

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.**

**S. 2363**

A bill to promote and expand high-quality youth apprenticeship programs and provide support and incentives to help employees establish such programs.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by Mr. HICKENLOOPER

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Youth Apprenticeship

5 Advancement Act”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

8 (1) to promote and expand high-quality youth

9 apprenticeship programs that—

10 (A) strengthen the transition from sec-

11 ondary school to employment and postsecondary

1 education in high-skill, high-wage, and in-de-  
2 mand industry sectors and occupations;

3 (B) serve all youth, including youth with  
4 barriers to access to, participation in, and com-  
5 pletion of youth apprenticeship programs; and

6 (C) lead to rewarding, longer-term careers  
7 and success in the labor market; and

8 (2) to provide support and incentives to help  
9 employers establish high-quality youth apprentice-  
10 ships to meet their needs for skilled workers and di-  
11 versify their workforces.

12 **SEC. 3. DEFINITIONS.**

13 In this Act:

14 (1) **APPRENTICESHIP PROGRAM.**—The term  
15 “apprenticeship program” means an apprenticeship  
16 program registered with the Office of Apprenticeship  
17 of the Employment and Training Administration of  
18 the Department of Labor or a State apprenticeship  
19 agency recognized by the Office of Apprenticeship  
20 pursuant to the Act of August 16, 1937 (commonly  
21 known as the “National Apprenticeship Act”; 50  
22 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

23 (2) **AWARD.**—The term “award” means a  
24 grant, contract, cooperative agreement, or other  
25 agreement.

1           (3) COMPETENCY.—The term “competency”  
2           means the attainment of knowledge, skills, and abili-  
3           ties in a subject area, as specified by an occupa-  
4           tional skill standard and demonstrated by an appro-  
5           priate written and hands-on proficiency measure-  
6           ment.

7           (4) CTE TERMS.—The terms “area career and  
8           technical education school”, “Tribally controlled col-  
9           lege or university”, “Tribally controlled postsec-  
10          ondary career and technical institution”, and “work-  
11          based learning” have the meanings given the terms  
12          in section 3 of the Carl D. Perkins Career and Tech-  
13          nical Education Act of 2006 (20 U.S.C. 2302).

14          (5) EDUCATION AND TRAINING PROVIDER.—  
15          The term “education and training provider”  
16          means—

17                 (A) an area career and technical education  
18                 school;

19                 (B) an early college high school;

20                 (C) a dual or concurrent enrollment pro-  
21                 gram;

22                 (D) an educational service agency;

23                 (E) a secondary school;

24                 (F) a local educational agency or State  
25                 educational agency;

1 (G) a Tribal educational agency, Tribally  
2 controlled college or university, or Tribally con-  
3 trolled postsecondary career and technical insti-  
4 tution;

5 (H) an institution of higher education;

6 (I) a Historically Black College or Univer-  
7 sity, meaning a part B institution as defined in  
8 section 322 of the Higher Education Act of  
9 1965 (20 U.S.C. 1061));

10 (J) a minority-serving institution, meaning  
11 an institution of higher education described in  
12 section 371(a) of the Higher Education Act of  
13 1965 (20 U.S.C. 1067q(a));

14 (K) a State agency administering an ap-  
15 proved State plan under title I of the Rehabili-  
16 tation Act of 1973 (29 U.S.C. 720 et seq.),  
17 other than section 112 or part C of that title  
18 (29 U.S.C. 732, 741);

19 (L) an entity carrying out a community re-  
20 habilitation program, as defined in section 7 of  
21 the Rehabilitation Act of 1973 (29 U.S.C. 705),  
22 or a State comprehensive rehabilitation center;

23 (M) an operator of a Job Corps center (as  
24 defined in section 142 of the Workforce Innova-  
25 tion and Opportunity Act (29 U.S.C. 3192));

1 (N) a related integrated instruction pro-  
2 vider, including a qualified intermediary acting  
3 as a related integrated instruction provider as  
4 approved by the Office of Apprenticeship or a  
5 State apprenticeship agency recognized by the  
6 Secretary; and

7 (O) a consortium of entities described in  
8 any of subparagraphs (A) through (N).

9 (6) ELIGIBLE ENTITY.—The term “eligible enti-  
10 ty” means a partnership that shall include—

11 (A) 1 or more State educational agencies  
12 or local educational agencies;

13 (B) 1 or more youth apprenticeship pro-  
14 gram sponsors, which may be employers; and

15 (C) entities or officials from not fewer than  
16 2 categories consisting of the following:

17 (i) A Governor of a State, including a  
18 Governor acting through 1 or more State  
19 agencies.

20 (ii) A State workforce development  
21 board or State workforce agency, or a local  
22 workforce development board or local  
23 workforce agency.

24 (iii) An education and training pro-  
25 vider, or a consortium thereof.

1 (iv) A qualified intermediary.

2 (v) An industry or sector partnership,  
3 a group of employers, a trade association,  
4 or a professional association.

5 (vi) A labor organization or joint-labor  
6 management organization.

7 (vii) An Indian Tribe, Tribal organi-  
8 zation, or Urban Indian organization.

9 (viii) A nonprofit entity, such as a  
10 community-based organization, human or  
11 youth services provider, or economic devel-  
12 opment organization.

13 (ix) A State Office of Apprenticeship  
14 or a State apprenticeship agency recog-  
15 nized by the Secretary.

16 (7) ESEA TERMS.—

17 (A) IN GENERAL.—The terms “dual or  
18 concurrent enrollment program”, “early college  
19 high school”, “educational service agency”,  
20 “local educational agency”, “regular high school  
21 diploma”, “secondary school”, and “State edu-  
22 cational agency” have the meanings given the  
23 terms in section 8101 of the Elementary and  
24 Secondary Education Act of 1965 (20 U.S.C.  
25 7801).

1 (B) CHALLENGING STATE ACADEMIC  
2 STANDARDS.—The term “challenging State aca-  
3 demic standards” has the meaning given the  
4 term in section 1111(b)(1)(A) of such Act (20  
5 U.S.C. 6311(b)(1)(A)).

6 (8) EVIDENCE-BASED.—The term “evidence-  
7 based”, used with respect to a practice or approach,  
8 means a youth apprenticeship, postsecondary edu-  
9 cation, or career-related strategy or intervention that  
10 meets subparagraph (A)(i) or subclause (I) or (II) of  
11 subparagraph (A)(ii) of section 8101(21) of the Ele-  
12 mentary and Secondary Education Act of 1965 (20  
13 U.S.C. 7801(21)).

14 (9) INDIAN TRIBE; TRIBAL ORGANIZATION.—  
15 The terms “Indian Tribe” and “Tribal organiza-  
16 tion” have the meanings given the terms (without  
17 regard to capitalization) in section 4 of the Indian  
18 Self-Determination and Education Assistance Act  
19 (25 U.S.C. 5304).

20 (10) INSTITUTION OF HIGHER EDUCATION.—  
21 The term “institution of higher education” means  
22 an institution defined in section 101 or 102(c) of the  
23 Higher Education Act of 1965 (20 U.S.C. 1001,  
24 1002(c)).

1           (11) INTERIM CREDENTIAL.—The term “in-  
2           terim credential” means a credential issued by a  
3           local educational agency, secondary school, institu-  
4           tion of higher education, sponsor of a youth appren-  
5           ticeship program, or industry-recognized third party,  
6           or the Office of Apprenticeship or a State appren-  
7           ticeship agency recognized by the Secretary, upon  
8           request of the sponsor, as certification of a regular  
9           high school diploma or its recognized equivalent,  
10          competency, or a recognized postsecondary creden-  
11          tial by a youth apprentice during participation in a  
12          youth apprenticeship program.

13          (12) LEAD APPLICANT.—The term “lead appli-  
14          cant” means a partner, in an eligible entity, that is  
15          an applicant for an award under this Act on behalf  
16          of the eligible entity.

17          (13) MINORITY-SERVING INSTITUTION.—The  
18          term “minority-serving institution” means an insti-  
19          tution defined in any of paragraphs (1) through (7)  
20          of section 371(a) of the Higher Education Act of  
21          1965 (20 U.S.C. 1067q(a)).

22          (14) NATIONAL APPRENTICESHIP SYSTEM.—  
23          The term “national apprenticeship system” means  
24          the apprenticeship programs, youth apprenticeship  
25          programs, and pre-apprenticeship programs that are



1 approved by the Office of Apprenticeship and State  
2 apprenticeship agencies.

3 (15) NONTRADITIONAL APPRENTICESHIP POPU-  
4 LATION.—The term “nontraditional apprenticeship  
5 population” means a group of individuals with a  
6 common demographic trait (such as individuals from  
7 the same gender, race, or ethnicity), the members of  
8 which—

9 (A) with respect to an established youth  
10 apprenticeship program, comprise less than 25  
11 percent of the program participants in that  
12 youth apprenticeship program; or

13 (B) based on the most recent satisfactory  
14 data from the Bureau of the Census, comprise  
15 a percentage of individuals employed in an oc-  
16 cupation that is lower than the percentage of  
17 the total population of the United States com-  
18 prised by such members.

19 (16) OUTLYING AREA.—The term “outlying  
20 area” means American Samoa, Guam, the Common-  
21 wealth of the Northern Mariana Islands, and the  
22 United States Virgin Islands.

23 (17) POSTSECONDARY EDUCATION AND CAREER  
24 GUIDANCE AND COUNSELING.—The term “postsec-  
25 ondary education and career guidance and coun-

1       seling” means guidance and counseling that provides  
2       students, and as appropriate, parents or legal guard-  
3       ians—

4               (A) access to information about career  
5       awareness, exploration opportunities, and plan-  
6       ning with respect to a student’s academic and  
7       occupational future along career pathways;

8               (B) information about career options, fi-  
9       nancial aid, apprenticeship and other work-  
10      based learning opportunities, postsecondary  
11      education options, dual or concurrent enroll-  
12      ment programs and early college programs, and  
13      financial literacy, as appropriate; and

14              (C) information about supportive services  
15      that increase enrollment, retention, and comple-  
16      tion in youth apprenticeship programs.

17              (18) QUALIFIED INTERMEDIARY.—The term  
18      “qualified intermediary” means a nonprofit entity  
19      that demonstrates expertise and experience in serv-  
20      ing participants, employers, and schools by—

21              (A) providing services, resources, and sup-  
22      ports for building, sustaining, measuring, and  
23      improving the quality and performance of youth  
24      apprenticeship programs;

1 (B) assisting in the design, approval, reg-  
2 istration, and implementation of youth appren-  
3 ticeship programs, including program develop-  
4 ment, and meeting program requirements, in-  
5 cluding registration and reporting requirements;

6 (C) in collaboration with 1 or more State  
7 educational agencies, local educational agencies,  
8 or institutions of higher education included in  
9 the eligible entity, providing collaborative pro-  
10 fessional development activities such as training  
11 for workplace supervisors, mentors, counselors,  
12 and teachers, instructors, and other educators;

13 (D) supporting the recruitment for, reten-  
14 tion in, and completion of youth apprenticeship  
15 programs by potential or enrolled youth appren-  
16 tices, including youth apprentices who are from  
17 low-income backgrounds or members of non-  
18 traditional apprenticeship populations;

19 (E) developing and providing personalized  
20 youth apprentice supports, including by  
21 partnering with organizations to provide access  
22 to or referrals for supportive services, financial  
23 literacy, and other support based upon needs of  
24 potential or enrolled youth apprentices, which  
25 may include support for the related costs of

1 supplies and equipment, assessment or licensure  
2 fees, transportation, child care, and internet ac-  
3 cess;

4 (F) supporting collaboration or partner-  
5 ships among the partners of the eligible entity;

6 (G) connecting employers to youth appren-  
7 ticeship programs; or

8 (H) serving as a program sponsor.

9 (19) RELATED INTEGRATED INSTRUCTION.—

10 The term “related integrated instruction” means in-  
11 struction in technical subjects, related to the occupa-  
12 tion in which a youth apprentice engages in work-  
13 based learning during a youth apprenticeship pro-  
14 gram, that—

15 (A) concerns essential employability skills;

16 (B) supports successful participation in  
17 and completion of the youth apprenticeship pro-  
18 gram accomplished through integrated and  
19 aligned classroom instruction; and

20 (C) may include occupational courses, or  
21 other instruction approved by the involved State  
22 educational agency or local educational agency.

23 (20) SECRETARY.—The term “Secretary”  
24 means the Secretary of Labor.

1           (21) SPONSOR.—The term “sponsor” means  
2           any employer, joint labor-management organization,  
3           trade association, committee, professional associa-  
4           tion, labor organization, education and training pro-  
5           vider, or qualified intermediary—

6                   (A) in whose name a youth apprenticeship  
7                   program is registered or is to be registered  
8                   under the National Apprenticeship System; and

9                   (B) that assumes responsibility for the im-  
10                  plementation of such a program.

11           (22) STATE.—The term “State”—

12                   (A) has the meaning given such term in  
13                   section 3 of the Workforce Innovation and Op-  
14                   portunity Act (29 U.S.C. 3102); and

15                   (B) includes each of the outlying areas, as  
16                   defined in that section 3.

17           (23) STATE OR LOCAL WORKFORCE DEVELOP-  
18           MENT BOARD.—The terms “State workforce develop-  
19           ment” and “local workforce development”, used with  
20           respect to a board, have the meanings given the  
21           terms “State board” and “local board”, respectively,  
22           in section 3 of the Workforce Innovation and Oppor-  
23           tunity Act (29 U.S.C. 3102).

24           (24) STATE VOCATIONAL REHABILITATION  
25           AGENCY.—The term “State vocational rehabilitation

1       agency” means a designated State agency or des-  
2       ignated State unit, as the case may be, as such  
3       terms are defined in section 7 of the Rehabilitation  
4       Act of 1973 (29 U.S.C. 705).

5               (25) STATE WORKFORCE AGENCY.—The term  
6       “State” used with respect to a workforce agency,  
7       means the State agency with responsibility for work-  
8       force investment activities under chapters 2 and 3 of  
9       subtitle B of title I of the Workforce Innovation and  
10      Opportunity Act (29 U.S.C. 3121 et seq., 3131 et  
11      seq.).

12              (26) TRIBAL EDUCATIONAL AGENCY.—The  
13      term “Tribal educational agency” has the meaning  
14      given the term (without regard to capitalization) in  
15      section 6132 of the Elementary and Secondary Edu-  
16      cation Act of 1965 (20 U.S.C. 7452).

17              (27) UNIVERSAL DESIGN FOR LEARNING.—The  
18      term “universal design for learning” has the mean-  
19      ing given the term in section 103 of the Higher  
20      Education Act of 1965 (20 U.S.C. 1003).

21              (28) URBAN INDIAN ORGANIZATION.—The term  
22      “Urban Indian organization” has the meaning given  
23      the term in the Indian Health Care Improvement  
24      Act (25 U.S.C. 1603).

1           (29) WIOA TERMS.—The terms “career path-  
2           way”, “in-demand industry sector or occupation”,  
3           “individual with a disability”, “industry or sector  
4           partnership”, “recognized postsecondary credential”,  
5           and “supportive services” have the meanings given  
6           in section 3 of the Workforce Innovation and Oppor-  
7           tunity Act (29 U.S.C. 3102).

8           (30) YOUTH.—The term “youth” means an in-  
9           dividual who is not younger than age 16 or older  
10          than age 22, at the start of the program involved.

11          (31) YOUTH APPRENTICE.—The term “youth  
12          apprentice” means a youth who is—

13                (A) participating in a youth apprenticeship  
14                program; and

15                (B) enrolled in or returning to secondary  
16                school at the start of the program.

17          (32) YOUTH APPRENTICESHIP AGREEMENT.—  
18          The term “youth apprenticeship agreement” means  
19          a written agreement under section 101 that is  
20          agreed to by each of the following:

21                (A) A youth.

22                (B) The youth’s parent or legal guardian,  
23                as applicable.

24                (C) One or more local educational agen-  
25                cies.

1 (D) The youth apprenticeship sponsor,  
2 which may be an employer for a youth appren-  
3 ticeship.

4 (E) As appropriate, a qualified inter-  
5 mediary for a youth apprenticeship.

6 (F) As appropriate, one or more institu-  
7 tions of higher education.

8 (G) As appropriate, one or more employ-  
9 ers.

10 (33) YOUTH APPRENTICESHIP PROGRAM.—The  
11 term “youth apprenticeship program” means an ap-  
12 prenticeship program registered under the Act of  
13 August 16, 1937 (commonly known as the “National  
14 Apprenticeship Act”; 50 Stat. 664, chapter 663; 29  
15 U.S.C. 50 et seq.) that—

16 (A) is designed for youth who at the start  
17 of the program are enrolled in or returning to  
18 secondary school; and

19 (B) meets the standards described in sec-  
20 tion 102.

21 **TITLE I—YOUTH**  
22 **APPRENTICESHIP PROGRAMS**

23 **SEC. 101. YOUTH APPRENTICESHIP AGREEMENTS.**

24 (a) IN GENERAL.—The Administrator shall require  
25 a sponsor to develop a youth apprenticeship agreement,



1 to be used for each youth apprenticeship program funded  
2 under title II, that shall—

3 (1) be the same for each youth apprentice;

4 (2) contain—

5 (A) the names and signatures of the par-  
6 ties, as appropriate, as described in section  
7 3(32);

8 (B) the term of the youth apprenticeship  
9 program;

10 (C) a statement of the number of hours to  
11 be spent by the youth apprentice in on-the-job  
12 learning and on-the-job training, in order to  
13 complete the program, if the term of the youth  
14 apprenticeship is measured through a time-  
15 based or hybrid approach (as described in sec-  
16 tion 29.5(b)(2)(i) and (ii) of title 29, Code of  
17 Federal Regulations (or a successor regula-  
18 tion));

19 (D) a description of the skill sets to be at-  
20 tained by completion of the program, including  
21 the on-the-job learning and on-the-job training  
22 components;

23 (E) a description of the number of hours  
24 and form of related integrated instruction pro-  
25 vided, and how such instruction will relate to

1 graduation requirements for the entities re-  
2 ferred to in subparagraphs (C) or (F) of section  
3 3(32), as applicable;

4 (F) a description of how the program is  
5 aligned—

6 (i) with challenging State academic  
7 standards; and

8 (ii) with the requirements for a reg-  
9 ular high school diploma and its recognized  
10 equivalent, or a recognized postsecondary  
11 credential, that the youth apprentice will  
12 be eligible to receive upon program comple-  
13 tion;

14 (G) a description of the use, in the pro-  
15 gram, of universal design for learning and other  
16 evidence-based practices known to support  
17 youth with disabilities;

18 (H) a statement of the costs the youth ap-  
19 prentice will incur for participating in the pro-  
20 gram (such as costs for equipment, related inte-  
21 grated instruction, or assessment or licensure  
22 fees);

23 (I) a description of the methods used in  
24 the program to measure skill acquisition for a  
25 youth apprentice;

1           (J) a description of the mentoring that will  
2 be provided to the youth apprentice;

3           (K) a description or timeline explaining the  
4 periodic reviews and evaluations of the youth  
5 apprentice's performance on the job and in re-  
6 lated integrated instruction;

7           (L) a description of the graduated wage  
8 scale for wages to be paid to the youth appren-  
9 tice, benefits offered to youth apprentices, and  
10 how the wages and benefits compare to State,  
11 local, or regional wages and benefits in the re-  
12 lated occupation;

13           (M) a description of the safe work and  
14 training environment that will be provided for  
15 youth apprentices, including an environment in  
16 compliance with all applicable Federal and  
17 State workplace safety and labor laws;

18           (N) a statement of the college credit or  
19 credential, which may be an interim credential,  
20 that the youth apprentice will earn during or on  
21 completion of the program, issued by an entity  
22 that may be an institution of higher education;

23           (O) a statement of the numeric ratio of  
24 youth apprentices to supervisors (such as  
25 journeyworkers, mentors, or on-the-job learning

1 instructors, as applicable) for the occupation for  
2 the youth apprenticeship involved, which ratio  
3 is—

4 (i) based on evidence-based and evi-  
5 dence-informed best practices for super-  
6 vision, training, safety, and continuity of  
7 employment in the occupation, throughout  
8 the work processes of the program, and of  
9 the job site, department, or plant involved;  
10 and

11 (ii) appropriate for the degree of haz-  
12 ard in the occupation; and

13 (P) a description of how the program spon-  
14 sor will promote diversity and equal opportunity  
15 for youth apprentices in the program, and for  
16 the industry, including by supporting the re-  
17 cruitment of, employment of, retention of, and  
18 program completion by nontraditional youth ap-  
19 prenticeship populations, such as women, people  
20 of color, individuals with disabilities, individuals  
21 from low-income backgrounds, individuals im-  
22 pacted by the criminal and juvenile justice sys-  
23 tem, and disconnected youth, as applicable.

24 (b) COLLECTIVE BARGAINING.—Nothing in such a  
25 youth apprenticeship agreement or this Act shall operate

1 to invalidate an applicable provision in a collective bar-  
2 gaining agreement, between employers and employees, es-  
3 tablishing higher standards for programs under the na-  
4 tional apprenticeship system.

5 **SEC. 102. YOUTH APPRENTICESHIP PROGRAM STANDARDS.**

6 (a) IN GENERAL.—The sponsor of a youth appren-  
7 ticeship program shall (directly or through a partner in  
8 an eligible entity) that receives funding under title II  
9 shall—

10 (1) provide youth apprentices work-based learn-  
11 ing and related integrated instruction that—

12 (A) combines related integrated instruction  
13 with on-the-job training and on-the-job learning  
14 in an in-demand industry sector or occupation,  
15 in accordance with the terms of the agreement  
16 described in subparagraphs (C) through (G) of  
17 section 101(a)(2);

18 (B) aligns with challenging State academic  
19 standards, the State requirements for com-  
20 pleting a regular high school diploma and its  
21 recognized equivalent, postsecondary education  
22 standards for the award of academic credit, and  
23 standards for certifying educational attainment  
24 through related integrated instruction and  
25 work-based learning;

1 (C) may be organized sequentially or con-  
2 currently to support learning opportunities, in-  
3 cluding being provided through dual or concur-  
4 rent enrollment programs or through early col-  
5 lege high school programs, or as available, pro-  
6 grams of an institution of higher education;

7 (D) is conducive to work and training in a  
8 safe environment in accordance with applicable  
9 Federal and State occupational safety, health,  
10 and child labor laws;

11 (E) enable youth apprentices to acquire—

12 (i) a regular high school diploma or  
13 its recognized equivalent;

14 (ii) a Federal certificate of completion  
15 for an apprenticeship under the national  
16 apprenticeship system;

17 (iii) postsecondary education credit, as  
18 applicable; and

19 (iv) a recognized postsecondary cre-  
20 dential; and

21 (F) if the youth apprenticeship program is  
22 designed to lead to placement in an apprentice-  
23 ship program after completion, prepare youth  
24 apprentices for the apprenticeship program and

1 result in credit articulation or advanced stand-  
2 ing for the apprenticeship program;

3 (2) lead to careers in high-skill, high-wage, and  
4 in-demand industry sectors and occupations in the  
5 local or regional labor market and an increase in the  
6 prospects for youth, especially youth who are from  
7 low-income backgrounds or who are members of non-  
8 traditional apprenticeship populations, to obtain em-  
9 ployment in careers in high-skill, high-wage, and in-  
10 demand industry sectors and occupations;

11 (3) pay wages to youth apprentices based on a  
12 progressively increasing, clearly defined schedule of  
13 wages that is linked to the acquisition of com-  
14 petencies, consistent with the youth apprenticeship  
15 agreements;

16 (4) establish, maintain, and develop strong  
17 partnerships and engagement with industry in a  
18 manner that ensures that youth apprentices com-  
19 plete the youth apprenticeship program and acquire  
20 credentials described in clauses (i) through (iv) of  
21 paragraph (1)(E) that demonstrate the acquisition  
22 of skills and knowledge needed by employers;

23 (5) provide individualized postsecondary edu-  
24 cation and career guidance and counseling, and aca-  
25 demic counseling, including tutoring, mentoring, and

1 ongoing reviews and assessments of skill acquisition,  
2 of performance on the job, and of performance in re-  
3 lated integrated instruction, in accordance with the  
4 terms of the agreement described in section  
5 101(a)(2);

6 (6) provide youth apprentices with supportive  
7 services and other services to recruit and retain the  
8 youth apprentices, and assure their persistence in  
9 and completion of the program; and

10 (7) provide collaborative professional develop-  
11 ment services to workplace supervisors, mentors,  
12 teachers, counselors, and other staff to develop and  
13 maintain a well-integrated, high-performing pro-  
14 gram.

## 15 **TITLE II—YOUTH APPRENTICE-** 16 **SHIP ADVANCEMENT FUND**

### 17 **SEC. 201. YOUTH APPRENTICESHIP ADVANCEMENT FUND.**

18 (a) PURPOSE.—The Secretary, in consultation with  
19 the Secretary of Education and the Advisory Committee  
20 on Apprenticeship, shall use funds made available under  
21 section 286(s)(2)(A)(ii) of the Immigration and Nation-  
22 ality Act (8 U.S.C. 1356(s)(2)(A)(ii)) to make awards to  
23 eligible entities to assist the eligible entities by paying for  
24 the program share of the cost of carrying out youth ap-  
25 prenticeship programs, including by supporting an evi-



1 dence-based approach to assist youth, particularly youth  
2 who are from low-income backgrounds or who are mem-  
3 bers of non-traditional apprenticeship populations—

4 (1) acquire academic and occupational skills  
5 aligned with challenging State academic standards  
6 by completing—

7 (A) the requirements for a regular high  
8 school diploma or its recognized equivalent;

9 (B) a certificate of completion in recogni-  
10 tion of successful completion of the program,  
11 evidenced by an appropriate certificate issued  
12 by the National Apprenticeship System;

13 (C) college credit, as appropriate; and

14 (D) the remaining requirements of a youth  
15 apprenticeship program;

16 (2) transition, after completion of a youth ap-  
17 prenticeship program to—

18 (A) full-time unsubsidized employment;

19 (B) continued postsecondary education; or

20 (C) in the case of a youth apprenticeship  
21 program that is designed to lead to placement  
22 into an apprenticeship program after comple-  
23 tion, an apprenticeship program with advanced  
24 standing;



1           creasing access to, and equity and diversity  
2           in, the youth apprenticeship program;

3                   (ii) the experience and expertise of the  
4           eligible entity and roles that partners in  
5           the entity will play in carrying out admin-  
6           istration and operations activities of the  
7           youth apprenticeship program;

8                   (iii) incentives to be provided to the  
9           partners of the eligible entity to participate  
10          in the youth apprenticeship program, such  
11          as incentives for costs related to program  
12          development, staffing for mentors and su-  
13          pervisors, provision of academic or related  
14          integrated instruction, or the establishment  
15          of an industry or sector partnership or a  
16          consortium of small and medium-sized  
17          businesses to support participation of em-  
18          ployers; and

19                   (iv) how public and private funds that  
20          are not provided under the award will be  
21          leveraged—

22                           (I) to assist with the establish-  
23                           ment, maintenance, and sustainability  
24                           of the youth apprenticeship program;  
25                           and

1 (II) to support the youth appren-  
2 ticeship program in a cost-effective  
3 manner; and

4 (C) for an eligible entity proposing a youth  
5 apprenticeship program in an occupation that is  
6 hazardous or detrimental for minors, a descrip-  
7 tion of how the entity will ensure compliance  
8 with applicable Federal and State labor laws re-  
9 garding the employment of minors and occupa-  
10 tional health and safety, including laws relating  
11 to such an occupation and the requirements for  
12 the apprentice exemption and, as applicable, the  
13 student-learner exemption, and ensure the safe-  
14 ty of youth apprentices, especially those under  
15 the age of 18, which—

16 (i) shall include appropriate safety in-  
17 struction at the secondary school and at  
18 the workplace;

19 (ii) may include modifying on-the-job  
20 training, including delaying or reordering  
21 training components or acquisition of com-  
22 petencies while youth apprentices are  
23 under the age of 18; and

24 (iii) may include modifying related in-  
25 tegrated instruction to include modified

1                    practical training to promote the safe  
2                    training of youth apprentices.

3            (d) SELECTION CRITERIA.—For an eligible entity to  
4 receive an award under this section, the entity and the  
5 entity’s proposed youth apprenticeship program shall meet  
6 such selection criteria as the Secretary, in consultation  
7 with the Secretary of Education, shall establish under this  
8 section.

9            (e) PRIORITY AND DISTRIBUTION.—

10            (1) PRIORITY.—In making awards under this  
11 section, the Secretary shall give priority to an eligi-  
12 ble entity—

13                    (A) proposing to serve a high number or  
14                    high percentage of participants who are mem-  
15                    bers of non-traditional apprenticeship popu-  
16                    lations; and

17                    (B) providing opportunities in high-wage,  
18                    high-skill, and in-demand industry sectors or  
19                    occupations.

20            (2) GEOGRAPHIC DISTRIBUTION.—In making  
21 awards under this subsection, the Secretary shall, to  
22 the extent practicable, ensure a geographically di-  
23 verse distribution of such awards, including a geo-  
24 graphically diverse distribution among regions of the

1 United States and among urban, suburban, sparsely  
2 populated, and rural areas.

3 (f) USE OF FUNDS.—An eligible entity that receives  
4 an award under this section shall use the funds to—

5 (1) carry out activities described in subsection  
6 (c)(2)(B)(i);

7 (2) carry out the youth apprenticeship program,  
8 in accordance with the youth apprenticeship agree-  
9 ment, except that no funds shall be used for wages  
10 for youth apprentices; and

11 (3) carry out activities described in  
12 (c)(2)(B)(iii), except that the eligible entity may not  
13 use more than 5 percent of the funds for these ac-  
14 tivities.

15 (g) ADMINISTRATION.—An eligible entity that re-  
16 ceives an award under this section—

17 (1) may use not more than 10 percent of the  
18 funds made available for administration of the youth  
19 apprenticeship program;

20 (2) shall designate the partner that will serve as  
21 the fiscal agent for purposes of the award; and

22 (3) shall leverage public and private funds that  
23 are not provided through the award to assist with  
24 the establishment, maintenance, and sustainability  
25 of the youth apprenticeship program.

1 (h) PROGRAM SHARE.—

2 (1) IN GENERAL.—The program share shall be  
3 75 percent of the cost described in subsection (a).

4 (2) NON-PROGRAM SHARE.—

5 (A) IN GENERAL.—Except as provided in  
6 subparagraph (B), an eligible entity may pro-  
7 vide the non-program share of the cost de-  
8 scribed in subsection (a)—

9 (i) from Federal sources not made  
10 available under this Act, or non-Federal,  
11 public, or private organizations; and

12 (ii) in cash or in kind, fairly evalu-  
13 ated.

14 (B) CAP ON FEDERAL FUNDS.—Not more  
15 than 25 percent of the non-program share of  
16 the cost described in subsection (a) may be  
17 made from Federal sources not made available  
18 under this Act.

19 (C) WAGES TO COUNT AS NON-PROGRAM  
20 SHARE.—Wages paid by an eligible entity to  
21 youth apprentices under a youth apprenticeship  
22 program shall count as part of the non-program  
23 share of the cost described in subsection (a).

24 (3) INCREASE IN PROGRAM SHARE.—Notwith-  
25 standing paragraph (1), the Secretary may increase

1 the program share if the eligible entity demonstrates  
2 that exceptional circumstances prevent the entity  
3 from providing 25 percent of the cost described in  
4 subsection (a)—

5 (A) such as demonstrating that the entity  
6 serves a high proportion of participants who are  
7 members of non-traditional apprenticeship pop-  
8 ulations; or

9 (B) due to exceptional or uncontrollable  
10 circumstances, such as a natural disaster or a  
11 precipitous and unforeseen decline in the finan-  
12 cial resources of the eligible entity.

13 (i) PERFORMANCE.—

14 (1) IN GENERAL.—Not later than 1 year after  
15 receipt of the award under this section, as applica-  
16 ble, and annually thereafter, the eligible entity shall  
17 submit a report to the Secretary evaluating the per-  
18 formance and impact of the youth apprenticeship  
19 program that, at minimum, includes program data  
20 on levels of performance achieved with respect to  
21 performance indicators described in section  
22 116(b)(2)(A)(ii) of the Workforce Innovation and  
23 Improvement Act (29 U.S.C. 3141(b)(2)(A)(ii)) as  
24 applicable, by participants in the program, the num-  
25 ber and percentage of such participants who at-



1       tained a regular high school diploma, and the num-  
2       ber and percentage of such participants who at-  
3       tained a recognized equivalent to a regular high  
4       school diploma, disaggregated by—

5               (A) race;

6               (B) ethnicity;

7               (C) sex; and

8               (D) membership in any of the special pop-  
9       ulations, as defined in section 3 of the Carl D.  
10       Perkins Career and Technical Education Act of  
11       2006 (20 U.S.C. 2302).

12       (2) DISAGGREGATION.—The disaggregation of  
13       data under paragraph (1)—

14               (A) shall be completed without reporting  
15       personally identifiable information about an in-  
16       dividual participant; and

17               (B) by any subgroup listed in subpara-  
18       graph (A) through (E) of paragraph (1), shall  
19       not be required in the case where the number  
20       of participants in a subgroup is insufficient to  
21       yield statistically reliable information or the re-  
22       sults would reveal personally identifiable infor-  
23       mation about an individual participant.

1 (j) INTANGIBLE PROPERTY.—Any new work created  
2 wholly or in part with funds made available under an  
3 award made under this section shall—

4 (1) be in a format readily accessible and avail-  
5 able for open licensing to the public consistent with  
6 part 2900 of title 2, Code of Federal Regulations (or  
7 any successor regulation); and

8 (2) meet, at a minimum, conformance to Level  
9 AA of the Web Content Accessibility Guidelines 2.0  
10 of the Web Accessibility Initiative (or any successor  
11 guidelines).

12 (k) INFORMATION AND REFERRAL.—

13 (1) IN GENERAL.—An eligible entity that re-  
14 ceives an award under this section shall provide in-  
15 formation to youth described in paragraph (2) re-  
16 garding adult-serving apprenticeship programs in  
17 the National Apprenticeship System, and may refer  
18 such youth for possible participation in such pro-  
19 grams.

20 (2) ELIGIBLE YOUTH.—A youth is described in  
21 this paragraph if the youth—

22 (A) is not enrolled in school;

23 (B) does not have a regular high school di-  
24 ploma or its recognized equivalent;

1 (C) does not intend to reenroll in sec-  
2 ondary school; and

3 (D) seeks to participate in an apprentice-  
4 ship program in the National Apprenticeship  
5 System.

6 (l) SPECIAL RULES.—

7 (1) HAZARDOUS OCCUPATIONS.—No award  
8 shall be made under this section for a youth appren-  
9 ticeship program in an occupation that is hazardous  
10 or detrimental for minors for which an apprentice  
11 exemption or, as applicable, a student-learner ex-  
12 emption, does not apply.

13 (2) STATE AND LOCAL LAW COMPLIANCE.—A  
14 youth apprenticeship program for which an award is  
15 received under this section shall comply with all ap-  
16 plicable State and local laws, requirements, and  
17 standards regarding youth apprenticeship programs.

18 (m) DEFINITIONS.—In this section:

19 (1) APPRENTICE EXEMPTION.—The term “ap-  
20 prentice exemption” means the exemption described  
21 in section 570.50(b) of title 29, Code of Federal  
22 Regulations (or a successor regulation).

23 (2) OCCUPATION THAT IS HAZARDOUS OR DET-  
24 RIMENTAL FOR MINORS.—The term “occupation  
25 that is hazardous or detrimental for minors” means

1 an occupation described in subpart E of part 570 of  
2 title 29, Code of Federal Regulations (or a successor  
3 regulation).

4 (3) STUDENT-LEARNER EXEMPTION.—The  
5 term “student-learner exemption” means the exemp-  
6 tion described in section 570.50(c) of title 29, Code  
7 of Federal Regulations (or a successor regulation).

8 **TITLE III—GENERAL**  
9 **PROVISIONS**

10 **SEC. 301. ADMINISTRATION AND TECHNICAL ASSISTANCE.**

11 (a) FUNDS FOR ADMINISTRATION AND TECHNICAL  
12 ASSISTANCE.—Of amounts made available under section  
13 286(s)(2)(A)(ii) of the Immigration and Nationality Act  
14 (8 U.S.C. 1356(s)(2)(A)(ii)) to carry out this Act, the Sec-  
15 retary may use a portion of not more than 7 percent for—

16 (1) administration of the program carried out  
17 under this Act;

18 (2) provision of technical assistance, including  
19 the dissemination of resources, tools, and promising  
20 practices, to improve program outreach, information,  
21 and performance; and

22 (3) evaluation of the program, as described in  
23 subsection (b), including data collection.

24 (b) EVALUATION.—

1           (1) EVALUATION.—For the purpose of improv-  
2           ing the management and effectiveness of the pro-  
3           gram carried out under this Act, not later than 2  
4           years after the first award of funds under this Act  
5           is made, the Secretary (acting through the Chief  
6           Evaluation Officer of the Department of Labor), in  
7           consultation with the Secretary of Education,  
8           shall—

9                   (A) design and conduct an evaluation to  
10                  evaluate the effectiveness of the program car-  
11                  ried out under this Act; and

12                   (B) conduct or commission studies to ex-  
13                  amine ways to expand education and workforce  
14                  development opportunities for youth, including  
15                  youth from low-income backgrounds, and youth  
16                  who are members of nontraditional apprentice-  
17                  ship populations, to learn about and participate  
18                  in initiatives that result in the receipt of recog-  
19                  nized postsecondary credentials and advance the  
20                  careers of youth in in-demand industry sectors  
21                  and occupations and emerging industry sectors  
22                  and occupations.

23           (2) REPORT.—Not later than 60 days after the  
24           completion of the final evaluation report under para-  
25           graph (1) by the Secretary, the Secretary shall

1 transmit the final evaluation report to the Com-  
2 mittee on Health, Education, Labor, and Pensions  
3 of the Senate and the Committee on Education and  
4 the Workforce of the House of Representatives.

5 (c) OTHER SECRETARIAL RESPONSIBILITIES.—

6 (1) INFORMATION DISSEMINATION.—The Sec-  
7 retary of Labor and the Secretary of Education shall  
8 jointly develop and disseminate information, in user-  
9 friendly formats and easily accessible languages as  
10 determined by the Secretaries, to State and local  
11 workforce development boards, State educational  
12 agencies and local educational agencies, State voca-  
13 tional rehabilitation agencies, industry networks,  
14 parent and teacher associations, and student net-  
15 works to—

16 (A) promote alignment between youth ap-  
17 prenticeship programs funded under this Act  
18 and challenging State academic standards;

19 (B) promote a better understanding of the  
20 national apprenticeship system, youth appren-  
21 ticeships, and the value of the apprenticeships  
22 in secondary schools and postsecondary edu-  
23 cation and career pathways;

1 (C) promote the benefits of the youth ap-  
2 prenticeship programs and ways to effectively  
3 align—

4 (i) requirements for youth apprentice-  
5 ship programs, including related integrated  
6 instruction and training in skills and com-  
7 petencies for occupations suitable for ap-  
8 prenticeship; and

9 (ii) requirements for a regular high  
10 school diploma and its recognized equiva-  
11 lent, and requirements for career and tech-  
12 nical education programs, dual and concu-  
13 rent enrollment programs, and early col-  
14 lege high school programs; and

15 (D) promote ways to facilitate transitions,  
16 for students who have completed youth appren-  
17 ticeships, to full-time employment in a high-  
18 skill, high-wage, and in-demand industry sector  
19 or occupation, programs at institutions of high-  
20 er education leading to an associate, baccalaureate,  
21 or advanced degree, or a combination  
22 of employment and continued postsecondary  
23 education.

24 (2) EDUCATIONAL ALIGNMENT.—The Sec-  
25 retary, in collaboration with the Secretary of Edu-

1 cation, shall promote activities designed to strength-  
2 en alignment between programs under the national  
3 apprenticeship system, programs of education and  
4 training, and programs of secondary, postsecondary,  
5 and adult education, including degree and credential  
6 requirements.

7 **SEC. 302. SPECIAL RULE.**

8 Any entity receiving an award under this Act shall  
9 be exempt from section 4 of the Age Discrimination in  
10 Employment Act of 1967 (29 U.S.C. 623) for the purpose  
11 of carrying out the program funded by such award.

12 **SEC. 303. CONFORMING AMENDMENTS.**

13 Section 286(s)(2) of the Immigration and Nationality  
14 Act (8 U.S.C. 1356(s)(2)) is amended—

15 (1) in the paragraph heading, by inserting  
16 “YOUTH APPRENTICESHIPS AND” after “FEES FOR”;  
17 and

18 (2) by striking all that follows the paragraph  
19 heading and inserting the following:

20 “(A) IN GENERAL.—A sum equal to 50  
21 percent of the amounts deposited into the H-  
22 1B Nonimmigrant Petitioner Account shall re-  
23 main available to the Secretary of Labor until  
24 expended for—



1                   “(i) grants for job training and re-  
2                   lated activities described in section 414(c)  
3                   of the American Competitiveness and  
4                   Workforce Improvement Act of 1998 (29  
5                   U.S.C. 3224a); and

6                   “(ii) youth apprenticeship awards and  
7                   administration described in title II and  
8                   section 301 of the Youth Apprenticeship  
9                   Advancement Act.

10                   “(B) ALLOCATION.—The Secretary of  
11                   Labor shall use not less than \$100,000,000,  
12                   subject to availability, of the sum described in  
13                   subparagraph (A) for each of fiscal years 2024  
14                   through 2029 for awards described in subpara-  
15                   graph (A)(ii).”.