AMENDMENT NO. ________ Calendar No. ______

Purpose: In the nature of a substitute.


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 following:

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Youth Apprenticeship Advancement Act”.

6 SEC. 2. PURPOSES.

7 The purposes of this Act are—

8 (1) to promote and expand high-quality youth apprenticeship programs that—

10 (A) strengthen the transition from secondary school to employment and postsecondary
education in high-skill, high-wage, and in-demand industry sectors and occupations;
(B) serve all youth, including youth with barriers to access to, participation in, and completion of youth apprenticeship programs; and
(C) lead to rewarding, longer-term careers and success in the labor market; and
(2) to provide support and incentives to help employers establish high-quality youth apprenticeships to meet their needs for skilled workers and diversify their workforces.

SEC. 3. DEFINITIONS.

In this Act:
(1) APPRENTICESHIP PROGRAM.—The term “apprenticeship program” means an apprenticeship program registered with the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor or a State apprenticeship agency recognized by the Office of Apprenticeship pursuant to the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).
(2) AWARD.—The term “award” means a grant, contract, cooperative agreement, or other agreement.
(3) 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.

(4) CTE TERMS.—The terms “area career and technical education school”, “Tribally controlled college or university”, “Tribally controlled postsecondary career and technical institution”, and “work-based learning” have the meanings given the terms in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

(5) 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) a dual or concurrent enrollment program;

(D) an educational service agency;

(E) a secondary school;

(F) a local educational agency or State educational agency;
(G) a Tribal educational agency, Tribally controlled college or university, or Tribally controlled postsecondary career and technical institution;

(H) an institution of higher education;

(I) a Historically Black College or University, meaning a part B institution as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061);

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

(K) a State agency administering an approved State plan 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);

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

(M) an operator of a Job Corps center (as defined in section 142 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3192));
(N) a related integrated instruction provider, including a qualified intermediary acting as a related integrated instruction provider as approved by the Office of Apprenticeship or a State apprenticeship agency recognized by the Secretary; and

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

(6) ELIGIBLE ENTITY.—The term “eligible entity” means a partnership that shall include—

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

(B) 1 or more youth apprenticeship program sponsors, which may be employers; and

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

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

(ii) A State workforce development board or State workforce agency, or a local workforce development board or local workforce agency.

(iii) An education and training provider, or a consortium thereof.
(iv) A qualified intermediary.

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

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

(vii) An Indian Tribe, Tribal organization, or Urban Indian organization.

(viii) A nonprofit entity, such as a community-based organization, human or youth services provider, or economic development organization.

(ix) A State Office of Apprenticeship or a State apprenticeship agency recognized by the Secretary.

(7) ESEA TERMS.—

(A) IN GENERAL.—The terms “dual or concurrent enrollment program”, “early college high school”, “educational service agency”, “local educational agency”, “regular high school diploma”, “secondary school”, and “State educational agency” have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).
(B) CHALLENGING STATE ACADEMIC STANDARDS.—The term "challenging State academic standards" has the meaning given the term in section 1111(b)(1)(A) of such Act (20 U.S.C. 6311(b)(1)(A)).

(8) EVIDENCE-BASED.—The term "evidence-based", used with respect to a practice or approach, means a youth apprenticeship, postsecondary education, or career-related strategy or intervention that meets subparagraph (A)(i) or subclause (I) or (II) of subparagraph (A)(ii) of section 8101(21) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(21)).

(9) INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms "Indian Tribe" and "Tribal organization" have the meanings given the terms (without regard to capitalization) in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(10) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" means an institution defined in section 101 or 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1001, 1002(c)).
(11) **INTERIM CREDENTIAL.**—The term “interim credential” means a credential issued by a local educational agency, secondary school, institution of higher education, sponsor of a youth apprenticeship program, or industry-recognized third party, or the Office of Apprenticeship or a State apprenticeship agency recognized by the Secretary, upon request of the sponsor, as certification of a regular high school diploma or its recognized equivalent, competency, or a recognized postsecondary credential by a youth apprentice during participation in a youth apprenticeship program.

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

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

(14) **NATIONAL APPRENTICESHIP SYSTEM.**—The term “national apprenticeship system” means the apprenticeship programs, youth apprenticeship programs, and pre-apprenticeship programs that are
approved by the Office of Apprenticeship and State
apprenticeship agencies.

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

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

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

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

(17) **POSTSECONDARY EDUCATION AND CAREER
GUIDANCE AND COUNSELING**.—The term “postsec-
ondary education and career guidance and coun-
“counseling” means guidance and counseling that provides
students, and as appropriate, parents or legal guard-
ians—

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

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

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

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

(A) providing services, resources, and sup-
ports for building, sustaining, measuring, and
improving the quality and performance of youth
apprenticeship programs;
(B) assisting in the design, approval, registration, and implementation of youth apprenticeship programs, including program development, and meeting program requirements, including registration and reporting requirements;

(C) in collaboration with 1 or more State educational agencies, local educational agencies, or institutions of higher education included in the eligible entity, providing collaborative professional development activities such as training for workplace supervisors, mentors, counselors, and teachers, instructors, and other educators;

(D) supporting the recruitment for, retention in, and completion of youth apprenticeship programs by potential or enrolled youth apprentices, including youth apprentices who are from low-income backgrounds or members of non-traditional apprenticeship populations;

(E) developing and providing personalized youth apprentice supports, including by partnering with organizations to provide access to or referrals for supportive services, financial literacy, and other support based upon needs of potential or enrolled youth apprentices, which may include support for the related costs of
supplies and equipment, assessment or licensure fees, transportation, child care, and internet access;

(F) supporting collaboration or partnerships among the partners of the eligible entity;

(G) connecting employers to youth apprenticeship programs; or

(H) serving as a program sponsor.

(19) RELATED INTEGRATED INSTRUCTION.—

The term “related integrated instruction” means instruction in technical subjects, related to the occupation in which a youth apprentice engages in work-based learning during a youth apprenticeship program, that—

(A) concerns essential employability skills;

(B) supports successful participation in and completion of the youth apprenticeship program accomplished through integrated and aligned classroom instruction; and

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

(20) SECRETARY.—The term “Secretary” means the Secretary of Labor.
(21) **Sponsor.**—The term "sponsor" means any employer, joint labor-management organization, trade association, committee, professional association, labor organization, education and training provider, or qualified intermediary—

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

(B) that assumes responsibility for the implementation of such a program.

(22) **State.**—The term "State"—

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

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

(23) **State or Local Workforce Development Board.**—The terms “State workforce development” and “local workforce development”, used with respect to a 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).

(24) **State Vocational Rehabilitation Agency.**—The term “State vocational rehabilitation
agency’’ means a designated State agency or designated State unit, as the case may be, as such terms are defined in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705).

(25) STATE WORKFORCE AGENCY.—The term “State” used with respect to a 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.).

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

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

(28) URBAN INDIAN ORGANIZATION.—The term “Urban Indian organization” has the meaning given the term in the Indian Health Care Improvement Act (25 U.S.C. 1603).
(29) **WIOA TERMS.**—The terms “career pathway”, “in-demand industry sector or occupation”, “individual with a disability”, “industry or sector partnership”, “recognized postsecondary credential”, and “supportive services” have the meanings given in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(30) **YOUTH.**—The term “youth” means an individual who is not younger than age 16 or older than age 22, at the start of the program involved.

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

(A) participating in a youth apprenticeship program; and

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

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

(A) A youth.

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

(C) One or more local educational agencies.
(D) The youth apprenticeship sponsor, which may be an employer for a youth apprenticeship.

(E) As appropriate, a qualified intermediary for a youth apprenticeship.

(F) As appropriate, one or more institutions of higher education.

(G) As appropriate, one or more employers.

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

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

(B) meets the standards described in section 102.

TITLE I—YOUTH APPRENTICESHIP PROGRAMS

SEC. 101. YOUTH APPRENTICESHIP AGREEMENTS.

(a) IN GENERAL.—The Administrator shall require a sponsor to develop a youth apprenticeship agreement,
to be used for each youth apprenticeship program funded under title II, that shall—

(1) be the same for each youth apprentice;

(2) contain—

(A) the names and signatures of the parties, as appropriate, as described in section 3(32);

(B) the term of the youth apprenticeship program;

(C) a statement of the number of hours to be spent by the youth apprentice in on-the-job learning and on-the-job training, in order to complete the program, if the term of the youth apprenticeship is measured through a time-based or hybrid approach (as described in section 29.5(b)(2)(i) and (ii) of title 29, Code of Federal Regulations (or a successor regulation));

(D) a description of the skill sets to be attained by completion of the program, including the on-the-job learning and on-the-job training components;

(E) a description of the number of hours and form of related integrated instruction provided, and how such instruction will relate to
graduation requirements for the entities referred to in subparagraphs (C) or (F) of section 3(32), as applicable;

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

(i) with challenging State academic standards; and

(ii) with the requirements for a regular high school diploma and its recognized equivalent, or a recognized postsecondary credential, that the youth apprentice will be eligible to receive upon program completion;

(G) a description of the use, in the program, of universal design for learning and other evidence-based practices known to support youth with disabilities;

(H) a statement of the costs the youth apprentice will incur for participating in the program (such as costs for equipment, related integrated instruction, or assessment or licensure fees);

(I) a description of the methods used in the program to measure skill acquisition for a youth apprentice;
(J) a description of the mentoring that will be provided to the youth apprentice;

(K) a description or timeline explaining the periodic reviews and evaluations of the youth apprentice’s performance on the job and in related integrated instruction;

(L) a description of the graduated wage scale for wages to be paid to the youth apprentice, benefits offered to youth apprentices, and how the wages and benefits compare to State, local, or regional wages and benefits in the related occupation;

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

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

(O) a statement of the numeric ratio of youth apprentices to supervisors (such as journeyworkers, mentors, or on-the-job learning
instructors, as applicable) for the occupation for
the youth apprenticeship involved, which ratio
is—

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

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

(P) a description of how the program spon-
sor will promote diversity and equal opportunity
for youth apprentices in the program, and for
the industry, including by supporting the re-
cruitment of, employment of, retention of, and
program completion by nontraditional youth ap-
prenticeship populations, such as women, people
of color, individuals with disabilities, individuals
from low-income backgrounds, individuals im-
pacted by the criminal and juvenile justice sys-

(b) COLLECTIVE BARGAINING.—Nothing in such a
youth apprenticeship agreement or this Act shall operate
to invalidate an applicable provision in a collective bar-
gaining agreement, between employers and employees, es-
tablishing higher standards for programs under the na-
tional apprenticeship system.

SEC. 102. YOUTH APPRENTICESHIP PROGRAM STANDARDS.

(a) In General.—The sponsor of a youth appren-
ticeship program shall (directly or through a partner in
an eligible entity) that receives funding under title II
shall—

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

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

(B) aligns with challenging State academic
standards, the State requirements for com-
pleting a regular high school diploma and its
recognized equivalent, postsecondary education
standards for the award of academic credit, and
standards for certifying educational attainment
through related integrated instruction and
work-based learning;
(C) may be organized sequentially or concurrently to support learning opportunities, including being provided through dual or concurrent enrollment programs or through early college high school programs, or as available, programs of an institution of higher education;

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

(E) enable youth apprentices to acquire—

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

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

(iii) postsecondary education credit, as applicable; and

(iv) a recognized postsecondary credential; and

(F) if the youth apprenticeship program is designed to lead to placement in an apprenticeship program after completion, prepare youth apprentices for the apprenticeship program and
result in credit articulation or advanced standing for the apprenticeship program;

(2) lead to careers in high-skill, high-wage, and in-demand industry sectors and occupations in the local or regional labor market and an increase in the prospects for youth, especially youth who are from low-income backgrounds or who are members of non-traditional apprenticeship populations, to obtain employment in careers in high-skill, high-wage, and in-demand industry sectors and occupations;

(3) pay wages to youth apprentices based on a progressively increasing, clearly defined schedule of wages that is linked to the acquisition of competencies, consistent with the youth apprenticeship agreements;

(4) establish, maintain, and develop strong partnerships and engagement with industry in a manner that ensures that youth apprentices complete the youth apprenticeship program and acquire credentials described in clauses (i) through (iv) of paragraph (1)(E) that demonstrate the acquisition of skills and knowledge needed by employers;

(5) provide individualized postsecondary education and career guidance and counseling, and academic counseling, including tutoring, mentoring, and
ongoing reviews and assessments of skill acquisition, of performance on the job, and of performance in related integrated instruction, in accordance with the terms of the agreement described in section 101(a)(2); 

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

(7) provide collaborative professional development services to workplace supervisors, mentors, teachers, counselors, and other staff to develop and maintain a well-integrated, high-performing program.

**TITLE II—YOUTH APPRENTICESHIP ADVANCEMENT FUND**

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

(a) Purpose.—The Secretary, in consultation with the Secretary of Education and the Advisory Committee on Apprenticeship, shall use funds made available under section 286(s)(2)(A)(ii) of the Immigration and Nationality Act (8 U.S.C. 1356(s)(2)(A)(ii)) to make awards to eligible entities to assist the eligible entities by paying for the program share of the cost of carrying out youth apprenticeship programs, including by supporting an evi-
dence-based approach to assist youth, particularly youth who are from low-income backgrounds or who are members of non-traditional apprenticeship populations—

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

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

(B) a certificate of completion in recognition of successful completion of the program, evidenced by an appropriate certificate issued by the National Apprenticeship System;

(C) college credit, as appropriate; and

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

(2) transition, after completion of a youth apprenticeship program to—

(A) full-time unsubsidized employment;

(B) continued postsecondary education; or

(C) in the case of a youth apprenticeship program that is designed to lead to placement into an apprenticeship program after completion, an apprenticeship program with advanced standing;
(3) earn a recognized postsecondary credential;

and

(4) earn college credit towards a degree from an institution of higher education, as applicable.

(b) DURATION.—The duration of any award made under subsection (a) shall be for a period of not more than 5 years.

(c) APPLICATION.—

(1) FORM AND PROCEDURE.—A lead applicant on behalf of an eligible entity that desires to receive an award under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(2) MINIMUM REQUIREMENTS.—The Secretary shall require that an application submitted under paragraph (1) include, at a minimum—

(A) the youth apprenticeship agreement described in section 101 the eligible entity intends to use;

(B) a description of, as applicable—

(i) outreach and marketing activities for the youth apprenticeship program, to be carried out with an emphasis on in-
creasing access to, and equity and diversity in, the youth apprenticeship program;

(ii) the experience and expertise of the eligible entity and roles that partners in the entity will play in carrying out administration and operations activities of the youth apprenticeship program;

(iii) incentives to be provided to the partners of the eligible entity to participate in the youth apprenticeship program, such as incentives for costs related to program development, staffing for mentors and supervisors, provision of academic or related integrated instruction, or the establishment of an industry or sector partnership or a consortium of small and medium-sized businesses to support participation of employers; and

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

(I) to assist with the establishment, maintenance, and sustainability of the youth apprenticeship program; and
(II) to support the youth apprenticeship program in a cost-effective manner; and

(C) for an eligible entity proposing a youth apprenticeship program in an occupation that is hazardous or detrimental for minors, a description of how the entity will ensure compliance with applicable Federal and State labor laws regarding the employment of minors and occupational health and safety, including laws relating to such an occupation and the requirements for the apprentice exemption and, as applicable, the student-learner exemption, and ensure the safety of youth apprentices, especially those under the age of 18, which—

(i) shall include appropriate safety instruction at the secondary school and at the workplace;

(ii) may include modifying on-the-job training, including delaying or reordering training components or acquisition of competencies while youth apprentices are under the age of 18; and

(iii) may include modifying related integrated instruction to include modified
practical training to promote the safe
training of youth apprentices.

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

(e) PRIORITY AND DISTRIBUTION.—

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

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

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

(2) GEOGRAPHIC DISTRIBUTION.—In making
awards under this subsection, the Secretary shall, to
the extent practicable, ensure a geographically di-
verse distribution of such awards, including a geo-
graphically diverse distribution among regions of the
United States and among urban, suburban, sparsely populated, and rural areas.

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

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

(2) carry out the youth apprenticeship program, in accordance with the youth apprenticeship agreement, except that no funds shall be used for wages for youth apprentices; and

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

(g) ADMINISTRATION.—An eligible entity that receives an award under this section—

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

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

(3) shall leverage public and private funds that are not provided through the award to assist with the establishment, maintenance, and sustainability of the youth apprenticeship program.
(h) Program Share.—

(1) In general.—The program share shall be 75 percent of the cost described in subsection (a).

(2) Non-program share.—

(A) In general.—Except as provided in subparagraph (B), an eligible entity may provide the non-program share of the cost described in subsection (a)—

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

(ii) in cash or in kind, fairly evaluated.

(B) Cap on Federal Funds.—Not more than 25 percent of the non-program share of the cost described in subsection (a) may be made from Federal sources not made available under this Act.

(C) Wages to Count as Non-program Share.—Wages paid by an eligible entity to youth apprentices under a youth apprenticeship program shall count as part of the non-program share of the cost described in subsection (a).

(3) Increase in Program Share.—Notwithstanding paragraph (1), the Secretary may increase
the program share if the eligible entity demonstrates
that exceptional circumstances prevent the entity
from providing 25 percent of the cost described in
subsection (a)—

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

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

(i) Performance.—

(1) In general.—Not later than 1 year after
receipt of the award under this section, as applica-
ble, and annually thereafter, the eligible entity shall
submit a report to the Secretary evaluating the per-
f ormance and impact of the youth apprenticeship
program that, at minimum, includes program data
on levels of performance achieved with respect to
performance indicators described in section
116(b)(2)(A)(ii) of the Workforce Innovation and
Improvement Act (29 U.S.C. 3141(b)(2)(A)(ii)) as
applicable, by participants in the program, the num-
ber and percentage of such participants who at-
tained a regular high school diploma, and the num-
ber and percentage of such participants who at-
tained a recognized equivalent to a regular high
school diploma, disaggregated by—

(A) race;
(B) ethnicity;
(C) sex; and

(D) membership in any of the special pop-
ulations, as defined in section 3 of the Carl D.
Perkins Career and Technical Education Act of

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

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

(B) by any subgroup listed in subpara-
graph (A) through (E) of paragraph (1), shall
not be required in the case where the number
of participants in a subgroup is insufficient to
yield statistically reliable information or the re-
sults would reveal personally identifiable infor-
mation about an individual participant.
(j) Intangible Property.—Any new work created wholly or in part with funds made available under an award made under this section shall—

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

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

(k) Information and Referral.—

(1) In General.—An eligible entity that receives an award under this section shall provide information to youth described in paragraph (2) regarding adult-serving apprenticeship programs in the National Apprenticeship System, and may refer such youth for possible participation in such programs.

(2) Eligible Youth.—A youth is described in this paragraph if the youth—

(A) is not enrolled in school;

(B) does not have a regular high school diploma or its recognized equivalent;
(C) does not intend to reenroll in secondary school; and

(D) seeks to participate in an apprenticeship program in the National Apprenticeship System.

(l) SPECIAL RULES.—

(1) HAZARDOUS OCCUPATIONS.—No award shall be made under this section for a youth apprenticeship program in an occupation that is hazardous or detrimental for minors for which an apprentice exemption or, as applicable, a student-learner exemption, does not apply.

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

(m) DEFINITIONS.—In this section:

(1) APPRENTICE EXEMPTION.—The term “apprentice exemption” means the exemption described in section 570.50(b) of title 29, Code of Federal Regulations (or a successor regulation).

(2) OCCUPATION THAT IS HAZARDOUS OR DETRIMENTAL FOR MINORS.—The term “occupation that is hazardous or detrimental for minors” means
an occupation described in subpart E of part 570 of title 29, Code of Federal Regulations (or a successor regulation).

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

**TITLE III—GENERAL PROVISIONS**

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

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

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

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

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

(b) **EVALUATION.**—
(1) EVALUATION.—For the purpose of improving the management and effectiveness of the program carried out under this Act, not later than 2 years after the first award of funds under this Act is made, the Secretary (acting through the Chief Evaluation Officer of the Department of Labor), in consultation with the Secretary of Education, shall—

(A) design and conduct an evaluation to evaluate the effectiveness of the program carried out under this Act; and

(B) conduct or commission studies to examine ways to expand education and workforce development opportunities for youth, including youth from low-income backgrounds, and youth who are members of nontraditional apprenticeship populations, to learn about and participate in initiatives that result in the receipt of recognized postsecondary credentials and advance the careers of youth in in-demand industry sectors and occupations and emerging industry sectors and occupations.

(2) REPORT.—Not later than 60 days after the completion of the final evaluation report under paragraph (1) by the Secretary, the Secretary shall
transmit the final evaluation report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.

(c) Other Secretarial Responsibilities.—

(1) Information Dissemination.—The Secretary of Labor and the Secretary of Education shall jointly develop and disseminate information, in user-friendly formats and easily accessible languages as determined by the Secretaries, to State and local workforce development boards, State educational agencies and local educational agencies, State vocational rehabilitation agencies, industry networks, parent and teacher associations, and student networks to—

(A) promote alignment between youth apprenticeship programs funded under this Act and challenging State academic standards;

(B) promote a better understanding of the national apprenticeship system, youth apprenticeships, and the value of the apprenticeships in secondary schools and postsecondary education and career pathways;
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(C) promote the benefits of the youth apprenticeship programs and ways to effectively align—

(i) requirements for youth apprenticeship programs, including related integrated instruction and training in skills and competencies for occupations suitable for apprenticeship; and

(ii) requirements for a regular high school diploma and its recognized equivalent, and requirements for career and technical education programs, dual and concurrent enrollment programs, and early college high school programs; and

(D) promote ways to facilitate transitions, for students who have completed youth apprenticeships, to full-time employment in a high-skill, high-wage, and in-demand industry sector or occupation, programs at institutions of higher education leading to an associate, baccalaureate, or advanced degree, or a combination of employment and continued postsecondary education.

(2) EDUCATIONAL ALIGNMENT.—The Secretary, in collaboration with the Secretary of Edu-
cation, shall promote activities designed to strengthen alignment between programs under the national apprenticeship system, programs of education and training, and programs of secondary, postsecondary, and adult education, including degree and credential requirements.

**SEC. 302. SPECIAL RULE.**

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

**SEC. 303. CONFORMING AMENDMENTS.**

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

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

and

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

“(A) IN GENERAL.—A sum equal to 50 percent of the amounts deposited into the H–1B Nonimmigrant Petitioner Account shall remain available to the Secretary of Labor until expended for—
“(i) grants for job training and related activities described in section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 3224a); and

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

“(B) ALLOCATION.—The Secretary of Labor shall use not less than $100,000,000, subject to availability, of the sum described in subparagraph (A) for each of fiscal years 2024 through 2029 for awards described in subparagraph (A)(ii).”