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21ST CENTURY ENERGY WORKFORCE ACT OF 2019

OCTOBER 24, 2019.—Ordered to be printed

Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany S. 2334]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2334) to require the Secretary of Energy to establish the 21st Century Energy Workforce Advisory Board, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of S. 2334 is to require the Secretary of Energy (Secretary) to establish the 21st Century Energy Workforce Advisory Board.

BACKGROUND AND NEED

The 2017 U.S. Energy and Employment Report (2017 employment report) found that energy and energy efficiency industries in the U.S. employed 6.4 million Americans in 2016. A later industry report led by the National Association of State Energy Officials and the Energy Futures Initiative, using the same methodology, found that that figure had increased to 6.7 million jobs by the end of 2018.

The 2017 employment report found that 73 percent of energy-related employers reported difficulty hiring qualified workers over the last 12 months, and that 26 percent found it was very difficult. As the energy sector grows increasing more diverse, a wider variety of technical qualifications and skillsets will be required.

The Department of Energy's (DOE or Department) second installment of the Quadrennial Energy Review, "Transforming the Nation's Electricity System," found that workforce retirement is a

particularly large issue for the electric power industry. According to DOE, a dip in workforce training programs in the 1980s will result in an upper management gap with the retirement of baby boomers. The 2017 employment report also noted that energy employment is less diverse than other industries, with women representing 22 to 34 percent of workforce, compared to the U.S. average of 47 percent.

Traditionally, DOE's role in workforce development has focused on research investments that support students, universities, and the national laboratories. DOE operates a Jobs Strategy Council that has several programs related to workforce development, including a variety of programs dedicated to supporting veterans. The Department also sponsors scholarships and funding for K–12 education through postdoctoral fellowships. Each national laboratory also has an outreach program dedicated to education and workforce development.

S. 2334, the 21st Century Energy Workforce Act would create an advisory board and grant program to ensure the U.S. energy industry has a skilled and diverse workforce.

LEGISLATIVE HISTORY

S. 2334 was introduced by Senators Cantwell and Hirono on July 30, 2019.

Similar legislation, H.R. 398, was introduced in the House of Representatives by Representative Norcross on January 9, 2019, and referred to the Committee on Education and Labor.

In the 115th Congress, a similar measure was included in S. 1460, the Energy and Natural Resources Act of 2017. S. 1460 was introduced by Senators Murkowski and Cantwell on June 28, 2017, and placed directly on the Legislative Calendar (Cal. 162). Senators Cantwell and Hirono also introduced nearly identical legislation, S. 2449, on February 15, 2018.

Related legislation, H.R. 1837, was introduced in the House of Representatives by Representative Norcross on March 30, 2017, and referred to the Committee on Education and Workforce.

In the 114th Congress, Senator Cantwell introduced similar legislation, S.1304, on May 12, 2015. The Senate Committee on Energy and Natural Resources held a hearing on S. 1304 on May 19, 2015. A similar measure was included in S. 2012, the Energy Policy Modernization Act of 2016. An original bill, S. 2012 was reported by the Committee on Energy and Natural Resources on July 30, 2015, and passed by the Senate, as amended, on April 26, 2016, by a vote of 85–12.

Related legislation, H.R. 3386, was introduced in the House of Representatives by Representative Norcross on July 29, 2015, and referred to the Committee on Education and the Workforce.

The Senate Committee on Energy and Natural Resources met in open business session on September 25, 2019, and ordered S. 2334 favorably reported.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on September 25, 2019, by a majority voice vote of a quorum present, recommends that the Senate pass S.

2334. Senators Barrasso, Risch, and Lee asked to be recorded as voting no.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 sets forth the short title of the bill.

Sec. 2. Definitions

Section 2 provides key definitions.

Sec. 3. 21st century energy workforce advisory board

Section 3(a) requires the Secretary of Energy to establish the 21st Century Energy Workforce Advisory Board (Board) to develop a strategy for the support and development of a skilled energy workforce.

Subsection (b) specifies that the Board shall have nine members, to be appointed by the Secretary within one year of enactment. Within this timeframe, the President's Council of Advisors on Science and Technology shall nominate at least 18 qualified individuals for the Board positions. This subsection further specifies that the relevant qualifications include eminence in the field of economics or workforce development or expertise in the energy industry; education; energy workforce; organized labor organizations; or bringing in underrepresented groups into the workforce.

Subsection (c) details the Board's requirements in developing a strategy pursuant to subsection (a). The Board must determine how to more effectively and efficiently use DOE and other Federal agencies in the development of a skilled energy workforce; identify ways DOE can work with other Federal agencies, States, local governments, educational institutions, labor, and industry in workforce development; identify ways DOE and the National Laboratories can increase opportunities for minorities, women, and displaced energy sector workers; and identify the energy sectors in greatest need of workforce training and develop workforce training guidelines. The subsection also directs the Board to provide a public report to the Secretary and Congress, within one year of the Board's establishment and annually thereafter, of its findings and model energy curricula.

Subsection (d) requires the Secretary to provide a report to Congress describing the Secretary's approval or disapproval of the Board's recommendations. The report is to provide an implementation plan, if applicable, and is due within 18 months of the Board's establishment.

Subsection (e) requires the Secretary to establish a clearinghouse based on the Board's recommendations, in order to maintain information and resources on energy and manufacturing workforce development.

Subsection (f) requires the Board to conduct outreach and make resources available to minority-serving institutions.

Subsection (g) specifies that the Board will sunset on September 30, 2024.

Sec. 4. Energy workforce pilot grant program

Section 4(a) directs the Secretary, in consultation with the Secretaries of Labor and Education, to establish an energy workforce pilot program to award grants on a competitive basis to eligible entities for job training programs that lead to an industry-recognized credential.

Subsection (b) defines the eligibility for the grant program.

Subsection (c) requires entities desiring a grant under the program to submit an application to the Secretary.

Subsection (d) requires the Secretary, in selecting grant award-ees, to give priority to specific applicants.

Subsection (e) requires the Secretary to consider regional diversity.

Subsection (f) limits the number of submissions from any eligible entity to one per year.

Subsection (g) limits the amount of any individual grant to \$2 million per fiscal year.

Subsection (h) specifies that the Federal share of the cost of a job training and education program carried out using a grant under this section shall not exceed 65 percent. It also specifies that the non-Federal share must be at least 50 percent cash and not more than 50 percent in the form of in-kind services.

Subsection (i) requires each applicant to consult with other Federal agencies and relevant State and local programs to reduce duplication.

Subsection (j) requires the Secretary to provide direct assistance to entities that receive a grant under this section.

Subsection (k) directs the Secretary to provide technical assistance and capacity building to national and State energy partnerships to leverage the existing job training and education programs of the Department.

Subsection (l) requires the Secretary to provide an annual report to Congress outlining the activities and impact of the pilot program.

Subsection (m) authorizes \$20 million for each of fiscal years 2020 through 2024 to carry out the pilot program.

COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the Congressional Budget Office completes its cost estimate, it will be posted on the internet at www.cbo.gov.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2334. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 2334, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 2334, as ordered reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

Executive views on S. 2334 were not requested by the Committee.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by S. 2334 as ordered reported.