

118TH CONGRESS  
1ST SESSION

# S. 3226

To require the Secretary of Labor to establish an offshore wind career training grant program, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 2, 2023

Mr. MARKEY (for himself, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. CARDIN, and Mr. Kaine) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To require the Secretary of Labor to establish an offshore wind career training grant program, and for other purposes.

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 “Offshore Wind Jobs  
5 and Opportunity Act”.

6 **SEC. 2. OFFSHORE WIND CAREER TRAINING GRANT PRO-**  
7 **GRAM.**

8 (a) DEFINITIONS.—In this section:

1           (1) APPROPRIATE COMMITTEES OF CON-  
2           GRESS.—The term “appropriate committees of Con-  
3           gress” means—

4                   (A) the Committee on Health, Education,  
5           Labor, and Pensions of the Senate;

6                   (B) the Committee on Energy and Natural  
7           Resources of the Senate;

8                   (C) the Committee on Education and the  
9           Workforce of the House of Representatives; and

10                  (D) the Committee on Energy and Com-  
11           merce of the House of Representatives.

12           (2) COMMUNITY COLLEGE.—The term “commu-  
13           nity college” has the meaning given the term “junior  
14           or community college” in section 312 of the Higher  
15           Education Act of 1965 (20 U.S.C. 1058).

16           (3) DISLOCATED WORKER.—The term “dis-  
17           located worker” has the meaning given the term in  
18           section 3 of the Workforce Innovation and Oppor-  
19           tunity Act (29 U.S.C. 3102).

20           (4) ELIGIBLE ENTITY.—The term “eligible enti-  
21           ty” means an entity that is—

22                   (A) an institution of higher education;

23                   (B) a labor organization;

24                   (C) a maritime center of excellence; or

1 (D) a nonprofit organization the primary  
2 mission of which is to provide education and  
3 training to meet the needs of maritime profes-  
4 sionals and the United States maritime indus-  
5 try.

6 (5) GRANT PROGRAM.—The term “grant pro-  
7 gram” means the grant program established under  
8 subsection (d).

9 (6) GRANTEE.—The term “grantee” means an  
10 eligible entity that has received a grant under this  
11 section.

12 (7) INDIVIDUAL WITH A BARRIER TO EMPLOY-  
13 MENT.—The term “individual with a barrier to em-  
14 ployment” has the meaning given the term in section  
15 3 of the Workforce Innovation and Opportunity Act  
16 (29 U.S.C. 3102).

17 (8) INSTITUTION OF HIGHER EDUCATION.—The  
18 term “institution of higher education” has the  
19 meaning given the term in section 101 of the Higher  
20 Education Act of 1965 (20 U.S.C. 1001).

21 (9) LEAD APPLICANT.—The term “lead appli-  
22 cant” means the eligible entity that is primarily re-  
23 sponsible for the preparation, conduct, and adminis-  
24 tration of the project for which a grant is awarded  
25 under this section.

1           (10) MARITIME CENTER OF EXCELLENCE.—  
2           The term “maritime center of excellence” means a  
3           center of excellence for domestic maritime workforce  
4           training and education designated by the Secretary  
5           of Transportation under section 51706(a) of title 46,  
6           United States Code.

7           (11) QUALIFIED INTERMEDIARY.—The term  
8           “qualified intermediary” has the meaning given the  
9           term in section 3 of the Carl D. Perkins Career and  
10          Technical Education Act of 2006 (20 U.S.C. 2302).

11          (12) RECOGNIZED POSTSECONDARY CREDEN-  
12          TIAL.—The term “recognized postsecondary creden-  
13          tial” has the meaning given the term in section 3 of  
14          the Workforce Innovation and Opportunity Act (29  
15          U.S.C. 3102).

16          (13) REGISTERED APPRENTICESHIP PRO-  
17          GRAM.—The term “registered apprenticeship pro-  
18          gram” means an apprenticeship program registered  
19          under the Act of August 16, 1937 (commonly known  
20          as the “National Apprenticeship Act”) (50 Stat.  
21          664, chapter 663; 29 U.S.C. 50 et seq.).

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

1 (15) UNITED STATES MARITIME INDUSTRY.—

2 The term “United States maritime industry”  
3 means—

4 (A) all segments of the maritime-related  
5 transportation system of the United States, in-  
6 cluding in—

7 (i) domestic trade;

8 (ii) foreign trade; and

9 (iii) coastal, offshore, and inland  
10 waters;

11 (B) non-commercial maritime activities,  
12 such as pleasure boating and marine sciences  
13 (including all scientific research vessels); and

14 (C) all industries that support offshore  
15 wind development, including vessel construction  
16 and repair, vessel operations, ship logistics sup-  
17 ply, berthing, port operations, port intermodal  
18 operations, marine terminal operations, vessel  
19 design, marine brokerage, marine insurance,  
20 marine financing, chartering, maritime-oriented  
21 supply chain operations, and maritime-oriented  
22 research and development.

23 (16) VETERAN.—The term “veteran” has the  
24 meaning given the term in section 101 of title 38,  
25 United States Code.

1           (b) IDENTIFICATION OF EDUCATIONAL AND CAREER  
2 TRAINING NEEDS.—Not later than 120 days after the  
3 date of enactment of this Act, the Secretary, in consulta-  
4 tion with the Secretary of Energy, representatives from  
5 the offshore wind industry, the United States maritime in-  
6 dustry, eligible entities, including eligible entities that are  
7 community colleges and labor organizations, State and  
8 local governments, ports, and nonprofit organizations,  
9 shall identify educational and career training needs with  
10 respect to the offshore wind industry, including needs re-  
11 lating to manufacturing, construction, installation, oper-  
12 ation, vessels, engineering training and education, and  
13 maintenance activities.

14           (c) GUIDELINES.—Not later than 180 days after the  
15 date of enactment of this Act, the Secretary shall—

16               (1) issue guidelines for the submission of grant  
17 proposals under this section, which shall include a  
18 list of the educational and career training needs  
19 identified under subsection (b); and

20               (2) publish and maintain the guidelines de-  
21 scribed in paragraph (1) on a public website of the  
22 Secretary.

23           (d) ESTABLISHMENT OF GRANT PROGRAM.—Not  
24 later than 1 year after the date of enactment of this Act  
25 and in consultation with the Secretary of Energy, the Sec-

1 retary shall establish a grant program under which the  
2 Secretary may award offshore wind career training grants  
3 to eligible entities for the purpose of developing, offering,  
4 or improving educational or career training programs that  
5 provide individuals who are enrolled in those programs  
6 with skills that are necessary for employment in the off-  
7 shore wind industry or the United States maritime indus-  
8 try.

9 (e) ALLOCATION OF GRANTS.—

10 (1) LIMITATION ON GRANT QUANTITY AND  
11 SIZE.—In carrying out this section, the Secretary  
12 may not award to an eligible entity—

13 (A) more than 1 grant for which the eligi-  
14 ble entity is the lead applicant; or

15 (B) a grant that is in an amount that is  
16 more than \$2,500,000.

17 (2) ALLOCATION TO ENTITIES WITH REG-  
18 ISTERED APPRENTICESHIP PROGRAMS.—The Sec-  
19 retary shall ensure that, in a fiscal year, not less  
20 than 25 percent of the total amount that the Sec-  
21 retary awards in grants under this section is award-  
22 ed to eligible entities that sponsor registered appren-  
23 ticeship programs.

24 (3) ALLOCATION OF CONSTRUCTION AND MAIN-  
25 TENANCE GRANTS.—To the maximum extent prac-

1        ticable, the Secretary shall ensure that grants relat-  
2        ing to construction and maintenance career training  
3        are reserved for—

4                (A) eligible entities that sponsor a reg-  
5                istered apprenticeship program or offer a pre-  
6                apprenticeship program that facilitates entry  
7                into a registered apprenticeship program; and

8                (B) eligible entities that are participating  
9                in a joint labor-management partnership.

10        (f) PARTNERSHIPS.—An eligible entity seeking to re-  
11        ceive a grant under this section may partner with 1 or  
12        more of the following:

13                (1) Another eligible entity, including an eligible  
14                entity that is—

15                        (A) a community college; or

16                        (B) participating in a joint labor-manage-  
17                ment partnership.

18                (2) A State or local government agency respon-  
19                sible for education, workforce development, or off-  
20                shore wind energy activities.

21                (3) A nonprofit organization.

22                (4) A provider who is an eligible provider of  
23                training services under section 122 of the Workforce  
24                Innovation and Opportunity Act (29 U.S.C. 3152).



1 (g) USE OF GRANT.—An eligible entity may use a  
2 grant awarded under this section to carry out—

3 (1) occupational skills training, including cur-  
4 riculum and career pathway development, on-the-job  
5 training, safety and health training, and classroom  
6 training;

7 (2) incumbent worker and career ladder train-  
8 ing and retraining, including skill upgrading and  
9 transitional job strategizing;

10 (3) individual referral and tuition assistance for  
11 a training program through which an individual may  
12 attain a recognized postsecondary credential;

13 (4) customized training in conjunction with an  
14 existing registered apprenticeship program or pre-  
15 apprenticeship program, paid internship, or joint  
16 labor-management partnership; and

17 (5) other activities that the Secretary, in con-  
18 sultation with the Secretary of Energy, determines  
19 meet the purposes of this section.

20 (h) SUBMISSION PROCEDURE FOR GRANT PRO-  
21 POSALS.—An eligible entity seeking to receive a grant  
22 under this section shall submit a grant proposal to the  
23 Secretary at such time, in such manner, and, in accord-  
24 ance with the guidelines issued under subsection (c)(1),  
25 containing such information as the Secretary may require.

1 (i) CRITERIA FOR AWARD OF GRANTS.—

2 (1) IN GENERAL.—Subject to the availability of  
3 appropriations, the Secretary may award a grant  
4 under this section only after an evaluation of—

5 (A) the merits of the grant proposal with  
6 respect to the grant;

7 (B) the employment opportunities or pro-  
8 jected employment opportunities, including the  
9 projected wages, benefits, future skill and ca-  
10 reer advancement opportunities, job security,  
11 and working conditions available to individuals  
12 who complete the educational or career training  
13 program that the eligible entity applying for the  
14 grant proposes to develop, offer, or improve;

15 (C) the recruitment practices of the edu-  
16 cational or career training program that the eli-  
17 gible entity applying for the grant proposes to  
18 develop, offer, or improve to ensure such prac-  
19 tices are free from discrimination and that un-  
20 necessary educational, credential, or experience  
21 requirements are minimized;

22 (D) the availability and capacity of existing  
23 educational or career training programs in the  
24 community served by the eligible entity applying

1 for the grant to meet future demand for the  
2 educational or career training programs; and

3 (E) the employment opportunities or pro-  
4 jected employment opportunities for members of  
5 groups that have been historically underserved  
6 in the engineering and construction of energy  
7 facilities or the engineering and manufacture of  
8 energy facility components.

9 (2) PRIORITY.—In awarding grants under this  
10 section, the Secretary shall give priority to eligible  
11 entities that—

12 (A) are—

13 (i) institutions of higher education  
14 that have formed partnerships with labor  
15 organizations;

16 (ii) labor organizations that have  
17 formed partnerships with institutions of  
18 higher education;

19 (iii) nonprofit organizations described  
20 in subsection (a)(4)(D) that primarily  
21 serve members of a maritime labor organi-  
22 zation; or

23 (iv) labor organizations that support,  
24 sponsor, partner with, or are otherwise af-

1           filiated with a nonprofit organization de-  
2           scribed in that subsection;

3           (B) have entered into a memorandum of  
4           understanding with 1 or more employers in the  
5           offshore wind industry or the United States  
6           maritime industry to partner on the establish-  
7           ment or expansion of the educational or career  
8           offshore wind training program that the eligible  
9           entity applying for the grant proposes to de-  
10          velop, offer, or improve; or

11          (C) will use the grant funds to assist indi-  
12          viduals who are—

13                 (i) dislocated workers or mariners,  
14                 with a focus on workers or mariners dis-  
15                 placed from the offshore oil and gas, on-  
16                 shore fossil fuel, nuclear energy, or fishing  
17                 industry;

18                 (ii) veterans, members of the reserve  
19                 components of the Armed Forces, or  
20                 former members of those reserve compo-  
21                 nents; or

22                 (iii) individuals with a barrier to em-  
23                 ployment.

24          (j) MATCHING REQUIREMENTS.—A grant awarded  
25          under this section may not be used to satisfy any non-

1 Federal funds matching requirement under any other pro-  
2 vision of law.

3 (k) GRANTEE DATA COLLECTION.—

4 (1) IN GENERAL.—A grantee shall collect and  
5 report to the Secretary on an annual basis the fol-  
6 lowing information regarding the educational or ca-  
7 reer training program for which the grantee receives  
8 a grant under this section:

9 (A) The number of participants enrolled in  
10 the educational or career training program (re-  
11 ferred to in this subsection as “participants”).

12 (B) The number of participants that com-  
13 pleted the educational or career training pro-  
14 gram during the previous 1-year period.

15 (C) The services received in the edu-  
16 cational or career training program by the par-  
17 ticipants, including a description of training,  
18 educational, and supportive services.

19 (D) The amount of grant funds expended  
20 by the grantee per participant.

21 (E) The rate of job placement of partici-  
22 pants in the offshore wind industry, the United  
23 States maritime industry, or related fields that  
24 have completed the educational or career train-  
25 ing program.

1 (F) The rate at which participants are re-  
2 tained in positions of employment 1 year after  
3 the date on which the participant has completed  
4 the program.

5 (G) The percentage of participants enrolled  
6 in the educational or career training program  
7 who obtain a recognized postsecondary creden-  
8 tial or a secondary school diploma or its recog-  
9 nized equivalent not later than 1 year after  
10 exiting the program.

11 (H) The wage amount of participants 1  
12 year after program completion.

13 (2) DISAGGREGATION OF DATA.—The data col-  
14 lected and reported under this subsection shall be  
15 disaggregated by—

16 (A) each population specified in subpara-  
17 graphs (A) through (M) of section 3(24) of the  
18 Workforce Innovation and Opportunity Act (29  
19 U.S.C. 3102(24));

20 (B) race;

21 (C) ethnicity;

22 (D) sex; and

23 (E) age.

1           (3) DATA COLLECTION ASSISTANCE.—The Sec-  
2       retary shall assist grantees in the collection of data  
3       under this subsection—

4           (A) by making available, in coordination  
5       with the Secretary of Energy and where prac-  
6       ticable, low-cost means of tracking the labor  
7       market outcomes of participants; and

8           (B) by providing standardized reporting  
9       forms, where appropriate.

10       (1) TECHNICAL AND OVERSIGHT ASSISTANCE.—The  
11       Secretary shall provide technical assistance and over-  
12       sight—

13           (1) to assist eligible entities in applying for  
14       grants under this section; and

15           (2) to assist grantees in administering grants  
16       received under this section.

17       (m) REPORTING REQUIREMENTS.—

18           (1) INITIAL REPORT.—Not later than 18  
19       months after the date on which the grant program  
20       is established, the Secretary shall submit to the ap-  
21       propriate committees of Congress an initial report  
22       describing the results of the grant program, includ-  
23       ing a description of—

24           (A) the grantees that were awarded a  
25       grant under this section; and

1 (B) the activities for which the grantees  
2 described in subparagraph (A) used a grant  
3 awarded under this section.

4 (2) ADDITIONAL REPORTS.—Not later than 2  
5 years after the date on which the initial report is  
6 submitted under paragraph (1), and every 2 years  
7 thereafter, the Secretary shall submit to the appro-  
8 priate committees of Congress a report describing  
9 the results of the grant program for the 2-year pe-  
10 riod preceding the report.

11 (n) AUTHORIZATION OF APPROPRIATIONS.—

12 (1) IN GENERAL.—There is authorized to be  
13 appropriated to carry out this section \$25,000,000  
14 for each of fiscal years 2024 through 2028.

15 (2) ADMINISTRATIVE EXPENSES.—The Sec-  
16 retary may use not more than 4 percent of the  
17 amount appropriated under paragraph (1) for each  
18 fiscal year for administrative expenses, including ex-  
19 penses relating to providing technical assistance and  
20 oversight activities under subsection (l).

○