;

“(iii) preparing additional instructors or mentors needed for program expansion;

“(iv) building awareness of apprenticeship program opportunities for State or local workforce development, education, and economic development entities; and

“(v) providing commensurate wages for program participants during related instruction for individuals demonstrating financial need, as applicable.

“(C) Pre-apprenticeship programs.—

An eligible entity that receives funds under section 201(a)(1)(A)(iii) shall use such funds to create a new pre-apprenticeship program or expand an existing pre-apprenticeship program, which may include—
“(i) coordinating pre-apprenticeship program activities with an apprenticeship program in a high-skill, high-wage, or in-demand industry sector or occupation, including the creation or expansion of work-based learning opportunities, and articulation agreements for those who successfully complete a pre-apprenticeship to earn academic credit and enroll in an apprenticeship program;

“(ii) creating, expanding, or integrating related instruction and work-based learning, which may include training in the workplace and supporting partnerships to create opportunities for pre-apprentices to earn credit at a postsecondary educational institution for skills and competencies acquired during the pre-apprenticeship program;

“(iii) providing participants with career exploration and career planning activities and with exploration of postsecondary opportunities including apprenticeship programs;
“(iv) with respect to participants without a high school diploma or a generally recognized equivalent, paying the costs affiliated with acquiring such equivalent, and the costs of any related assessments of potential pre-apprentices or active pre-apprentices;

“(v) demonstration of partnerships with organizations that assist program participants in accessing supportive services, which may include the 12-month period after the conclusion of a pre-apprenticeship program;

“(vi) providing commensurate wages to the linked apprenticeship program for pre-apprentices as they participate in and complete the pre-apprenticeship program, as appropriate;

“(vii) paying the cost of related instruction associated with the pre-apprenticeship program, as appropriate; or

“(viii) creating or expanding industry or sector partnerships to support the pre-apprenticeship program and to provide ad-
ditional opportunities to the pre-apprentices.

“(D) YOUTH APPRENTICESHIP PROGRAMS.—An eligible entity that receives funds under section 201(a)(1)(A)(iv) shall use such funds to create a new youth apprenticeship program or expand an existing youth apprenticeship program, which may include—

“(i) paying for the costs associated with curriculum development and alignment of that curriculum with industry-recognized credentials, high school graduation requirements, and related instruction, including curriculum development for dual or concurrent enrollment;

“(ii) providing employers technical assistance to support the participation of youth apprentices under the age of 18;

“(iv) using integrated work-based and academic learning, which may include training in the workplace;

“(v) providing career exploration and career planning activities, including exploration of postsecondary opportunities such as apprenticeship programs;
“(vi) providing technical assistance to support the participation of small- and medium-sized businesses in youth apprenticeship programs;

“(vii) demonstration of partnerships with organizations that assist program participants in accessing supportive services, which may include the 12-month period after the conclusion of such a youth apprenticeship program; or

“(viii) providing teachers, career guidance and academic counselors, school leaders, administrators, specialized instructional support personnel, and paraprofessionals with professional development opportunities to build an understanding of apprenticeship opportunities available to students, including experiential opportunities like externships.

“(2) INCENTIVE FUNDS.—

“(A) BARRIERS TO EMPLOYMENT.—An eligible entity that receives funds under section 201(a)(1)(B)(i) shall use such funds to encourage employer participation in programs under the national apprenticeship system that target
individuals with barriers to employment, which may include—

“(i) providing financial assistance to employers to support costs related to the programs, such as training incumbent workers for participation in the apprenticeship program, or mentors and employees providing on-the-job training;

“(ii) supporting the cost of related instruction or the wages for program participants during related instruction; and

“(iii) establishing or expanding partnerships with organizations that assist program participants in accessing supportive services to support recruitment, retention, and completion, including providing supplies and equipment necessary to begin a program under the national apprenticeship system.

“(B) HIGH-NEED SOCIAL SERVICE-RELATED INDUSTRIES.—An eligible entity that receives funds under section 201(a)(1)(B)(ii) shall use such funds to incentivize employer participation in programs under the national apprenticeship system in high need social serv-
ice-related industries, sectors, or occupations, which may include—

“(i) providing financial assistance to employers to support costs related to the program, such as training incumbent workers for participation, or mentors and employees providing on-the-job training;

“(ii) supporting the cost of related instruction or the wages for program participants during related instruction;

“(iii) establishing or expanding partnerships with organizations that assist program participants in accessing supportive services to support recruitment, retention, and completion, including providing supplies and equipment necessary to begin a program under the national apprenticeship system; or

“(iv) aligning such program with career pathways and opportunities for advancement along such career pathways.

“(C) INDIVIDUALS IMPACTED BY THE JUSTICE SYSTEM.—An entity that receives funds under section 201(a)(1)(B)(iii) shall use such funds to incentivize employer participation in

ice-related industries, sectors, or occupations, which may include—

“(i) providing financial assistance to employers to support costs related to the program, such as training incumbent workers for participation, or mentors and employees providing on-the-job training;

“(ii) supporting the cost of related instruction or the wages for program participants during related instruction;

“(iii) establishing or expanding partnerships with organizations that assist program participants in accessing supportive services to support recruitment, retention, and completion, including providing supplies and equipment necessary to begin a program under the national apprenticeship system; or

“(iv) aligning such program with career pathways and opportunities for advancement along such career pathways.

“(C) INDIVIDUALS IMPACTED BY THE JUSTICE SYSTEM.—An entity that receives funds under section 201(a)(1)(B)(iii) shall use such funds to incentivize employer participation in
programs under the national apprenticeship system that target individuals impacted by the justice system, which may include—

“(i) providing financial assistance to employers to support costs related to the program, such as training incumbent workers for participation, or mentors and employees providing on-the-job training; or

“(ii) supporting the cost of related instruction, or wages for program participants during related instruction.

“(D) IN-DEMAND INDUSTRY SECTOR OR OCCUPATION GRANTS FOR SMALL- AND MEDIUM-SIZED BUSINESSES.— An eligible entity that receives funds under section 201(a)(1)(B)(iv) shall use such funds to encourage participation of small- and medium-sized businesses in programs under the national apprenticeship system, which may include—

“(i) providing financial assistance to employers to support costs related to the program, such as training incumbent workers for participation, or mentors and employees providing on-the-job training;
“(ii) supporting the cost of related instruction or wages for program participants during related instruction;

“(iii) providing technical assistance to small and medium sized businesses on the program registration process and leveraging other available funds to support carrying out programs supported by this grant; or

“(iv) expanding partnerships to support program expansion, including expanding industry or sector partnerships to ensure inclusion of small- and medium-sized businesses.

“(3) INTERMEDIARY GRANTS.—

“(A) NATIONAL INDUSTRY AND EQUITY INTERMEDIARIES.—An eligible entity who receives funds under section 201(a)(1)(C)(i) shall use such funds to carry out activities at a national and regional level to support the promotion and expansion of industry or equity intermediaries, which may include—

“(i) creating partnerships and leveraging collaborations with employers, workforce development organizations, in-
dustry associations, labor organizations, and education and training providers to help multiple employers make education and training more affordable and accelerate the expansion of apprenticeship nationwide;

“(ii) assisting employers in expanding programs, starting new programs, and working together to create a pipeline of skilled workers;

“(iii) increasing the participation and completion of nontraditional apprenticeship populations in programs under the national apprenticeship system, which may include—

“(I) supporting the development, implementation, and scaling of plans and practices; and

“(II) identifying, developing, and disseminating effective program tools and strategies;

“(iv) providing national activities to increase access to programs, including strategic marketing and outreach, technology improvements, and innovations that
make it easier for employers to start programs and for individuals to connect with program opportunities;

“(v) developing and disseminating training or related instruction associated with the program or for curriculum improvements that align with the requirements of the program and learning assessments; or

“(vi) providing industry employees or potential employees with a clear understanding of future career paths and the skills needed to succeed, along with cost effective ways of acquiring those skills through youth apprenticeship, pre-apprenticeship, or apprenticeship programs.

“(B) LOCAL INTERMEDIARIES.—An eligible entity who receives funds under section 201(a)(1)(C)(ii) may use such funds to carry out activities at a local or regional level to support the promotion and expansion of programs under the national apprenticeship system, which may include—

“(i) providing training or related instruction associated with the programs or
for curriculum improvements that align
with the requirements of the programs and
learning assessments;

“(ii) engaging with local education
and training providers to support related
instruction aligned with the needs of high-
skill, high-wage, or in-demand industry
sectors and occupations, and to the extent
practicable, support the provision of aca-
demic credit for related instruction;

“(iii) providing services, including
business engagement, classroom instruc-
tion, and demonstration of partnerships
with organizations that assist program
participants in access supportive services
(which may include the 12-month period
after the conclusion of the other activities
in the youth apprenticeship and pre-ap-
prenticeship programs involved);

“(iv) providing technical assistance on
the registration process for a sponsor of a
youth apprenticeship, pre-apprenticeship,
or apprenticeship program;

“(v) connecting businesses with edu-
cation and training providers to develop re-
lated instruction to complement the on-the-job learning portion of a youth apprenticeship, pre-apprenticeship, or apprenticeship program;

“(vi) providing training to employees to serve as on-the-job trainers or mentors to program participants; and

“(vii) providing career awareness activities.

“(4) EDUCATIONAL ALIGNMENT GRANTS.—An eligible entity who receives funds under section 201(a)(1)(D) shall use such funds to 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, which may include—

“(A) creating and aligning the related instruction to requirements for a high school diploma or associate’s or bachelor’s degrees, including through—

“(i) dual enrollment and credit articulation for youth apprenticeship programs;

“(ii) articulation agreements; or

“(iii) credit transfer agreements;
“(B) to create or expanding career pathways aligned with pre-apprenticeship, youth apprenticeship, or apprenticeship programs;

“(C) providing professional development for teachers, career guidance and academic counselors, school leaders, administrators, specialized instructional support personnel, and paraprofessionals to build an understanding of opportunities in the national apprenticeship system available to students and to incorporate such opportunities into academic content and offerings;

“(D) offering prior learning assessments, which may include credit for prior learning to grant advanced standing in a program under the national apprenticeship system and credit towards an associate’s degree or a bachelor’s degree;

“(E) to maintain a connection between a pre-apprenticeship or youth apprenticeship program and an apprenticeship program; and

“(F) to provide training for instructors or mentors.
“SEC. 203. GRANT EVALUATIONS.

“(a) Recipient Reports.—Each recipient of a grant under this section shall—

“(1) provide for an independent evaluation of the activities carried out under this title during the grant period;

“(2) provide for an annual report and a final report at the conclusion of the grant period that includes—

“(A) a description of how the funds received through the grant were used and how the uses of funds aligned with the description in the application specified in section 201(e)(4)(C);

“(B) in the case of an eligible entity that is required to report data under section 131(a)(1), the data collected under such section for the grant period;

“(C) the total number of active program participants served by each of the grant programs and the total number that obtained unsubsidized employment in a field related to the apprenticeable occupation;

“(D) the total number of participants that completed each of the youth apprenticeship, pre-apprenticeship, or apprenticeship programs;
“(E) the average time to completion for each program as compared to the program standards description in section 123(1) and (2);

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

“(G) the percentage of participants who received support services; and

“(3) submit each report under paragraph (2)—

“(A) to the registration agency; and

“(B) to the Administrator.

“(b) ADMINISTRATOR EVALUATIONS.—

“(1) IN GENERAL.—The Administrator shall prepare—

“(A) not later than 36 months after the date of enactment of the National Apprenticeship Act of 2020, an interim evaluation on the activities carried out under grants awarded under this section; and

“(B) not later than 60 months after the date of enactment of the National Apprenticeship Act of 2020, a final evaluation containing the results of the grant activities.

“(2) CONTENTS.—Such evaluations shall address, for the activities carried out under each grant
awarded under this section, the general effectiveness
of the activities in relation to their cost, including
the extent to which the activities—

“(A) improve the participation in, retention in, and completion of youth apprenticeship, pre-apprenticeship, and apprenticeship programs by nontraditional apprenticeship populations;

“(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 activities; and

“(C) respond to the needs reflected in State, regional, or local labor market data, align with high-skill, high-wage, or in-demand industries or occupations, and reach a wide variety of industry sectors and occupations;

“(3) REPORTS TO CONGRESS.—Not later than 60 days after the completion of the interim evaluation and the final evaluation described in this section, the Administrator shall submit a 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.
“(4) PUBLIC ACCESS.—The Administrator shall make the interim and final reports publicly available Not later than 60 days after the completion of the interim report and the final report.

“SEC. 204. GRANT APPROPRIATIONS.

“(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out only registered apprenticeship activities under this title $400,000,000 for fiscal year 2021, $500,000,000 for fiscal year 2022, $600,000,000 for fiscal year 2023, $700,000,000 for fiscal year 2024, and $800,000,000 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. 4. 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 to read as follows:

“(2) USE OF FEES FOR APPRENTICESHIP PROGRAMS.—
“(A) In general.—Of the amount deposited into the H–1B Nonimmigrant Petitioner Account, subject to subparagraph (B), not fewer than $200,000,000 shall remain available to the Secretary of Labor until expended to carry out title II of the National Apprenticeship Act.

“(B) Exception.—If fewer than $200,000,000 are deposited into the H–1B Nonimmigrant Petitioner Account, then all of the funds deposited in such account shall remain available to the Secretary of Labor until expended to carry out title II of the National Apprenticeship Act.”