

116TH CONGRESS
1ST SESSION

H. R. 2831

To require the Secretary of Labor to award grants for promoting industry or sector partnerships to encourage industry growth and competitiveness and to improve worker training, retention, and advancement as part of an infrastructure investment.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2019

Mr. MITCHELL (for himself, Ms. BONAMICI, Mr. THOMPSON of Pennsylvania, and Mr. LANGEVIN) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To require the Secretary of Labor to award grants for promoting industry or sector partnerships to encourage industry growth and competitiveness and to improve worker training, retention, and advancement as part of an infrastructure investment.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Building U.S. Infra-
5 structure by Leveraging Demands for Skills” or the
6 “BUILDS Act”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to promote industry or
3 sector partnerships that engage in collaborative planning,
4 resource alignment, and training efforts across multiple
5 businesses, for a range of workers employed or potentially
6 employed by targeted infrastructure industries, including
7 energy, construction, information technology, utilities, and
8 transportation, in order to encourage industry growth and
9 competitiveness and to improve worker training, retention,
10 and advancement.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

13 (1) CAREER AND TECHNICAL EDUCATION; CA-
14 REER GUIDANCE AND ACADEMIC COUNSELING.—The
15 terms “career and technical education” and “career
16 guidance and academic counseling” have the mean-
17 ings given such terms in section 3 of the Carl D.
18 Perkins Career and Technical Education Act of
19 2006 (20 U.S.C. 2302).

20 (2) CAREER PATHWAY.—The term “career
21 pathway” has the meaning given such term in sec-
22 tion 3 of the Workforce Innovation and Opportunity
23 Act (29 U.S.C. 3102).

24 (3) ELIGIBLE PARTNERSHIP.—The term “eligi-
25 ble partnership” means a partnership that is an in-
26 dustry or sector partnership, or (with respect to an

1 implementation grant) a partnership that is in the
2 process of establishing an industry or sector partner-
3 ship.

4 (4) INDIVIDUAL WITH A BARRIER TO EMPLOY-
5 MENT.—The term “individual with a barrier to em-
6 ployment” has the meaning given such term in sec-
7 tion 3 of the Workforce Innovation and Opportunity
8 Act (29 U.S.C. 3102).

9 (5) INDUSTRY OR SECTOR PARTNERSHIP.—The
10 term “industry or sector partnership” has the mean-
11 ing given such term in section 3 of the Workforce
12 Innovation and Opportunity Act (29 U.S.C. 3102).

13 (6) LOCAL BOARD.—The term “local board”
14 has the meaning given such term in section 3 of the
15 Workforce Innovation and Opportunity Act (29
16 U.S.C. 3102).

17 (7) RECOGNIZED POSTSECONDARY CREDEN-
18 TIAL.—The term “recognized postsecondary creden-
19 tial” has the meaning given such term in section 3
20 of the Workforce Innovation and Opportunity Act
21 (29 U.S.C. 3102).

22 (8) SECRETARY.—The term “Secretary” means
23 the Secretary of Labor.

24 (9) STATE; STATE BOARD.—The terms “State”
25 and “State board” have the meanings given such

1 terms in section 3 of the Workforce Innovation and
2 Opportunity Act (29 U.S.C. 3102).

3 (10) TARGETED INFRASTRUCTURE INDUS-
4 TRY.—The term “targeted infrastructure industry”
5 means an industry, including transportation (includ-
6 ing surface, transit, aviation, or railway transpor-
7 tation), construction, energy (including the deploy-
8 ment of renewable and clean energy, energy effi-
9 ciency, transmission, and battery storage), informa-
10 tion technology, or utilities industries, that the eligi-
11 ble partnership identifies in accordance with section
12 5(c) to be served by a grant under this Act.

13 (11) WORK-BASED LEARNING PROGRAM.—

14 (A) IN GENERAL.—The term “work-based
15 learning program” means a program (which
16 may be a registered apprenticeship program)
17 that provides workers with paid work experience
18 and corresponding approved classroom instruc-
19 tion, delivered in an employment relationship
20 that both the employer and worker intend to
21 lead to continuing employment after the pro-
22 gram ends.

23 (B) WORK EXPERIENCE.—In subpara-
24 graph (A), the term “paid work experience” in-
25 cludes training by an employer that is provided

1 to a paid worker while engaged in productive
2 work in a job that provides knowledge or skills
3 essential to the full and adequate performance
4 of the job.

5 (12) REGISTERED APPRENTICESHIP.—The term
6 “registered apprenticeship” means an apprenticeship
7 registered under the Act of August 16, 1937 (com-
8 monly known as the “National Apprenticeship Act”;
9 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

10 **SEC. 4. GRANTS AUTHORIZED.**

11 (a) IN GENERAL.—The Secretary, in consultation
12 with the Secretary of Transportation, the Secretary of En-
13 ergy, the Secretary of Commerce, the Secretary of Edu-
14 cation, and the Chief of Engineers and Commanding Gen-
15 eral of the Army Corps of Engineers, shall award, on a
16 competitive basis, grants to eligible entities to plan and
17 implement activities to achieve the strategic objectives de-
18 scribed in section 5(d) with respect to a targeted infra-
19 structure industry.

20 (b) GRANTS.—

21 (1) TYPES OF GRANTS.—A grant awarded
22 under this Act may be in the form of—

23 (A) an implementation grant, for entities
24 seeking an initial grant under this Act; or

1 (B) a renewal grant for entities that have
2 already received an implementation grant under
3 this Act.

4 (2) DURATION.—Each grant awarded under
5 this Act shall be for a period not to exceed 3 years.

6 (3) AMOUNT.—The amount of a grant awarded
7 under this Act may not exceed—

8 (A) for an implementation grant,
9 \$2,500,000; and

10 (B) for a renewal grant, \$1,500,000.

11 (c) AWARD BASIS.—

12 (1) GEOGRAPHIC DIVERSITY.—The Secretary
13 shall award grants under this Act in a manner that
14 ensures geographic diversity in the areas in which
15 activities will be carried out under the grants.

16 (2) PRIORITY FOR RENEWAL GRANTS.—In
17 awarding renewal grants under this Act, the Sec-
18 retary shall give priority to eligible entities that—

19 (A) demonstrate long-term sustainability of
20 an industry or sector partnership; and

21 (B) provide a non-Federal share of the
22 cost of the activities.

23 **SEC. 5. APPLICATION PROCESS.**

24 (a) IN GENERAL.—An eligible partnership desiring a
25 grant under this Act shall submit an application to the

1 Secretary at such time, in such manner, and containing
2 such information as the Secretary may require, including
3 the contents described in subsection (b).

4 (b) CONTENTS.—An application submitted under this
5 Act shall contain, at a minimum—

6 (1) a description of the eligible partnership, evi-
7 dence of the eligible partnership’s capacity to carry
8 out activities to achieve the strategic objectives de-
9 scribed in subsection (d), and the expected participa-
10 tion and responsibilities of each of the partners in-
11 cluded in the industry or sector partnership involved;

12 (2) a description of the targeted infrastructure
13 industry served by the grant, and a description of
14 how such industry was identified in accordance with
15 subsection (c);

16 (3) a description of the workers that will be tar-
17 geted or recruited by the partnership, including an
18 analysis of the existing labor market, a description
19 of potential barriers to employment for targeted
20 workers, and a description of strategies that will be
21 used to help workers overcome such barriers;

22 (4) a description of the local, State, or federally
23 funded infrastructure projects on which the eligible
24 partnership anticipates engaging partners;

1 (5) a description of the strategic objectives de-
2 scribed in subsection (d) that the eligible partnership
3 intends to achieve concerning the targeted infra-
4 structure industry;

5 (6) a description of the credentials that the eli-
6 gible partnership proposes to use or develop as a
7 performance measure, to assess the degree to which
8 the eligible partnership has achieved such strategic
9 objectives, which credentials—

10 (A) shall be nationally portable;

11 (B) shall be recognized postsecondary cre-
12 dentials or, if not available for the industry,
13 other credentials determined by the Secretary
14 to be appropriate;

15 (C) shall be related to the targeted infra-
16 structure industry that the eligible partnership
17 proposes to support; and

18 (D) may be a registered apprenticeship
19 program;

20 (7) a description of the manner in which the eli-
21 gible partnership intends to make sustainable
22 progress towards achieving such strategic objectives;

23 (8) performance measures for measuring
24 progress towards achieving such strategic objectives;

1 (9) a description of the Federal and non-Fed-
2 eral resources, available under provisions of law
3 other than this Act, that will be leveraged in support
4 of the partnerships and activities under this Act;
5 and

6 (10) a timeline for progress towards achieving
7 such strategic objectives.

8 (c) TARGETED INFRASTRUCTURE INDUSTRY.—Each
9 grant under this Act shall serve a targeted infrastructure
10 industry that is identified by the eligible partnership
11 through working with businesses, industry associations
12 and organizations, labor organizations, State boards, local
13 boards, economic development agencies, and other organi-
14 zations that the eligible partnership determines necessary.

15 (d) STRATEGIC OBJECTIVES.—The activities to be
16 carried out under each grant awarded under this Act shall
17 be designed to achieve strategic objectives that include the
18 following:

19 (1) Recruiting key stakeholders in the targeted
20 infrastructure industry, such as multiple businesses,
21 labor organizations, local boards, and education and
22 training providers, including providers of career and
23 technical education, and regularly convening the
24 stakeholders in a collaborative structure that sup-
25 ports the sharing of information, ideas, and chal-

1 lenges common to the targeted infrastructure indus-
2 try.

3 (2) Identifying the training needs of multiple
4 businesses in the targeted infrastructure industry,
5 including—

6 (A) needs for skills critical to competitive-
7 ness and innovation in the industry;

8 (B) needs of the registered apprenticeship
9 programs or other work-based learning pro-
10 grams supported by the grant; and

11 (C) needs for the usage of career path-
12 ways.

13 (3) Facilitating actions that lead to economies
14 of scale by aggregating training and education needs
15 of multiple businesses.

16 (4) Helping postsecondary educational institu-
17 tions, training institutions, sponsors of registered
18 apprenticeship programs, and all other providers of
19 career and technical education and training pro-
20 grams receiving assistance under this Act, align cur-
21 ricula, entrance requirements, and programs to the
22 targeted infrastructure industry needs and the cre-
23 dentials described in subsection (b)(6), particularly
24 for higher skill, high-priority occupations related to
25 the targeted infrastructure industry.

1 (5) Providing information on the grant activi-
2 ties to the State agency carrying out the State pro-
3 gram under the Wagner-Peyser Act (29 U.S.C. 49
4 et seq.), including staff of the agency that provide
5 services under such Act, to enable the agency to in-
6 form recipients of unemployment compensation of
7 the employment and training opportunities that may
8 be offered through the grant activities.

9 (6) Helping partner businesses in industry or
10 sector partnerships to attract potential workers from
11 a diverse jobseeker base, including individuals with
12 barriers to employment, by identifying any such bar-
13 riers through analysis of the labor market and im-
14 plementing strategies to help such workers overcome
15 such barriers.

16 **SEC. 6. ACTIVITIES.**

17 (a) IN GENERAL.—An eligible partnership receiving
18 a grant under this Act shall—

19 (1) designate an entity in the industry or sector
20 partnership as the fiscal agent for the grant funds;
21 and

22 (2) carry out activities described in subsections
23 (b) (as applicable), (c), and (d) to achieve the stra-
24 tegic objectives identified in the entity’s application
25 under section 5(b)(5), in a manner that integrates

1 services and funding sources to ensure effectiveness
2 of the activities and that uses the grant funds effi-
3 ciently.

4 (b) PLANNING ACTIVITIES.—An eligible partnership
5 receiving an implementation grant under this Act shall use
6 not more than \$250,000 of the grant funds to carry out
7 planning activities during the first year of the grant pe-
8 riod. Such activities may include—

9 (1) establishing the industry or sector partner-
10 ship;

11 (2) convening key stakeholders as identified in
12 the application process;

13 (3) conducting outreach to local businesses and
14 business associations;

15 (4) conducting an evaluation of workforce needs
16 in the local area; or

17 (5) recruiting individuals with barriers to em-
18 ployment.

19 (c) BUSINESS ENGAGEMENT.—An eligible partner-
20 ship receiving a grant under this Act shall use the grant
21 funds to provide services to engage businesses in efforts
22 to achieve the strategic objectives identified in the partner-
23 ship’s application under section 5(b)(5). The services may
24 include assisting businesses—

1 (1) in navigating the registration process for a
2 sponsor of a registered apprenticeship program;

3 (2) by connecting the business with an edu-
4 cation provider, including a provider of career and
5 technical education, to develop classroom instruction
6 to complement on-the-job learning;

7 (3) in developing the curriculum design of a
8 work-based learning program;

9 (4) in employing workers participating in a
10 work-based learning program for a transitional pe-
11 riod before a business hires the worker for full-time
12 employment not less than 30 hours a week;

13 (5) in providing training to managers and
14 front-line workers to serve as trainers or mentors to
15 workers participating in a work-based learning pro-
16 gram;

17 (6) in providing career awareness activities,
18 such as career guidance and academic counseling;
19 and

20 (7) in recruiting, for participation in a work-
21 based learning program, individuals eligible to re-
22 ceive additional workforce or human services, includ-
23 ing—

24 (A) individuals participating in programs
25 under the Workforce Innovation and Oppor-

1 tunity Act (29 U.S.C. 3101 et seq.), and the
2 amendments made by such Act, including to the
3 Rehabilitation Act of 1973 (29 U.S.C. 701 et
4 seq.);

5 (B) recipients of assistance through the
6 supplemental nutrition assistance program es-
7 tablished under the Food and Nutrition Act of
8 2008 (7 U.S.C. 2011 et seq.);

9 (C) recipients of assistance through the
10 program of block grants to States for tem-
11 porary assistance for needy families established
12 under part A of title IV of the Social Security
13 Act (42 U.S.C. 601 et seq.); or

14 (D) any other individuals with a barrier to
15 employment.

16 (d) SUPPORT SERVICES.—The eligible partnership
17 receiving a grant under this Act shall use the grant funds
18 to provide services to support the success of individuals
19 described in subsection (c)(7) who are participating in a
20 work-based learning program for a period of not less than
21 12 months. Such services may include the following:

22 (1) PRE-EMPLOYMENT SERVICES.—Services,
23 provided in a pre-employment stage of the program,
24 to expand access to a work-based learning program

1 for individuals described in subsection (c)(7). Such
2 services may include—

3 (A) skills training;

4 (B) career and technical education or adult
5 basic education;

6 (C) initial skills assessments;

7 (D) providing work attire, necessary tools
8 for a work site, and other required items nec-
9 essary to start employment;

10 (E) wrap-around services, such as child
11 care and transportation; and

12 (F) job placement assistance.

13 (2) EARLY EMPLOYMENT SERVICES.—Services
14 provided to individuals described in subsection (c)(7)
15 who are participating in a work-based learning pro-
16 gram during their first 6 months of employment
17 through such program, to assure the individuals suc-
18 ceed in the program. Such services may include—

19 (A) ongoing case management and support
20 services, including the services provided in the
21 pre-employment stage described in paragraph
22 (1);

23 (B) continued skills training, including ca-
24 reer and technical education, conducted in col-
25 laboration with employers of such individuals;

1 (C) additional mentorship and retention
2 supports for such individuals;

3 (D) targeted training for frontline man-
4 agers, journey level workers working with such
5 individuals (such as mentors), and human re-
6 source representatives within the business
7 where such individuals are placed; and

8 (E) wages and benefits for a period of not
9 more than 6 months, during which the eligible
10 entities shall serve as the employers of record of
11 such individuals.

12 (3) EMPLOYMENT SERVICES.—Services to en-
13 sure the individuals described in paragraph (2)
14 maintain employment in the work-based learning
15 program for at least 12 months. The services shall
16 include support necessary to complete the work-
17 based learning program, such as continuation of
18 mentoring and support services provided under para-
19 graph (2).

20 (e) EVALUATION AND PROGRESS REPORTS.—Not
21 later than 1 year after receiving a grant under this Act,
22 and annually thereafter, the eligible partnership receiving
23 the grant shall submit a report to the Secretary and the
24 Governor of the State that the eligible partnership serves,
25 that—

1 (1) describes the activities funded by the grant;

2 (2) evaluates the progress the eligible partner-
3 ship has made towards achieving the strategic objec-
4 tives identified under section 5(b)(5); and

5 (3) evaluates the levels of performance achieved
6 by the eligible partnership for training participants
7 with respect to the performance indicators under
8 section 116(b)(2)(A) of the Workforce Innovation
9 and Opportunity Act (29 U.S.C. 3141(b)(2)(A)) for
10 all such workers, disaggregated by each population
11 specified in section 3(24) of the Workforce Innova-
12 tion and Opportunity Act (29 U.S.C. 3102(24)) and
13 by race, ethnicity, sex, and age.

14 (f) ADMINISTRATIVE COSTS.—An eligible partnership
15 may use not more than 5 percent of the funds awarded
16 through a grant under this Act for administrative ex-
17 penses in carrying out this section.

18 **SEC. 7. ADMINISTRATION BY THE SECRETARY.**

19 (a) IN GENERAL.—The Secretary may use not more
20 than 10 percent of the amount appropriated under section
21 8 for each fiscal year for administrative expenses to carry
22 out this Act, including the expenses of providing the tech-
23 nical assistance and oversight activities under subsection
24 (b).

1 (b) **TECHNICAL ASSISTANCE; OVERSIGHT.**—The Sec-
2 retary shall provide technical assistance and oversight to
3 assist the eligible entities in applying for and admin-
4 istering grants awarded under this Act.

5 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated to carry out
7 this Act, \$500,000,000 for fiscal year 2020 and each of
8 the succeeding 4 fiscal years.

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