

116TH CONGRESS  
1ST SESSION

# H. R. 533

To amend title 41, United States Code, to require the head of each executive agency to consider the existence of qualified training programs of contractors in the award of certain contracts.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 14, 2019

Mr. BROWN of Maryland (for himself, Ms. BONAMICI, and Ms. CLARKE of New York) introduced the following bill; which was referred to the Committee on Oversight and Reform

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## A BILL

To amend title 41, United States Code, to require the head of each executive agency to consider the existence of qualified training programs of contractors in the award of certain contracts.

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. CONSIDERATION OF CONTRACTORS WITH**  
4       **QUALIFIED TRAINING PROGRAMS.**

5       (a) CONSIDERATION OF CONTRACTORS WITH QUALI-  
6       FIED TRAINING PROGRAMS.—

1           (1) IN GENERAL.—Chapter 47 of title 41,  
2       United States Code, is amended by inserting after  
3       section 4712 the following new section:

4   **“§ 4713. Consideration of contractors with qualified**  
5       **training programs**

6       “(a) CONSIDERATION.—The head of each executive  
7       agency shall, to the maximum extent practicable, consider  
8       the existence of qualified training programs of contractors  
9       by requiring a contracting officer, in the evaluation of of-  
10      fers for any contract in an amount greater than  
11      \$25,000,000—

12           “(1) to consider the existence of a qualified  
13      training program of an offeror as a factor in the  
14      evaluation;

15           “(2) to give consideration to an offeror that  
16      provides comprehensive training and education pro-  
17      grams to develop its workforce, consistent with  
18      needs of the agency; and

19           “(3) in the consideration of past performance of  
20      an incumbent contractor, to consider the manner in  
21      which the incumbent contractor is educating, invest-  
22      ing, and retaining the contractor’s workforce.

23       “(b) INCENTIVES.—The head of each executive agen-  
24      cy shall develop workforce development investment incen-  
25      tives for contractors.

1       “(c) RULE OF CONSTRUCTION.—Nothing in this sec-  
 2       tion may be construed as altering or superceding the appli-  
 3       cability of existing work force development investment in-  
 4       centives for contractors.

5       “(d) QUALIFIED TRAINING PROGRAM DEFINED.—  
 6       The term ‘qualified training program’ means any of the  
 7       following:

8               “(1) A program eligible to receive funds under  
 9               the Workforce Innovation and Opportunity Act (29  
 10              U.S.C. 3101 et seq.).

11              “(2) A program eligible to receive funds under  
 12              the Carl D. Perkins Career and Technical Education  
 13              Act of 2006 (21 U.S.C. 2301 et seq.).

14              “(3) A program registered under the Act of Au-  
 15              gust 16, 1937 (commonly known as the ‘National  
 16              Apprenticeship Act’; Stat. 664, chapter 663; 29  
 17              U.S.C. 50 et seq.).

18              “(4) Any other Federal program determined to  
 19              be a qualified training program for purposes of this  
 20              section by the head of the executive agency.”.

21              (2) CLERICAL AMENDMENT.—The table of sec-  
 22              tions at the beginning of such chapter is amended  
 23              by inserting after the item relating to section 4712  
 24              the following new item:

“4713. Consideration of contractors with qualified training programs.”.

1       (b) APPLICABILITY.—This Act and the amendments  
2 made by this Act apply with respect to contracts awarded  
3 on or after the date that is 180 days after the date of  
4 the enactment of this Act.

