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SENATE

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ENERGY JOBS FOR OUR HEROES ACT OF 2019

JANUARY 9, 2020.—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. 876]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 876) to amend the Energy Policy Act of 2005 to require the Secretary of Energy to establish a program to prepare veterans for careers in the energy industry, including the solar, wind, cybersecurity, and other low-carbon emissions sectors or zero-emissions sectors of the energy industry, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

AMENDMENTS

The amendments are as follows:

Beginning on page 7, strike line 7 and all that follows through page 8, line 11, and insert the following:

“(f) Establishment of Industry-Recognized Certification and Training Programs.—For purposes of subsection (d), if an appropriate industry-recognized certification and training program does not exist, the Secretary shall establish a grant program to assist the industry in developing such an industry-recognized certification and training program.

On page 8, line 12, strike “(h)” and insert “(g)”.

On page 8, line 16, strike “program.” and insert the following:

“program, including—

- (1) the number of veterans enrolled in the program;
- (2) the regional distribution of those veterans;
- (3) the cost of certification under the program;
- (4) the rate of job placement;

- (5) the rate of job retention; and
 (6) the average salaries of veterans who were enrolled in the program.”

PURPOSE

The purpose of S. 876 is to amend the Energy Policy Act of 2005 (EPAcT '05, Public Law 109–58) to require the Secretary of Energy (Secretary) to establish a program to prepare veterans for careers in the energy industry, including the solar, wind, cybersecurity, and other low-carbon emissions sectors or zero-emissions sectors of the energy industry.

BACKGROUND AND NEED

As deployed energy generation, storage, transmission, distribution, and use technologies evolve, energy industry subsectors require a talented workforce that can adapt and meet these needs. The men and women who serve in the U.S. military acquire many skills that translate well to employment in civilian industries.

S. 876 seeks to build upon the broad skill set veterans have already attained with additional training in certified or accredited programs to gain highly needed energy industry sector-specific skills. This program will accelerate solutions to ongoing national energy workforce challenges while facilitating the transition from military service to civilian industry. The Department of Energy (DOE) has expertise in energy industry needs and the Department of Defense (DOD) has expertise in veteran workforce training and placement programs. This bill would require the two Departments to co-facilitate such a program.

LEGISLATIVE HISTORY

S. 876 was introduced on March 26, 2019, by Senators Duckworth, Graham, Bennet, and Gardner. The Subcommittee on Energy held a hearing on S. 876 on November 6, 2019.

During the 115th Congress, similar legislation, S. 3088, was introduced on June 19, 2018, by Senators Duckworth, Graham, Bennet, and Gardner.

The Senate Committee on Energy and Natural Resources met in open business session on November 19, 2019, and ordered S. 876 favorably reported, as amended.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on November 19, 2019, by a majority voice vote of a quorum present, recommends that the Senate pass S. 876, if amended as described herein. Senator Lee asked to be recorded as voting no.

COMMITTEE AMENDMENTS

During its consideration of S. 876, the Committee adopted a joint staff amendment and an amendment offered by Senator Lee.

The joint staff amendment strikes section 1107(g) of EPAcT '05 (as proposed to be added by section 2 of the bill), which would have allocated funds appropriated for the job training program estab-

lished by the bill among DOD facilities based on participant enrollment in the program. The amendment also redesignates the reporting requirement in section 1107(h) as 1107(g).

The Lee amendment amends the requirement in section 1107(g) of EPLaw '05 (as proposed to be added by section 2 of the bill and redesignated by the joint staff amendment) that the Secretary report to Congress annually on the program by requiring specifically that the Secretary report on the number of veterans enrolled in the program, the rate of job placement and retention, and the average salaries of veterans enrolled in the program.

SECTION-BY-SECTION ANALYSIS

Sec. 1. Short title

Section 1 sets forth the short title of the bill as “Energy Jobs for our Heroes Act of 2019.”

Sec. 2. Energy-Ready Vets Program

Section 2 amends title XI of EPLaw '05 to add at the end a new section 1107, establishing a program to prepare veterans for careers in the energy industry.

The new subsection 1107(a) sets forth the purpose of the section.

The new subsection 1107(b) defines relevant terms.

The new subsection 1107(c) directs the Secretary to establish and implement a program called the “Energy Ready Vets Program.”

The new subsection 1107(d) sets forth the details of how the program shall be implemented in partnership with the Secretary of Defense through DOD’s SkillBridge program. The program will provide standardized training courses to prepare eligible veterans for careers in the energy industry, including in solar energy, wind energy, cybersecurity, grid modernization, resilience planning, other low-carbon energy fields, energy infrastructure, and other related subfields. The program will consist of job training, employment skills training, internships, and exams that lead to industry-recognized entry-level certificates or credentials.

The new subsection 1107(e) requires the Secretary to recognize commercial entities that hire eligible veterans who have received certifications or credentials through the program.

The new subsection 1107(f) requires the Secretary to develop appropriate industry-recognized certifications and training that do not currently exist.

The new subsection 1107(g) requires the Secretary to submit a report to Congress describing the activities carried out within the program no later than one year after the date on which the program is established, and annually thereafter.

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. 876. 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. 876, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 876, 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

The testimony provided by the Department of Energy at the November 6, 2019, hearing on S. 876 follows:

TESTIMONY OF ASSISTANT SECRETARY DANIEL SIMMONS,
OFFICE OF ENERGY EFFICIENCY AND RENEWABLE EN-
ERGY, U.S. DEPARTMENT OF ENERGY

INTRODUCTION

Chairman Cassidy, Ranking Member Heinrich, and Members of the Energy Subcommittee of the Committee on Energy and Natural Resources, thank you for the opportunity to testify today on legislation pertinent to the Department of Energy now pending in the Senate. My name is Daniel Simmons, and I am the Assistant Secretary for the Office of Energy Efficiency and Renewable Energy (EERE).

As the Assistant Secretary, I am responsible for overseeing a broad portfolio of energy efficiency and renewable energy programs. The technologies in my portfolio advance America's economic growth and energy security while enhancing the reliability and resilience of the U.S. energy system. The Department of Energy supports improving the energy efficiency and reducing energy costs, while at the same time ensuring important performance standards are met or exceeded. For instance, we want to ensure schools and other buildings are sufficiently bright to ensure safety, and that water flow from faucets is strong enough to clean dirty hands. Today, I would like to share what relevant work my office has done and is doing in the areas that these bills address.

I have been asked to testify on eleven (11) bills today, addressing a range of important energy issues. The Administration continues to review all of these bills. I appreciate the ongoing bipartisan efforts to address our Nation's energy challenges and I look forward to working with the Committee.

BILLS

S. 876—Energy Jobs for Our Heroes Act of 2019

S. 876, the Energy Jobs for Our Heroes Act of 2019 would establish the ‘Energy-Ready Vets Program’ that would prepare veterans for careers in the energy industry. The program will allow eligible participants to earn an applicable industry-recognized entry-level certificate or other credential. The program will be carried out through the SkillBridge program of the Department of Defense.

The Department will continue to review the legislation and looks forward to working with Congress as the legislative process moves forward.

CONCLUSION

Thank you again for the opportunity to testify before the Subcommittee today. The Department appreciates the ongoing bipartisan efforts to address our Nation’s energy challenges, and looks forward to working with the Committee on the legislation on today’s agenda and any future legislation. I would be happy to answer your questions.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the changes in existing law made by S. 876, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

ENERGY POLICY ACT OF 2005

Public Law 109–58, as amended

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TITLE XI—PERSONNEL AND TRAINING

* * * * *

SEC. 1106. NATIONAL POWER PLANT OPERATIONS TECHNOLOGY AND EDUCATIONAL CENTER.

(a) **ESTABLISHMENT.**—The Secretary shall support the establishment of a National Power Plant Operations Technology and Education Center (referred to in this section as the “Center”), to address the need for training and educating certified operators and technicians for the electric power industry.

(b) **LOCATION OF CENTER.**—The Secretary shall support the establishment of the Center at an institution of higher education that has—

- (1) expertise in providing degree programs in electric power generation, transmission, and distribution technologies;
- (2) expertise in providing onsite and Internet-based training;
- and
- (3) demonstrated responsiveness to workforce and training requirements in the electric power industry.

(c) **TRAINING AND CONTINUING EDUCATION.**—

(1) **IN GENERAL.**—The Center shall provide training and continuing education in electric power generation, transmission, and distribution technologies and operations.

(2) **LOCATION.**—The Center shall carry out training and education activities under paragraph (1)—

(A) at the Center; and

(B) through Internet-based information technologies that allow for learning at remote sites.

SEC. 1107. ENERGY READY VETS PROGRAM.

(a) **PURPOSE.**—*The purpose of this section is to ensure that veterans have the credentials and training necessary to secure careers in the energy industry.*

(b) **DEFINITIONS.**—*In this section:*

(1) **ACTIVE MILITARY, NAVAL, OR AIR SERVICE.**—*The term “active military, naval, or air service” has the meaning given such term in section 101 of title 38, United States Code.*

(2) **ELIGIBLE PARTICIPANT.**—*The term “eligible participant” means a veteran who—*

(A) *was discharged or released from service in the active military, naval, or air service during the most recent 1-year period; or*

(B)(i) *was discharged or released from service in the active military, naval, or air service during the 2-year period immediately preceding the most recent 1-year period; and*

(ii) *receives the approval of the Secretary to participate in the program.*

(3) **PROGRAM.**—*The term “program” means the Energy-Ready Vets Program established under subsection (c)(1).*

(4) **UNIFORMED SERVICES.**—*The term “uniformed services” has the meaning given such term in section 10(a) of title 10, United States Code.*

(5) **VETERAN.**—*The term “veteran” has the meaning given such term in section 101 of title 38, United States Code.*

(c) **ESTABLISHMENT; IMPLEMENTATION.**—

(1) **ESTABLISHMENT.**—*The Secretary shall establish a program, to be known as the “Energy-Ready Vets Program”, to prepare eligible participants for careers in the energy industry.*

(2) **IMPLEMENTATION.**—*The Secretary shall ensure that the program is implemented by an administrator, to be appointed by the Secretary from among individuals with experience relating to military service.*

(d) **ADMINISTRATION OF PROGRAM.**—

(1) **IN GENERAL.**—*The Secretary, in partnership with the Secretary of Defense, shall carry out the program through the SkillBridge program of the Department of Defense, under which the Secretary shall provide standardized training courses, based, to the maximum extent practicable, on existing industry-recognized certification and training programs, to prepare eligible participants in the program for careers in the energy industry, including—*

(A) *in the solar energy industry, careers—*

(i) *as solar photovoltaic system installers;*

(ii) *as solar technicians;*

(iii) *as system inspectors; and*

- (iv) *in other areas relating to the solar energy industry;*
 - (B) *in the wind energy industry, careers—*
 - (i) *in wind energy operations;*
 - (ii) *in wind energy development;*
 - (iii) *in wind energy manufacturing;*
 - (iv) *as wind energy technicians;*
 - (v) *in the support of all parts of the wind energy supply chain; and*
 - (vi) *in other areas relating to the wind energy industry;*
 - (C) *in the cybersecurity sector of the energy industry, careers in—*
 - (i) *cybersecurity preparedness;*
 - (ii) *cyber incident response and recovery;*
 - (iii) *grid modernization, security, and maintenance;*
 - (iv) *resilience planning; and*
 - (v) *other areas relating to the cybersecurity sector of the energy industry;*
 - (D) *careers in other low-carbon emissions sectors or zero-emissions sectors of the energy industry identified by the Secretary; and*
 - (E) *careers in sectors that plan, develop, construct, maintain, and expand energy industry infrastructure.*
- (2) **PROGRAM REQUIREMENTS.—**
- (A) **IN GENERAL.—***In carrying out the program, the Secretary shall ensure that the courses described in paragraph (1)—*
 - (i) *provide—*
 - (I) *job training;*
 - (II) *employment skills training, including providing comprehensive wraparound support services to eligible participants that—*
 - (aa) *enhance the training experience and promote the professional development of eligible participants; and*
 - (bb) *help eligible participants transition into the workforce; and*
 - (III) *opportunities for internships of not longer than 180 days; and*
 - (ii) *are carried out primarily through—*
 - (I) *internships; or*
 - (II) *applied, work-based training.*
 - (B) **EXAM REQUIREMENT.—***As a requirement for completing a course described in paragraph (1), the Secretary shall require each eligible participant in the course to earn an applicable industry-recognized entry-level certificate or other credential.*
- (e) **RECOGNITION OF ENTITIES.—***The Secretary and the administrator of the program appointed under subsection (c)(2), working jointly, shall establish and carry out a program to recognize commercial entities that hire eligible participants who receive certifications or other credentials under the program, based on the proportion that—*

(1) *the number of such eligible participants hired by the commercial entity; bears to*

(2) *the number of such eligible participants hired by all commercial entities.*

(f) *ESTABLISHMENT OF INDUSTRY-RECOGNIZED CERTIFICATION AND TRAINING PROGRAMS.—For purposes of subsection (d), if an appropriate industry-recognized certification and training program does not exist, the Secretary shall establish a grant program to assist the industry in developing such an industry-recognized certification and training program.*

(g) *REPORT.—Not later than 1 year after the date on which the program is established, and annually thereafter, the Secretary shall submit to Congress a report describing the activities carried out under, and accomplishments of, the program, including—*

(1) *the number of veterans enrolled in the program;*

(2) *the regional distribution of those veterans;*

(3) *the cost of certification under the program;*

(4) *the rate of job placement;*

(5) *the rate of job retention; and*

(6) *the average salaries of veterans who were enrolled in the program.*

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