

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 INSTITUTIONS.—  
21

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.