

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

S. 2393

To promote a 21st century energy workforce, and for other purposes.

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 _____

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 “Clean Energy Jobs
5 Act of 2019”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) APPRENTICESHIP.—The term “apprentice-
9 ship” means an apprenticeship registered under the
10 Act of August 16, 1937 (29 U.S.C. 50 et seq.) (com-
11 monly known as the “National Apprenticeship Act”).

1 (2) ENERGY-RELATED INDUSTRY.—The term
2 “energy-related industry” means an industry in
3 which a substantial quantity of economic activity, in
4 the determination of the Secretary, is economic ac-
5 tivity relating to—

6 (A) clean energy generation, transmission,
7 distribution, consumption, storage, and con-
8 servation;

9 (B) carbon capture;

10 (C) fuels production or transportation; or

11 (D) community energy resilience.

12 (3) INSTITUTION OF HIGHER EDUCATION.—The
13 term “institution of higher education” has the
14 meaning given the term in section 101 and subpara-
15 graphs (A) and (B) of section 102(a)(1) of the
16 Higher Education Act of 1965 (20 U.S.C. 1001,
17 1002(a)(1)).

18 (4) LABOR ORGANIZATION.—The term “labor
19 organization” has the meaning given the term in
20 section 2 of the National Labor Relations Act (29
21 U.S.C. 152).

22 (5) LOCAL EDUCATIONAL AGENCY.—The term
23 “local educational agency” has the meaning given
24 the term in section 8101 of the Elementary and Sec-
25 ondary Education Act of 1965 (20 U.S.C. 7801).

1 (6) LOCAL WORKFORCE DEVELOPMENT
2 BOARD.—The term “local workforce development
3 board” has the meaning given the term “local
4 board” in section 3 of the Workforce Innovation and
5 Opportunity Act (29 U.S.C. 3102).

6 (7) MINORITY-SERVING INSTITUTION.—The
7 term “minority-serving institution” means—

8 (A) a Hispanic-serving institution (as de-
9 fined in section 502(a) of the Higher Education
10 Act of 1965 (20 U.S.C. 1101a(a)));

11 (B) a Tribal College or University (as de-
12 fined in section 316(b) of the Higher Education
13 Act of 1965 (20 U.S.C. 1059c(b)));

14 (C) an Alaska Native-serving institution
15 (as defined in section 317(b) of the Higher
16 Education Act of 1965 (20 U.S.C. 1059d(b)));

17 (D) a Native Hawaiian-serving institution
18 (as defined in section 317(b) of the Higher
19 Education Act of 1965 (20 U.S.C. 1059d(b)));

20 (E) a Predominantly Black Institution (as
21 defined in section 318(b) of the Higher Edu-
22 cation Act of 1965 (20 U.S.C. 1059e(b)));

23 (F) a Native American-serving nontribal
24 institution (as defined in section 319(b) of the

1 Higher Education Act of 1965 (20 U.S.C.
2 1059f(b)); and

3 (G) an Asian American and Native Amer-
4 ican Pacific Islander-serving institution (as de-
5 fined in section 320(b) of the Higher Education
6 Act of 1965 (20 U.S.C. 1059g(b))).

7 (8) SECONDARY SCHOOL.—The term “sec-
8 ondary school” has the meaning given the term in
9 section 8101 of the Elementary and Secondary Edu-
10 cation Act of 1965 (20 U.S.C. 7801).

11 (9) SECRETARY.—The term “Secretary” means
12 the Secretary of Energy.

13 (10) STATE EDUCATIONAL AGENCY.—The term
14 “State educational agency” has the meaning given
15 the term in section 8101 of the Elementary and Sec-
16 ondary Education Act of 1965 (20 U.S.C. 7801).

17 (11) STATE WORKFORCE DEVELOPMENT
18 BOARD.—The term “State workforce development
19 board” has the meaning given the term “State
20 board” in section 3 of the Workforce Innovation and
21 Opportunity Act (29 U.S.C. 3102).

22 (12) WORKFORCE DEVELOPMENT PROGRAM.—
23 The term “workforce development program” has the
24 meaning given the term in section 3 of the Work-

1 force Innovation and Opportunity Act (29 U.S.C.
2 3102).

3 **SEC. 3. ENERGY WORKFORCE DEVELOPMENT PROGRAM.**

4 (a) ESTABLISHMENT.—The Secretary shall establish
5 and carry out a comprehensive and nationwide program
6 (referred to in this section as the “program”) in accord-
7 ance with this section to improve education and training
8 for jobs in energy-related industries (including manufac-
9 turing, engineering, construction, and retrofitting jobs in
10 energy-related industries) to increase the number of
11 skilled workers trained to work in energy-related indus-
12 tries with existing or expected worker shortages.

13 (b) WORKFORCE DEVELOPMENT.—

14 (1) IN GENERAL.—In carrying out the program,
15 the Secretary shall—

16 (A) encourage underrepresented groups,
17 including religious and ethnic minorities,
18 women, veterans, individuals with disabilities,
19 unemployed energy workers, and
20 socioeconomically disadvantaged individuals, to
21 enter into science, technology, engineering, and
22 mathematics fields;

23 (B) encourage secondary schools and insti-
24 tutions of higher education to equip students
25 with the skills, training, and technical expertise

1 necessary to fill existing or expected worker
2 shortages in energy-related industries;

3 (C) provide internships, fellowships,
4 traineeships, and apprenticeships at the Depart-
5 ment of Energy, including at National Labora-
6 tories;

7 (D) provide energy workforce-related re-
8 search grants and technical assistance to insti-
9 tutions of higher education, with priority given
10 to minority-serving institutions;

11 (E) provide students and other candidates
12 for employment with the necessary skills and
13 certifications for high-skill, high-wage, or in-de-
14 mand jobs in energy-related industries;

15 (F) ensure that the program is in align-
16 ment with the Minorities in Energy Initiative of
17 the Department of Energy;

18 (G) engage with other programs that are
19 carrying out the Minorities in Energy Initiative
20 of the Department of Energy; and

21 (H) to the maximum extent practicable,
22 collaborate with and support State workforce
23 development programs to maximize the effi-
24 ciency of the program.

1 (2) PRIORITY.—In carrying out the program,
2 the Secretary shall prioritize the education and
3 training of underrepresented groups for jobs in en-
4 ergy-related industries.

5 (c) DIRECT ASSISTANCE.—

6 (1) IN GENERAL.—To carry out the program,
7 the Secretary shall provide direct assistance (includ-
8 ing financial assistance awards, technical expertise,
9 and guidance) to local educational agencies, local
10 workforce development boards, State educational
11 agencies, State workforce development boards, insti-
12 tutions of higher education, nonprofit organizations,
13 labor organizations, and apprenticeship programs.

14 (2) DISTRIBUTION.—The Secretary shall dis-
15 tribute direct assistance under paragraph (1) in a
16 manner that—

17 (A) is reflective of the needs of, and de-
18 mand for jobs in, an energy-related industry;
19 and

20 (B) is consistent with the information ob-
21 tained under subsections (e)(4) and (j).

22 (d) RESOURCE CENTER.—The Secretary shall estab-
23 lish an online resource center—

24 (1) to maintain and update information and re-
25 sources on training programs for jobs in energy-re-

1 lated industries (including manufacturing, engineer-
2 ing, construction, and retrofitting jobs in energy-re-
3 lated industries); and

4 (2) as a resource for local educational agencies,
5 State educational agencies, institutions of higher
6 education, local workforce development boards, State
7 workforce development boards, nonprofit organiza-
8 tions, labor organizations, and apprenticeship pro-
9 grams working to develop and implement training
10 programs for the jobs described in paragraph (1).

11 (e) COLLABORATION AND REPORT.—In carrying out
12 the program, the Secretary shall—

13 (1) collaborate with local educational agencies,
14 State educational agencies, institutions of higher
15 education, local workforce development boards, State
16 workforce development boards, nonprofit organiza-
17 tions, labor organizations, apprenticeship programs,
18 and energy-related industries;

19 (2) facilitate the sharing of best practices and
20 approaches that best suit local, State, and national
21 needs;

22 (3) encourage and foster collaboration,
23 mentorship, and partnership between—

24 (A) industry, local workforce development
25 boards, State workforce development boards,

1 nonprofit organizations, labor organizations,
2 and apprenticeship programs that provide effective
3 training programs for jobs in energy-related
4 industries; and

5 (B) local educational agencies, State educational
6 agencies, and institutions of higher
7 education that seek to establish those programs;
8 and

9 (4) collaborate with the Secretary of Labor, the
10 Commissioner of the Bureau of Labor Statistics, the
11 Secretary of Commerce, the Director of the Bureau
12 of the Census, and energy-related industries—

13 (A) to develop a comprehensive and detailed
14 understanding of the workforce needs of,
15 and job opportunities in, energy-related industries,
16 by State and by region; and

17 (B) to publish an annual report on job creation
18 in the sectors of energy-related industries
19 identified under subsection (j)(1).

20 (f) BEST PRACTICES FOR EDUCATIONAL INSTITU-
21 TIONS.—

22 (1) IN GENERAL.—The Secretary, in collaboration
23 with the Secretary of Education, the Secretary
24 of Commerce, the Secretary of Labor, and the Director
25 of the National Science Foundation, shall de-

1 velop and provide to local educational agencies,
2 State educational agencies, or institutions of higher
3 education best practices for providing postsecondary
4 students with skills necessary for jobs in energy-re-
5 lated industries (including manufacturing, engineer-
6 ing, construction, and retrofitting jobs in energy-re-
7 lated industries).

8 (2) INPUT FROM INDUSTRY.—In carrying out
9 paragraph (1), the Secretary shall solicit input from
10 energy-related industries, especially energy-related
11 industries with existing or expected worker short-
12 ages.

13 (3) STEM EDUCATION.—The best practices de-
14 veloped under this subsection shall promote edu-
15 cation in science, technology, engineering, and math-
16 ematics as it relates to job opportunities in the sec-
17 tors of energy-related industries identified under
18 subsection (j)(1).

19 (4) ENERGY EFFICIENCY AND COMMUNITY EN-
20 ERGY RESILIENCY INITIATIVES.—The Secretary
21 shall develop and provide best practices for teaching
22 elementary and secondary students and the families
23 of those students about energy efficiency and com-
24 munity energy resiliency.

1 (g) OUTREACH TO MINORITY-SERVING INSTITU-
2 TIONS.—The Secretary shall—

3 (1) give special consideration to increasing out-
4 reach to minority-serving institutions;

5 (2) make resources available to minority-serving
6 institutions to increase the number of skilled minori-
7 ties and women qualified for jobs in energy-related
8 industries (including manufacturing, engineering,
9 construction, and retrofitting jobs in energy-related
10 industries);

11 (3) encourage energy-related industries to im-
12 prove opportunities for students of minority-serving
13 institutions to participate in industry internships
14 and cooperative work-study programs; and

15 (4) work with the Directors of the National
16 Laboratories to increase the participation of under-
17 represented groups in internships, fellowships, train-
18 ing programs, and employment at those laboratories.

19 (h) OUTREACH TO DISPLACED AND UNEMPLOYED
20 ENERGY WORKERS.—The Secretary shall—

21 (1) give special consideration to increasing out-
22 reach to employers and job trainers preparing dis-
23 placed and unemployed energy workers for emerging
24 jobs in energy-related industries (including manufac-

1 turing, engineering, construction, and retrofitting
2 jobs in energy-related industries);

3 (2) make resources available to institutions that
4 serve displaced and unemployed energy workers to
5 increase the number of individuals trained for jobs
6 in energy-related industries (including manufac-
7 turing, engineering, construction, and retrofitting
8 jobs in energy-related industries); and

9 (3) encourage energy-related industries to im-
10 prove opportunities for displaced and unemployed
11 energy workers to participate in industry internships
12 and cooperative work-study programs.

13 (i) ENROLLMENT IN TRAINING AND APPRENTICE-
14 SHIP PROGRAMS.—The Secretary shall collaborate with
15 industry, local workforce development boards, State work-
16 force development boards, nonprofit organizations, labor
17 organizations, and apprenticeship programs to help iden-
18 tify students and other candidates, including from under-
19 represented communities such as minorities, women, and
20 veterans, to enroll in training and apprenticeship pro-
21 grams for jobs in energy-related industries.

22 (j) GUIDELINES TO DEVELOP SKILLS FOR AN EN-
23 ERGY INDUSTRY WORKFORCE.—The Secretary shall, in
24 collaboration with energy-related industries, identify the
25 sectors within each energy-related industry that have the

1 greatest demand for workers and develop guidelines for
2 the skills necessary to work in those sectors.

3 (k) RULE OF CONSTRUCTION.—Nothing in this sec-
4 tion authorizes any department, agency, officer, or em-
5 ployee of the Federal government to exercise any direction,
6 supervision, or control over—

7 (1) the curriculum, program of instruction, or
8 instructional content of any State, local educational
9 agency, or school; or

10 (2) the selection of library resources, textbooks,
11 or other printed or published instructional materials
12 used by any State, local educational agency, or
13 school.

14 **SEC. 4. ENERGY WORKFORCE PILOT PROGRAM.**

15 (a) DEFINITIONS.—In this section:

16 (1) ELIGIBLE ENTITY.—The term “eligible enti-
17 ty” means a business or labor management organi-
18 zation that—

19 (A)(i) is directly involved with energy effi-
20 ciency, renewable energy technology, or reduc-
21 tion in greenhouse gas emissions, as determined
22 by the Secretary; or

23 (ii) works on behalf of a business or labor
24 management organization that is directly in-
25 volved with energy efficiency, renewable energy

1 technology, or reduction in greenhouse gas
2 emissions, as determined by the Secretary; or

3 (B) provides services related to—

4 (i) energy efficiency and renewable en-
5 ergy technology deployment and mainte-
6 nance;

7 (ii) grid modernization; or

8 (iii) reduction in greenhouse gas emis-
9 sions through the use of other low-carbon
10 technologies.

11 (2) LABOR MANAGEMENT ORGANIZATION.—The
12 term “labor management organization” includes a
13 nonprofit organization or qualified youth or con-
14 servation corps that provides training to individuals
15 to work for an eligible entity that is a business, or
16 works on behalf of an eligible entity that is a busi-
17 ness.

18 (3) PILOT PROGRAM.—The term “pilot pro-
19 gram” means the pilot program established under
20 subsection (b).

21 (b) ESTABLISHMENT.—The Secretary of Labor, in
22 consultation with the Secretary and in accordance with
23 section 169(b) of the Workforce Innovation and Oppor-
24 tunity Act (29 U.S.C. 3224(b)), shall establish a pilot pro-
25 gram to provide competitively awarded cost-shared grants

1 to eligible entities to pay for on-the-job training of a new
2 or existing employee to work—

3 (1) in renewable energy, energy efficiency, or
4 grid modernization; or

5 (2) on the reduction of greenhouse gas emis-
6 sions.

7 (c) GRANTS.—

8 (1) IN GENERAL.—An eligible entity desiring a
9 grant under the pilot program shall submit to the
10 Secretary of Labor an application at such time, in
11 such manner, and containing such information as
12 the Secretary of Labor may require.

13 (2) PRIORITY FOR TARGETED COMMUNITIES.—
14 In providing grants under the pilot program, the
15 Secretary of Labor shall give priority to an eligible
16 entity that—

17 (A) recruits employees—

18 (i) from the 1 or more communities
19 that are served by the eligible entity; and

20 (ii) that are minorities, women, vet-
21 erans, individuals who are or were foster
22 children, or individuals who are
23 transitioning from fossil energy sector jobs;

24 (B) provides trainees with the opportunity
25 to obtain real-world experience; and

1 (C) has fewer than 100 employees.

2 (3) USE OF GRANT FOR FEDERAL SHARE.—

3 (A) IN GENERAL.—An eligible entity shall
4 use a grant received under the pilot program to
5 pay the Federal share of the cost of providing
6 on-the-job training for an employee, in accord-
7 ance with subparagraph (B).

8 (B) FEDERAL SHARE AMOUNT.—The Fed-
9 eral share described in subparagraph (A) shall
10 not exceed—

11 (i) in the case of an eligible entity
12 with 20 or fewer employees, 45 percent of
13 the cost of on-the-job-training for an em-
14 ployee;

15 (ii) in the case of an eligible entity
16 with not fewer than 21 employees and not
17 more than 99 employees, 37.5 percent of
18 the cost of on-the-job-training for an em-
19 ployee; and

20 (iii) in the case of an eligible entity
21 with not fewer than 100 employees, 25
22 percent of the cost of on-the-job-training
23 for an employee.

24 (4) EMPLOYER PAYMENT OF NON-FEDERAL
25 SHARE.—

1 (A) IN GENERAL.—The non-Federal share
2 of the cost of providing on-the-job training for
3 an employee under a grant received under the
4 pilot program shall be paid in cash or in kind
5 by the employer of the employee receiving the
6 training.

7 (B) INCLUSIONS.—The non-Federal share
8 described in subparagraph (A) may include the
9 amount of wages paid by the employer to the
10 employee during the time that the employee is
11 receiving on-the-job training, as fairly evaluated
12 by the Secretary of Labor.

13 (5) GRANT AMOUNT.—An eligible entity may
14 not receive more than \$100,000 per fiscal year in
15 grant funds under the pilot program.

16 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated to carry out this section
18 \$15,000,000 for each of fiscal years 2020 through 2022.